

.LAW AND JUSTICE COMMITTEE
McHenry County Administration Building
667 Ware Road
Woodstock, IL 60098

MINUTES OF MONDAY, NOVEMBER 5, 2007

Chairman Provenzano called the meeting to order at 8:15a.m. The following Committee Members were present: Nick Provenzano; Randy Donley; Sue Draffkorn; James Kennedy; Dan Shea and Jim Heisler. Yvonne M. Barnes was absent. Also in attendance: Peter Austin, County Administrator; Tom Carroll, States Attorney; Phil Ulmer, Court Services; Lou Czarny Court Administration; Judge Sullivan; Bob Ivetic, Human Resources; Rich Weinhandl, Capt. Shepherd and Under Sheriff Gene Lowery, Sheriff's Department; and Bob Ellsworth, EMA.

Nick Provenzano, Chairman
Yvonne M. Barnes Randy Donley
Sue Draffkorn Jim Heisler
James P. Kennedy Dan Shea

MINUTES

Mr. Heisler made a motion, seconded by Ms. Draffkorn, to approve the minutes of October 1, 2007 as presented. The motion carried with all members present voting aye.

PUBLIC COMMENT: None

PRESENTATION: None

REPORTS: None

NEW BUSINESS

Update on Juvenile Detention Contract with Kane County: Mr. Phil Ulmer, Court Services, and Under Sheriff Lowery joined committee members to provide an update on the Juvenile Detention Contract. Committee members were informed that the current detention contract with Kane County will expire at the end of November. The contract can be extended for one year. Kane County is taking the contract extension to their board for approval. The new jail for Kane County is scheduled for completion in 2008. It was scheduled to open in August but has been pushed back to November. We provide beds for adult prisoners for Kane County in exchange for bed space for juvenile offenders. There is still an outstanding proposal to change 17 year olds to juveniles instead of adults. This will cause a huge issue for juvenile detentions centers across the state. It was noted that not many counties could meet the requirements needed for 17 year old offenders as they cannot be housed with younger detainees. When the jail in Kane County is completed, Kane County would no longer need the use of McHenry County jail beds for about 40 to 60 inmates per night. Surrounding Counties have been notified regarding the increased availability of bed space. It was noted that even though the current contract has not been signed with Kane County it is expected to be approved for 2008. After completion of the Kane County jail, there will be no need for adult bed space. Chairman Provenzano informed committee members that the County Board Chairman and Judge Sullivan are in discussions regarding the need to form a committee to investigate the time table needed to build a new juvenile detention center. Plans were created over 10 years ago to build a facility as one of the County's long term projects. He noted a facility will be necessary for the future and are in early stages of the formation of the above committee.

Resolution authorizing the designation of the Office of the State's Attorneys Appellate Prosecutor: Committee members reviewed a Resolution authorizing the designation of the Office of the State's Attorneys Appellate Prosecutor. This is an annual agreement for the State's Attorneys Appellate Prosecutor. Mr. Shea made a motion, seconded by Mr. Kennedy to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing the acceptance of 2006 State Criminal Alien Assistance Program (SCAAP) Supplemental Award and an Emergency Appropriation to the Sheriff's FY2007 Budget: Committee members reviewed a Resolution authorizing the acceptance of 2006 State Criminal Alien Assistance Program (SCAAP) Supplemental Award and an Emergency Appropriation to the Sheriff's FY2007 Budget. Mr. Weinhandl noted that these funds are additional funds being allocated for this program. He informed committee members that in the future there will be a change to the program where the department will be required to expend the funds for corrections. Mr. Shea made a motion, seconded by Mr. Kennedy to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing acceptance of an IDOT Integrated Mini-Grant Enforcement Program Supplemental Award and authorization for an emergency appropriation to the Sheriff's FY07 budget: Committee members reviewed a Resolution authorizing acceptance of an IDOT Integrated Mini-Grant Enforcement Program Supplemental Award and authorization for an emergency appropriation to the Sheriff's FY07 budget. This is an image grant for \$1,000 to be used for the procurement of an intoximeter. Mr. Shea made a motion, seconded by Mr. Heisler to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Donely, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing a contract agreement between Illinois Fraternal Order of Police – McHenry County Correctional Officers – Unit II and the County of McHenry: Committee members reviewed a Resolution authorizing a contract agreement between Illinois Fraternal Order of Police – McHenry County Correctional Officers – Unit II and the County of McHenry.

Mr. Ivetic informed committee members that the negotiations for the new contract have been completed prior to the expiration of the current contract. This is a four year agreement that starts in December 2007. Comparables from surrounding counties are used for negotiation purposes. Mr. Kennedy made a motion, seconded by Ms. Draffkorn to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Discussion – Healthcare Contract: This item has been pulled for discussion at a later date. It was stated that correctional healthcare is in the last year of the agreement. Questions have been asked regarding the addition of a full time nurse for the Mental Health Court. When the issues are ironed out, this item will be brought back to committee for discussion.

Discussion – Jail Dishwasher: Committee members were informed that there have been some ongoing problems with the new dishwasher in the jail. The County has a 650 bed facility that serves a large quantity of meals through out the day. There have been a lot of problems with the new dishwasher that was recommended for the facility. Under Sheriff Lowery noted this has an impact on the administration of the jail. The manufacturer knows they are not happy with the unit. The equipment is currently still under warranty, but, what happens when the warranty runs out? He stated he would be speaking with the State’s Attorney regarding this ongoing problem. Committee members questioned why the jail was not leasing the equipment. Under Sheriff Lowery stated that he does not know why the decision was made to purchase versus lease but the unit is specifically designed for use in the jail. Committee members will be updated on the progress of the problems with this equipment.

2008 meeting dates/times: Chairman Provenzano informed committee members that the meeting dates and times for the committee will remain the same for 2008. The Law & Justice Committee will continue to meet on the first Monday of the month at 8:15a.m.

OLD BUSINESS

Update on Public Safety Radio System: Captain Shepherd joined committee members to provide an update on the installation of the new Public Safety Radio System. The installation is currently ahead of schedule with the system being “turned on” in mid January. The total change over to the new system has been tentatively scheduled for mid February. Motorola has been very helpful with the project. He noted the department is very pleased with the level of assistance they are receiving from Motorola. He stated that they are working with all of the Chiefs of Police regarding the change-over to the new system. Once the programming issues are finalized they will schedule a meeting with all parties involved to finalize the change over for everyone to the new system.

Update of Federal Detention per diem rates: Committee members entered into a discussion regarding the per diem rates charged for inmates from outside McHenry County. 270 inmates were budgeted for use of the new jail. The average daily count is running between 300 and 320 inmates, increasing revenue for the county. Some of the inmates are placed in “work-out” area of the jail, with approval from ICE. The current rate is \$74 per bed, per day. Our per diem is one of the highest in the area. There is a belief that this price should be increased as the per diem is based upon daily costs to house these inmates. Under Sheriff Lowery noted that there is a delicate balance between charging at the top end of per diem rates and running ourselves out of business by having area jails charge less in order to obtain these contracts. Additional paperwork is being sent in this Friday to justify the increase in the per diem rates. He noted this is a very specific cost driven fee. The question remains, why pay us \$74 per day when they can obtain the same service for \$55 per day. He cautioned that we don’t want to “out-price” ourselves and need to keep an eye on the future. The Kane County Facility is scheduled for completion in 2008. Kane County may not need to use the jail services in 2008. Area counties are being notified of bed space availability. We are currently in the second year of a ten year agreement with the US Marshall Service for use of bed space for the jail.

EXECUTIVE SESSION

None

ADJOURNMENT

On a motion by Mr. Heisler, seconded by Ms. Draffkorn to adjourn at 9:08a.m. with an unanimous voice vote.

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RECOMMENDED FOR BOARD/COMMITTEE ACTION:

- Resolution authorizing the designation of the Office of the State’s Attorneys Appellate Prosecutor
- Resolution authorizing the acceptance of 2006 State Criminal Alien Assistance program (SCAAP) Supplemental award and an emergency appropriation to the Sheriff’s FY07 budget
- Resolution authorizing acceptance of an IDOT Integrated Mini-Grant Enforcement Program Supplemental Award and an emergency appropriation to the Sheriff’s FY07 budget
- Resolution authorizing a contract agreement between Illinois Fraternal Order of Police – McHenry County Correctional Officers – Unit II and the County of McHenry

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