

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

MINUTES OF MONDAY, JANUARY 10, 2011

Chairman Provenzano called the meeting to order at 8:16 a.m. The following Committee members were present: Chairman Nick Provenzano; Sue Draffkorn; Randy Donley; Jim Heisler; and John Jung. Bob Bless and Bob Nowak were absent. Also in attendance: Peter Austin, County Administrator; Ralph Sarbaugh, Associate County Administrator-Finance; John Labaj, Deputy County Administrator; Bob Ellsworth, EMA; Phil Dailing, Court Services; Angela Wood-Zuzevich and Undersheriff Andrew Zinke, Sheriff's Department; interested public and the press.

Nick Provenzano, Chairman	
Robert "Bob" Bless	Randy Donley
Sue Draffkorn	Jim Heisler
John Jung	Robert "Bob" Nowak

Chairman Provenzano thanked Yvonne Barnes, the previous Chairman of the Law and Justice Committee, for the terrific job she did as Chairman of this Committee.

MINUTES:

Committee members reviewed the minutes from November 1, 2010. Mr. Heisler made a motion, seconded by Mr. Donley, to recommend approval of the above minutes as presented. The minutes were approved with all members present voting aye on a voice vote.

PUBLIC COMMENT:

Roger Heimsoth of Union, Illinois joined committee members and voiced his concern with representation that we have, as taxpayers, from the Union Fire District on the Marengo Rescue Squad Board. It is no different than the County Board having members come from different areas to represent their tax base. He feels that this is the way the Marengo Rescue Squad Board should also be done. This way they would have a representative on the board and he thinks it would make it work smoother. He would like to have someone from the Union Fire District area/Village of Union appointed to the Board.

Dale Carr of Union, Illinois joined committee members and voiced his concern about the appointments to the Marengo Rescue Squad District (MRSD). The original reason in creating the MRSD was to fill a need and its purpose was to generate money to support the ambulance in both fire districts. The end result has been a formation of the district and has inhibited growth and improvement. In the past, he was a part of the change to create the MRSD, but they have lost sight of its original purpose. With the formation of the rescue board, Chief Albretz and himself, both from Union, were appointed Trustees of the original Board. He served two terms and since they left over 15 years ago, Union has not been represented on the board. The people of Union deserve better representation. They are paying too high of a price for the services they are receiving. Please consider this, and any other issues. Union needs voices on the MRSD. Approximately 15% of their budget comes from Union, but they have no voice. It is taxation without representation.

Bob Bradbury, Chief of the Marengo Rescue Squad District (MRSD) and Marengo Fire Department, joined committee members and mentioned that in April he was hired as the Chief of the rescue squad and he was already the chief of the fire department. It was an effort for the trustees to work together and share resources to cut costs. He does not disagree with the two board members who just spoke before the committee and he agrees that it would be good to have someone from Union on the board. However, the two board members that they would lose are two important board members because they are very involved. One is the president and one is the treasurer, both of which are key positions on the board. They have been moving forward and making progress. He asked the committee to take into consideration the fact that both of the open positions are very important and asked them to keep the present board members. The relationship between the MRSD and the Union Fire District is unique. The MRSD is its own separate taxing body. The Union Fire Protection District (UFPD) and the Marengo Fire Protection District (MFPD) are also separate. The rescue district encompasses both districts. Typically fire departments and rescue squads work within the same district. The MRSD covers both the Union and Marengo's fire protection districts. The rescue district had 1250 calls last year and of those calls approximately 80 to 100 were in Union's district. They are trying to move an ambulance closer to the

Union district and they plan to have one at their station at least 12 hours per day. This is a goal they are working on and it is currently in negotiations. Mr. Bradbury is the Chief for both the MFPD and the MRSD and works part-time for each district to combine resources, manpower and vehicles. It depends on the type of call they receive as to what vehicles they send out to respond to the call. Currently the Marengo Police Department dispatches their calls and they are currently in negotiations with the City of McHenry for them to handle their call dispatching. He does not know who will be dispatching calls for Union. Their legal name is the Marengo Rescue Squad District, but they have put the word "Union" on the sides of the ambulances to show that they service both districts. Currently the MRSD supplies ambulances for both Union and Marengo and there are four ambulances in the District. There is an ambulance in Union, but it is not manned 24/7. Mr. Donley mentioned that he recently had to call the Union Fire Protection District to his business establishment and they responded in 6.5 minutes. He commended them on their incredible service.

Chairman Provenzano closed public comment.

PRESENTATION: None.

NEW BUSINESS:

Marengo Rescue Squad District Interviews: Committee members interviewed Jeanne M. Camp, Sally C. Hansen and Scott R. Higgins for consideration for appointment to the Marengo Rescue Squad District. Robert E. Bower was not present for his interview and will be interviewed when he arrives. There are two open positions and each position is a four-year term. Chairman Provenzano asked Messrs. Heimsoth and Carr if they had any specific issues where representation has caused a specific problem. He mentioned that if there was an issue regarding representation, the Union Fire Protection Chief may have contacted them concerning this. Mr. Heimsoth mentioned to the committee that these are three separate taxing bodies and not a combined effort. A unit of government should have representation and their tax dollars go to the MRSD and the UFPD. He feels it would make it work better because if you have someone from Union on the board, they will be at the meetings and will be able to report back to the community as to what was discussed and decided upon and feels relationships would work better.

Mr. Donley left the meeting at 8:54 a.m.

Resolution Authorizing Payment of Special Prosecutor Fees and Consultant Fees from the General Fund Fiscal Year 2010 Contingency: Mr. Jung made a motion, seconded by Ms. Draffkorn, to recommend the County Board approve the above resolution. Mr. Sarbaugh joined committee members and mentioned that this is a Court Order that covers the months of June, July and part of August. Because it is for last year's business, there is money available in the 2010 contingency fund.

Mr. Donley rejoined the meeting at 8:56 a.m.

This Court Order is for \$112,938.19 and with the prior expenditures concerning this matter, the total amounts to less than \$300,000. The motion carried with all members present voting aye on a roll call vote (Donley, Draffkorn, Heisler, Jung and Provenzano).

Marengo Rescue Squad District Interviews – continued: Committee members interviewed Robert E. Bower for consideration for appointment to the Marengo Rescue Squad District.

Committee members entered into a discussion regarding appointments to the Marengo Rescue Squad District. Mr. Jung made a motion, seconded by Mr. Donley, to recommend the appointment of Jeanne M. Camp to the Marengo Rescue Squad District. The motion failed with two ayes (Donley and Jung) and three nays (Heisler, Draffkorn and Provenzano). Mr. Donley made a motion, seconded by Mr. Jung, to recommend the appointment of Sally C. Hansen to the Marengo Rescue Squad District. The motion carried with three ayes (Donley, Jung and Provenzano) and two nays (Heisler and Draffkorn). Mr. Heisler made a motion, seconded by Mr. Donley, to recommend the appointment of Scott R. Higgins to the Marengo Rescue Squad District. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Donley, Heisler, Jung and Provenzano). Having filled two positions, there was no vote taken concerning Robert E. Bower.

Chairman Provenzano mentioned that they will contact the State's Attorney and Mr. Austin and inquire as to who has the jurisdiction to increase the size of this board since their area of representation is growing and they may want more representation for their board.

Mr. Donley and Mr. Jung left the meeting at 9:15 a.m.

Chairman Provenzano stated that the residents have the ability to have a referendum placed on a ballot and have an election to change the appointment process from having this committee and the County Board handle the appointments to the Marengo Rescue Squad District which would allow the Rescue Squad Board members be elected rather than appointed.

Mr. Jung rejoined the meeting at 9:17 a.m.

Resolution Authorizing the Designation of the Office of the State's Attorney's Appellate Prosecutor: Mr. Jung made a motion, seconded by Mr. Heisler, to recommend the County Board approve the above resolution. Mr. Sarbaugh mentioned that this resolution allows the State's Attorney's Office to use the Appellate Prosecutor in the event there are cases where there is already involvement by the State's Attorney and there is a need for another party for representation. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Jung and Provenzano).

Resolution Authorizing Budget Line Item Transfers in the Fiscal Year 2010 Budget Between General Fund Departments – Non-Departmental and County Coroner: Ms. Draffkorn made a motion, seconded by Mr. Jung, to recommend the County Board approve the above resolution. Mr. Sarbaugh stated that this is for the Coroner's Office so they may complete the FY10 business year. It is not an increase in the budget, but moves unused budget into the Coroner's budget. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Jung and Provenzano).

Mr. Donley rejoined the meeting at 9:20 a.m.

Resolution Authorizing Acceptance of the State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning Grant and an Emergency Appropriation to the Emergency Management Agency's Fiscal Year 2010-2011 Budget: Mr. Heisler made a motion, seconded by Ms. Draffkorn, to recommend the County Board approve the above resolution. Mr. Ellsworth joined committee members and mentioned that this is an annual grant they apply for on behalf of the Emergency Management Agency (EMA) for hazardous materials emergency preparedness and public education. With the grant funds, they will also purchase office supplies. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Donley, Heisler, Jung and Provenzano).

Committee Meeting Schedule for 2011: Chairman Provenzano mentioned that he has had discussions with the County Administration and it appears that the traditional meeting time of the first Monday of the month is available for this committee's 2011 meetings. He suggested that the meetings begin at 8:15 a.m. It was the consensus of the committee to meet at 8:15 a.m. on the first Monday of the month.

OLD BUSINESS:

Update on Sheriff's Federal Legislative Program: Ms. Wood-Zuzevich provided committee members with a memorandum concerning a legislative request for federal technology funds in FFY2012. She mentioned that this is a request very similar to last year's request, but with a minor modification in terms of the system. They are reviewing the technology for the Sheriff's Department. The Sheriff's Office is asking for an Integrated Automated Fingerprint Identification System (IAFIS) as well as warrant management system technology. Undersheriff Zinke mentioned that there is a public safety need to improve the technology which allows the Sheriff's Office to apprehend and properly identify persons of interest. The IAFIS system will allow for an expansion in areas such as warrant service and management, ability to electronically file search warrants and criminal complaints and the ability to access a nationwide fingerprint identification system. This is the starting

point to be more effective and efficient for the Sheriff's Department to fight crime in McHenry County. Portable systems are also available for purchase. The warrant technology will be able to integrate with the VisionAir system with the ETSB (911 System). This will be presented to the Legislative Committee on January 13, 2011 and to the County Board in February. Most of the funds will be used to purchase equipment and at this point they do not anticipate monthly maintenance costs. The request is anticipated to be approximately \$400,000.

REPORTS/UPDATES TO COMMITTEE:

Mr. Labaj mentioned that Barry Valentine is going to retire as Director of the Emergency Management Assistance (EMA). They are working on a recruitment brochure for this position, a copy of which was provided to committee members. Chairman Provenzano mentioned that he would be interested in the hiring process for this important position. One of the responsibilities of this committee is to be prepared for future emergencies. They have not secured the services of outside consultants and the Human Resources Department will handle the marketing for this position. They may ask Mr. Valentine to be involved in the interview process. The HR Department will accept all applications, review them to make sure applicants' qualifications meet the requirements, and set up the interviews. Mr. Sarbaugh mentioned that the last three administrator positions that were hired, there were two teams who conducted the interviews. One team was made up of the committee, and the other team was made up of managers within the organization. Both conducted interviews simultaneously and all the information from both teams was brought together and recommendations from those two groups were made.

Fox Waterway Agency: Chairman Provenzano mentioned that an Intergovernmental Agreement (IGA) was signed with the Fox Waterway Agency after the boating season was over. Ms. Draffkorn mentioned that the issue from this committee was to have future contracts completed on a more timely basis. The boating season was over and the contract was approved after the boating season. Mr. Sarbaugh mentioned that they are currently in the negotiation process with the Fox Waterway Agency and they are aware that the County wants a completed Contract before the upcoming boating season. Chairman Provenzano requested an update at future meetings as to the progress of this matter so they do not go through another boating season without a contract. Ms. Draffkorn will provide future information to the committee. She attends the advisory meetings and will begin to attend their regular board meetings. The advisory board is comprised of volunteers appointed by various organizations such as various Sheriff Departments and the Coast Guard Auxiliary. The members of the board are elected. The McHenry County representatives are Phil Bartmann and Dan Mitchell.

It was mentioned that Mr. Heisler is the liaison for the Youth Council; Ms. Draffkorn is the liaison for the Fox Waterway; and Chairman Provenzano is the liaison for the Local Emergency Plan, Disaster Planning and the Child Advocacy Center.

Mr. Heisler mentioned that in the future he would like to know more about other entities in the County that compare with the Marengo Rescue Squad District and how they currently handle their fire/rescue squad district. He questioned if there is anything they can do in the future that will provide them with more knowledge about these types of situations. He would like to know if Cary and Fox River Grove have bridged the gap between their municipalities with regard to their fire and rescue squad services.

Mr. Donley mentioned that he liked all four candidates interviewed for appointment to the Marengo Rescue Squad District, he wanted to see a Union candidate on the board, and felt both Union candidates were very strong. Committee members discussed various ways of voting for appointment positions. In the past members have made a motion for a candidate to be appointed and voted on that candidate. During today's meeting committee members voted on appointment candidates starting with the first candidate who was interviewed and continued down the list as far as times they were interviewed. Chairman Provenzano feels they should look into whether or not they will be able to go into executive session to discuss candidates for appointments. It was mentioned that another option for the rescue squad district was to have an election, which would be an expensive option. This would enable the public to vote on members to the MRSD instead of having County Board members appoint them. It was mentioned that the MRSD is the only rescue squad district in the county that operates this way. In the past it was not uncommon to have separate fire and rescue districts within the same municipality or township. Ms. Draffkorn would like to see all of them become one taxing body.

EXECUTIVE SESSION: None.

ADJOURNMENT

Noting no further business, Mr. Donley made a motion, seconded by Mr. Heisler, to adjourn the meeting at 9:55 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD ACTION:

- Appointment of Sally C. Hansen and Scott R. Higgins to the Marengo Rescue Squad District
- Resolution Authorizing Payment of Special Prosecutor Fees and Consultant Fees from the General Fund Fiscal Year 2010 Contingency
- Resolution Authorizing the Designation of the Office of the State's Attorney's Appellate Prosecutor
- Resolution Authorizing Budget Line Item Transfers in the Fiscal Year 2010 Budget Between General Fund Departments – Non-Departmental and County Coroner
- Resolution Authorizing Acceptance of the State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning Grant and an Emergency Appropriation to the Emergency Management Agency's Fiscal Year 2010-2011 Budget

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