

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

MINUTES OF MONDAY, AUGUST 3, 2009

Chairman Yvonne Barnes called the meeting to order at 8:30 a.m. The following Committee Members were present: Yvonne Barnes, Chairman; Randy Donley; Sue Draffkorn; Jim Heisler; James Kennedy and Kathleen Bergan Schmidt. Bob Bless was absent. Also in attendance: Peter Austin, County Administrator; John Labaj, Deputy County Administrator; Ralph Sarbaugh, Associate County Administrator-Finance; Judge Michael Sullivan; Mark Cook, Public Defender; Tiki Carlson, E-911; Angela Wood-Zuzevich, Sheriff's Department; Dan Wallis, Court Administrator; Barry Valentine, EMA; Kathy Keefe, Circuit Clerk; John Hadley, Facilities Management; Cathy Link, Purchasing; and Cindy Kozlowski, Financial Analyst; Scott Block, Mental Health Coordinator; and Tom Carroll, State's Attorney.

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 July 6, 2009. 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

Chairman Barnes informed committee members that she would be taking some items out of order.
Coordinator for Mental Health Court Program: Mr. Dan Wallis, Court Administrator joined committee members to introduce Mr. Scott Block, as the new Mental Health Court Coordinator. Mr. Block was chosen out of 106 applications that were received for the position. Mr. Block was the Director of PADS for a number of years. Committee members welcomed Mr. Block to his new position.

Resolution authorizing entering into a contract with Kale Uniforms for uniforms for FY09/10 budget: Committee members reviewed a Resolution authorizing entering into a contract with Kale Uniforms for uniforms for FY09/10. Kale Uniforms was the vendor selected based upon bids received. Ms. Schmidt 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 (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing a contract for Housekeeping/Cleaning Materials with Cabay and Company and Elkhorn Chemical for the Sheriff's FY2009/2010 budget: Committee members reviewed a Resolution authorizing a contract for Housekeeping/Cleaning Materials with Cabay and Company and Elkhorn Chemical for the Sheriff's FY2009/2010 budget. Committee members were informed that these services have never been out for bid, but, they worked with Purchasing this year in order to obtain more favorable pricing on cleaning products for the Jail. Two vendors are being used in order to obtain all the needed cleaning supplies. After review, Mr. Kennedy made a motion, seconded by Mr. Donley to recommend approval of the above Resolution as submitted. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

FY09/10 Budget Reviews: Mr. Sarbaugh informed committee members that both he and Mr. Austin meet with the Department Heads to review the budgets for each of the departments. They identify their wants and needs for the coming year. The needs for the future are highlighted as well. The budgets are no growth maintenance budgets. The benefits and merit amount fluctuates but the yearly costs stay within their budgets. If a need can be shown, these are included in the budget as a one-time expense. Supplemental requests are discussed separately. If a committee should feel that a supplemental request should be awarded, they should let their Committee Chairman know so this request could be included in the list for consideration during the CALF meeting. The CALF Committee will make recommendations based on budget dollars available for the

supplemental requests. Mr. Sarbaugh noted that there are not a lot of extra funds available for extra requests this year. Mr. Sarbaugh noted that the first four pages of the budgets includes information of what the departments are responsible for within the County and what their highlights and goals will be for the coming year. He stated they are working with GFOA in order to include information in order to receive an Excellence in Budgeting from GFOA. Some of the numbers may be "tweaked" and may look slightly different.

Court Administration: Judge Sullivan and Mr. Dan Wallis joined committee members for presentation of the FY09/10 Budget for Court Administration. The Mental Health Court is now located within this department. All Civil Cases are assessed a court fee, which is collected by the Circuit Court. The Law Library is also included within this budget. Revenue within this department was reduced, based upon the decreased civil court filings. Judge Michael Sullivan stated that since the State is providing less services, there may be an increase in the number court cases seen that require an increase in psychological services. Hopefully, the Mental Health Court will be able to help with some of these cases. Because of these State Cuts, the Court Administrator may need to request additional funding in the future. The courts are also seeing an increase in requests for Jury Trials, which increase the expenses for the department. Committee members were informed that the Governor has a bill on his desk to sign which supports an increase of the Law Library fees. These fees would need to be increased by Resolution. A determination will be made on how much the fees need to be increased. The self help legal center, with the navigator position, has been funded by a two year grant. A determination will be needed later, if we are to retain this service. The self help navigator works four hours per day. There are approximately 270-300 individuals using the self help service area monthly. They would like this position to go full time, especially if the fees are increased. After review, Mr. Donley made a motion, seconded by Ms. Draffkorn to recommend the operating budget for Court Administration FY2009/2010 moved forward to the Finance and Audit Committee for consideration. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Court Services: Mr. Phil Ulmer joined committee members for presentation of the Court Services budget for FY2009/2010. Committee members were informed that Mr. Ulmer is responsible for three budgets, Court Services, Probation and Electronic Monitoring. At this time we don't know what the State will do in regards to current funding. We do expect less from previous years. Mr. Sarbaugh thanked Mr. Ulmer for a good job that he has done in helping the general fund this year. All of Court Services vehicle requests come from the probation fee fund. Mr. Heisler made a motion, seconded by Ms. Schmidt to recommend the operating budget for Court Services FY2009/2010 forwarded to the Finance and Audit Committee for consideration. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Public Defender: Mr. Mark Cook joined committee members for presentation of the Public Defender budget for FY2009/2010. This department is funded from the General Fund. Fees for this department are set by the judges. They have seen an increase in the fees collected. Mr. Cook noted that he has asked for a reclassification of one position. Mr. Cook voiced concern if this position was not reclassified as he does not want to lose this individual. If a new Judge is received new personnel would be needed as well. After review, Mr. Kennedy made a motion, seconded by Ms. Draffkorn to recommend the operating budget for the Public Defender FY2009/2010 forwarded to the Finance and Audit Committee for consideration. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Coroner: Ms. Marlene Lantz joined committee members for presentation of the Coroner's budget for FY2009/2010. This department does not receive a large amount of revenue. Their fees are collected from cremation permits. The department has requested an increase to their Overtime line item. Ms. Schmidt made a motion, seconded by Mr. Donley to recommend the operating budget for the Coroner FY2009/2010 forwarded to the Finance and Audit Committee for consideration. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Merit Commission: Committee members reviewed the budget for the Merit Commission. The Merit Commission is responsible for the hiring, promotions or firing of merited staff. Only one testing date has been suggested by the Merit Commission for the coming year. Mr. Heisler made a motion, seconded by Mr. Kennedy to recommend the operating budget for the Merit Commission FY2009/2010 forwarded to the Finance and Audit Committee for consideration. The motion carried with all members present voting aye on a voice vote. (Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Ms. Draffkorn left committee at 10:02a.m.

OLD BUSINESS

None

REPORTS TO COMMITTEE

McHenry County Drug Court Taskforce: Judges Prather and Sullivan directed staff to review the possibility of implementing a Drug Court within McHenry County. There is a State Law pending which would require all Courts to have a Drug Court. The 2000 report was reviewed as well as various research including the risks, needs and methodology needed to create a Drug Court. There has been an increase in the past five years of individuals incarcerated on drug related charges. The DUI, Liquor or Alcohol related charges have remained flat, but drug related issues show a steady increase in violations. Court Services has a specialized drug program that fits a specific population. There is still a lot of work to be done in order to implement a Drug Court. The Governor is expected to sign this bill which would become effective January 1, 2010. The Governor has 60 days to act on legislation, if he does not act on the bills within this timeframe, they become automatic. The Governor has signed Senate Bill 1938 to create 19 additional judgeships with the majority going to the northern part of the State. McHenry County will add one additional judge, which will be filled in the General Election of 2010, unless appointed earlier by the Supreme Court. Petitions can be filed to run in the primary starting tomorrow. The County currently has 16 judges and with the extra judge would make 17. The County has enough space to operate without building out. If any additional judgeships are awarded the County would need to find space for this addition. This is expected to happen after the 2010 census. The impact to adding a new judge would come from the addition of a Bailiff, Clerk, furniture and equipment. Judge Sullivan stated he did not think additional support staff or upgrades to the court rooms would be needed at this time.

Judge Sullivan reported that the Supreme Court has mandated the holiday schedule for the Courts. In the past the courts have tried to keep the holiday schedule the same as the County calendar. The Supreme Court has mandated 12 holidays for FY2010. The County has been looking to eliminate some of the holiday closings.

The judges in the region have signed an agreement to help each other out in an emergency. They have agreed to provide space, if possible, to other circuits in cases of emergency.

Tomorrow, the law goes into effect that requires parental notification, if a minor or incompetent, requests an abortion. Physicians now must notify parents in these cases. Minors or incompetents can file for a waiver for a hearing to request a parent not be notified. These hearings must be addressed within 48 hours. They are mandated to hear and provide legal services if requested. Judge Sullivan stated he expects a low number of cases on this issue.

EXECUTIVE SESSION

Mr. Kennedy made a motion, seconded by Mr. Heisler to recommend the committee enter into executive session at 10:29a.m. to discuss possible litigation. The motion carried with all members present voting aye on a roll call vote (Donley, Heisler, Kennedy, Schmidt, Barnes) Mr. Heisler left committee immediately after making the motion.

Mr. Donley made a motion, seconded by Ms. Schmidt to return to regular session at 11:55a.m. The motion carried with all members present voting aye on a roll call vote. (Donley, Kennedy, Schmidt, Barnes)

ADJOURNMENT

Noting no further business, Mr. Donley made a motion, seconded by Mr. Kennedy to adjourn the meeting at 11:55 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD ACTION:

Resolution authorizing entering into a contract with Kale Uniforms for uniforms for FY09/10 budget
Resolution authorizing a contract for housekeeping/cleaning materials with Cabay and Company and Elkhorn Chemical for the Sheriff's FY09/10 budget