

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

MINUTES OF MONDAY, JUNE 1, 2009

Chairman Yvonne Barnes called the meeting to order at 8:30 a.m. The following Committee Members were present: Yvonne Barnes, Chairman; 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; Ralph Sarbaugh, Associate County Administrator-Finance; Undersheriff Lowery, Captain Dave Shepherd and Angela Wood-Zuzevich, Sheriff's Department; Judge Michael Sullivan; Dan Wallis, Court Administrator; Barry Valentine, EMA; Kathy Keefe, Circuit Clerk; Bob Ivetic, Human Resources; Tom Carroll and Lou Bianchi, State's Attorney; Adam Lehmann and Rob Jones, Administration Interns; 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

Committee members reviewed committee minutes from the May 12, 2009, Law & Justice meeting. Mr. Heisler made a motion, seconded by Ms. Schmidt to recommend approval of the above minutes as submitted. The minutes were approved on a unanimous voice vote as presented.

PUBLIC COMMENT

None

PRESENTATION

None

NEW BUSINESS

Marengo Rescue Squad Appointment Interview – 8:30 am Eugene Carroccia: Committee members interviewed Mr. Eugene Carroccia for appointment to the Marengo Rescue Squad.

Resolution authorizing the reclassification of two (2) part-time secretary/deputy coroner positions into a single full-time position: Mr. Kennedy made a motion, seconded by Ms. Schmidt to recommend the County Board approve a Resolution authorizing the reclassification of two (2) part-time secretary/deputy coroner positions into a single full-time position. Committee members were informed that this position was previously a full time position, but, because of the needs of the department, was split into two positions. This would allow this position to return to a full time position. The motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing an emergency appropriation in the County Coroner's FY 08/09 budget: Ms. Schmidt made a motion, seconded by Mr. Donley to recommend the County Board approve a Resolution authorizing an emergency appropriation in the County Coroner's FY 08/09 budget. This is a housekeeping issue that will allow the coroner to spend the funds for the purchase of equipment. The motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing a contract agreement between Illinois Fraternal Order of Police – McHenry County Civilians – Unit III and the County of McHenry: Ms. Schmidt made a motion, seconded by Ms. Draffkorn to recommend the County Board approve a Resolution authorizing a contract agreement between Illinois Fraternal Order of Police – McHenry County Civilians – Unit III and the County of McHenry. Committee members voiced concern that raises are being figured for the next four years and questioned if the non-union staff would be receiving the same raises. They stated that all employees should be treated equal. Committee members were reminded that if the union contract is not approved, it would then go to arbitration that could cost more than what is agreed upon. Committee members were informed that as of right now, all of the employees of the County get the same level of benefits, as a retiree. Committee members stated that the Associate County Administrator of Finance should review all union contracts in order to provide a thoughtful response to committee members. The Human Resources Committee has discussed the union negotiations. The motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes).

Resolution authorizing an emergency appropriation to the Circuit Court Clerk Operation & Administration Fund and Circuit Clerk Support Collection Fund FY 08/09 budgets: Mr. Bless made a motion, seconded by Ms. Schmidt to recommend the County Board approve a Resolution authorizing an emergency appropriation to the Circuit Court Clerk Operation & Administration Fund and Circuit Clerk Support Collection Fund FY 08/09 budgets. Committee members were informed that this would allow for the purchase of new cubicles for the office. They were informed that the current equipment is old and when the carpet in the area is replaced, they are concerned that these units will not have the ability to be reassembled without falling apart. Committee members questioned if used equipment could be purchased for this area since so many companies are going out of business there is a lot of equipment available for purchase, cheaper than new. Ms. Keefe stated she does not know if the carpet could be repaired without the purchase of new cubicles. Mr. Donley made a motion, seconded by Ms. Draffkorn to table this resolution until the next committee meeting for consideration. The motion carried with all members present voting aye on a roll call vote. (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing the firm of Secure Alert to provide GPS Electronic Monitoring Equipment: Mr. Kennedy made a motion, seconded by Mr. Heisler to recommend the County Board approve a Resolution authorizing the firm of Secure Alert to provide GPS Electronic Monitoring Equipment. A bill was passed that requires all persons arrested for violating an order of protection shall undergo a risk assessment which may result in being placed on GPS electronic monitoring. Secure Alert was chosen as the best provider for this equipment. The judge has to order the use of this equipment in order for the equipment to be required. The State's Attorney has reviewed and approved the contract. The motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing acceptance of an IDOT "You Drink & Drive You Lose" mini grant enforcement program supplemental award in the amount of \$4,241.60 and an emergency appropriation to the Sheriff's FY 09: Mr. Kennedy made a motion, seconded by Mr. Heisler to recommend the County Board approve a Resolution authorizing acceptance of an IDOT "You Drink & Drive You Lose" mini grant enforcement program supplemental award in the amount of \$4,241.60 and an emergency appropriation to the Sheriff's FY 09. The motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing an emergency appropriation in the amount of \$27,722.09 to the Sheriff's FY 09 Jail budget: Mr. Bless made a motion, seconded by Mr. Donley to recommend the County Board approve a Resolution authorizing an emergency appropriation in the amount of \$27,722.09 to the Sheriff's FY 09 Jail budget. Committee members were reminded that the Sheriff's auxiliary volunteer's elected to disband and after reimbursement of expenses to this account there were some remaining funds that was available to use. It was suggested to update the HVAC system, as well as other required needs in Pod-E of the Jail. Mr. Bless made a motion, seconded by Mr. Donley to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Discussion on mobile data computer replacement program: Committee members entered into a discussion regarding replacement of the mobile data computers for the Sheriff's Department. Some of the laptops in the squad vehicles are in need of replacement and they have been unable to keep up with the needs. A lease agreement is being proposed to expand the replacement program. Previously, when a department needed additional computer equipment either a new lease had to be created or a unit purchased. With the open ended lease, it allows the department to add equipment as needed. We have elected to have a four year lease program, instead of the recommended 3 year plan, in order to save some funds. The goal of the Sheriff's department is to replace all the laptops in the squad cars every four years. This issue will be forwarded to the Finance and Audit Committee for consideration.

Mr. Heisler left committee at 9:45a.m.

OLD BUSINESS

Ms. Draffkorn has requested that a proposed "nuisance ordinance" brought forward for consideration. She stated that there has to be a mechanism to address nuisance issues.

REPORTS TO COMMITTEE/UPDATES

Sheriff's Radio System: Committee members provided an update on the Sheriff's new radio system. All of the portable units have been programmed, distributed and are in use. So far there have been no significant issues with the devices. The old units and new units have been programmed together. The software upgrades have been secured through Federal earmarks. This software allows upgrades to be handled over the air, over the radio. They have used these same earmarks to set up redundant software for dual dispatch center setup. They are finishing with installations in other areas as well. So far the feedback received has been positive.

Circuit Court Administration Updates: ICIS Rebate: Mr. Dan Wallis, Trial Court Administrator, joined committee members to provide an update on the ICIS Rebate Program. There are two sticking points on how long it will take to recoup costs of the project. ISS is stating they have invested \$1.5 million dollars on the project to date. There is some debate on this issue. Additional meetings have been scheduled to continue working to create a working document that has been created by the County, to see what ISS is willing to do. The State's Attorney would review all documents. Some in the County did not think the County would receive any funding back from this project, so anything is better than none. He noted they would continue to work to try to get the County what they can and are looking at other County's that have obtained contracts where they recoup funds. The system is up and running and is responding well to maintenance.

Drug Court Taskforce: Committee members were reminded that a Drug Court Taskforce determined in FY2000 that the County did not need a drug court. After some ongoing discussion, it was determined that now is a good time to bring back the Taskforce to review and see if a drug court is now needed within the County. There is now a bill within the House that states that the Chief Judge of each judicial circuit must establish a drug court program. This legislation was passed late last night but still must be signed by the governor.

Judge Sullivan informed committee a member that a bill was passed that adds 18 Judgeships to Northern Illinois. One has been assigned to McHenry County, though no budget has been passed yet to fill these positions. This position could be filled after the 2010 elections though the Supreme Court could fill these positions sooner with appropriations to fund the positions. Judge Sullivan stated that a new courtroom would not be needed at this time, though a court officer and some staff as well as furniture may be needed for the position. Once the County obtains 18 judges, additional space would be needed. This judge would be obtained through a county-wide election. Judge Sullivan stated the County would probably receive another judge after the next census.

22nd Circuit Access and Fairness Survey: Committee members were informed that on May 18th and 19th the 22nd Judicial Circuit conducted a survey to ascertain how well the court is performing in the areas of access to the court and judicial fairness. The survey was conducted utilizing the National Center for State Courts Access and Fairness Courtool Measure. The results were very favorable. 83.3% of the respondents felt there is adequate access to the court and there are few barriers. Comments made by litigants feel there are too many appearances necessary to move the case to disposition. 78.6% feel that they had been treated fairly by the Court. An 80% favorable response is very good. 51% of the respondents were here for jury duty with the remaining respondents being a party to a case, an attorney, or other court resource user. There were 230 respondents to the survey.

A meeting has been scheduled for later today in Kane County about Juvenile Detention issues. We believe we will continue with the relationship with Kane County for our juvenile defenders.

EXECUTIVE SESSION

Mr. Donley made a motion, seconded by Mr. Bless to enter executive session to discuss pending litigation. The following were present: Chairman Barnes, Mr. Bless, Mr. Donley, Ms. Draffkorn, Mr. Kennedy, Ms. Schmidt, Mr. Austin, Mr. Carroll and Mr. Bianchi.

The Committee was in executive session from 10:20 am to 11:10 am.

Mr. Kennedy made a motion, seconded by Schmidt, to return to regular session. No action was taken during executive session.

ADJOURNMENT

Noting no further business, Mr. Donley made a motion, seconded by Ms. Draffkorn to adjourn the meeting at 11:11 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD ACTION:

Resolution authorizing the reclassification of two (2) part-time secretary/deputy coroner positions into a single full-time position

Resolution authorizing an emergency appropriation in the County Coroner's FY 08/09 budget

Resolution authorizing a contract agreement between Illinois Fraternal Order of Police – McHenry County Civilians – Unit III and the County of McHenry

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