

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

MINUTES OF MONDAY, MARCH 1, 2010

Vice Chairman James Kennedy called the meeting to order at 8:30 a.m. The following Committee Members were present: Vice Chairman, James Kennedy; Randy Donley; Jim Heisler and Kathleen Bergan Schmidt. Yvonne Barnes, Sue Draffkorn and Bob Bless were absent. Also in attendance: Peter Austin, County Administrator; Angela Wood-Zuzevich, Sheriff's Department; Tiki Carlson, E-911; Tom Carroll, Phil Hiscock and Karen Rhodes, States Attorney; Dan Wallis, Court Administration and John Labaj, Deputy County Administrator.

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

MINUTES

Committee members reviewed committee minutes from February 1, 2010. Mr. Heisler made a motion, seconded by Ms. Schmidt to recommend approval of the above minutes as presented. The minutes were approved on a unanimous voice vote.

PUBLIC COMMENT

None

PRESENTATION

None

NEW BUSINESS

Emergency Telephone System Board Appointment: Committee members reviewed a trustee application for an appointment to the Emergency Telephone System Board. Ms. Schmidt made a motion, seconded by Mr. Donley to recommend the appointment of Brian Knop to the Emergency Telephone System Board with the term expiring on November 30, 2010. Committee members were informed that Captain Shepherd is retiring from the Sheriff's Department making it necessary to appointment someone to replace him on the said board. Mr. Sarbaugh stated that the spelling of Mr. Knops name is incorrect and the corrected Resolution will be presented at the County Board meeting. The motion carried with all members present voting aye on a roll call vote (Donley, Heisler, Kennedy, Schmidt)

Resolution Honoring Undersheriff Eugene E. Lowery: Committee members reviewed a Resolution honoring Undersheriff Eugene E. Lowery. Mr. Donley made a motion, seconded by Mr. Heisler to recommend approval of the above Resolution as presented. Committee members stated that Undersheriff Lowery has been an excellent addition to the Sheriff's Department and will be missed. He will be an asset to the Crystal Lake Police Department. The motion carried with all members present voting aye on a roll call vote (Donley, Heisler, Kennedy, Schmidt)

Resolution authorizing acceptance of the Administrative Office of the Illinois Courts Child Protection Data Court Project Grant and an Emergency Appropriation to the Court Administration Fiscal Year 2010 Budget: Committee members reviewed a Resolution authorizing acceptance of the Administrative Office of the Illinois Courts Child Protection Data Court Project Grant and an Emergency Appropriation to the Court Administration Fiscal Year 2010 Budget. Committee members were informed that this is a project for the 22nd Circuit Clerk on how to deal with neglected and abused children. There are 30 performance measures that will be used to measure the courts performance and timely management for these types of cases. 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, Heisler, Kennedy, Schmidt).

Resolution authorizing mid-year salary adjustments to the salaries of several positions in the State's Attorney's Office: Committee members were joined by Tom Carroll, Phil Hiscock, and Karen Rhodes to answer questions of the committee. Committee members reviewed a Resolution authorizing mid-year salary adjustments to the salaries of several positions in the State's Attorney's office. Committee members were informed that these increases are because of promotions within the department. Mr. Heisler made a motion, seconded by Ms. Schmidt to recommend approval of the above Resolution as presented. The duties and responsibilities for these positions have increased and these raises reflect the changes within the office. One of the positions includes a raise that was promised two years ago and the request fell through the cracks. Committee members questioned where the funds for these raises would come from. Administration informed committee members that they were approached by the office when a

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criminal position was vacated. Increases over 6% are required to come before the committee. The final position increase is being requested because employees that have been hired after this person are now making close or more than this person, who has been with the department longer. Committee members voiced concern because the resolution states that the funds for these raises are not available and implies that the County needs to find the funds for these increases. Committee members stated they would like to see the titles of the positions on the Resolution so the document is understandable. Ms. Schmidt made a motion, seconded by Mr. Heisler to amend the resolution to read in the third paragraph, Whereas, an increase in the salary, for these employees is necessary due to the increase in the demands and responsibilities in these positions and the State's Attorney's Office Budget currently does *have the necessary funds to cover the increases; except for \$6,000 for position #5; but is below the midpoint for said positions;* The motion for the amendment carried with three ayes (Heisler, Schmidt, Kennedy) and one nay (Donley) Mr. Heisler made a motion, seconded by Ms. Schmidt to recommend the resolution be amended to include position titles as well as numbers. The motion carried with all members present voting aye on a voice vote. The origination motion carried with three ayes (Heisler, Schmidt, Kennedy) and one nay (Donley) Committee members were informed that this resolution will be forwarded to the Finance and Audit Committee and Human Resources Committee for consideration.

OLD BUSINESS

Committee members were informed that Ms. Barnes, Ms. Schmidt, Mr. Kennedy and Chairman Koehler attended the training for the new drug court. Members were complimented by a former judge that attended this training, who has never seen attendance by County Board Members. He felt it was a good idea for the board members to have an understanding of what is going on in the Courts and commended them for their attendance.

Committee members were reminded that a request was forwarded to the City of Woodstock to obtain permission to allow parking on Russel Court. This would add twenty four additional parking places. This request will be considered at tomorrow evenings City Council meeting.

Mr. Donley questioned if any additional information has been received about an ICE (Immigration Customs Enforcement) raid that took place in McHenry County. Mr. Donley reminded committee members that he is concerned because 22 key employees were removed from this place of employment to a key competitor of this facility. Mr. Austin stated he has spoken to a special agent in charge regarding this request. He has stated they will not speak about a specific case. Committee members were reminded that the County has invested \$200,000 into this company and we should not ignore what is taking place within our borders. Committee members were reminded that ICE does not have to work with the County on this issue. It was suggested that the committee, under letterhead, request that Congressman Manzullo and Bean act on our behalf to set up a meeting with ICE officials in order to obtain a better understanding of the procedures of ICE and how they open and close a case. Mr. Donley voiced concern that an agency can remove 100 illegal immigrants from a company and then allow these same employees to go work for the competition. He voiced concern that this could bankrupt this McHenry County company. It was suggested that Mr. Donley file a citizen's complaint against this company. He stated that as a County Board Member he should be able to address this issue and he feels he has a very legitimate concern. He stated that as a County we cannot prosecute "illegal's" and now these very same illegal's are allowed to move to the competition, creating an unfair advantage to the other company. The majority of the committee members stated a letter should be sent stating that concerns of the Law & Justice Committee need to be addressed by ICE. Mr. Kennedy, Mr. Donley and Mr. Heisler agreed, a letter requesting intervention by the congressman to ICE should be sent. Ms. Schmidt stated that she did not agree as there is a process that must be followed and it is therefore up to ICE whether they should raid the company in Kane County. If ICE is aware these illegal's are working in Kane County legal action would need to be taken by ICE.

REPORTS TO COMMITTEE

/ISS: Mr. Wallis informed committee members that the project with ISS has been completed. The County is now out of the software development phase. The project went "live" last week with Court Services being very happy with the new system. Court Services staff, as well as Tom Sullivan and Tina Sheldon from IT were thanked for their work on the system. There is a five year support agreement for this project so there will be some ongoing interaction between ISS and the County, but, this now concludes this portion of the project. ISS has indicated interest in the project for integration of the State's Attorney's office and Public Defender. This has been discussed with the internal court group as well. ISS would need to prove they are the best option for the next project. Other projects will be reviewed as well to see about costs and if a product is available for purchase off the shelf. Meetings will be held over the next four to six weeks to review options for the next step in the process. Requests have been made to Washington DC for public service communications and the County needs to be patient to see what the next steps entail.

EXECUTIVE SESSION: None

ADJOURNMENT

Noting no further business, Mr. Heisler made a motion, seconded by Ms. Schmidt to adjourn the meeting at 9:34 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD ACTION:

- Recommend appointment of Brian Knop to the McHenry County Emergency Telephone System Board
- Resolution honoring Undersheriff Eugene E. Lowery
- Resolution authorizing acceptance of the Administrative Office of the Illinois Courts Child Protection Data Court Project grant and an emergency appropriation to the Court Administration FY10 budget
- Resolution authorizing mid-year salary adjustments to the salaries of several positions in the State's Attorney's office