

MANAGEMENT SERVICES COMMITTEE
McHenry County Government – Administration Building
667 Ware Road
Woodstock, IL 60098

MINUTES OF MONDAY, APRIL 11, 2011

Chairman Schuster called the Management Services Committee meeting to order at 8:30 a.m. The following members were present: Chairman Ersel Schuster; Kathleen Bergan Schmidt; Paula Yensen; Barb Wheeler and Sandra Salgado. Donna Kurtz arrived at 8:35a.m. Anna May Miller arrived at 8:37a.m. Also in attendance: John Labaj, Deputy County Administrator; Cathy Link, Purchasing; John Hadley, Facilities Management; Tom Sullivan and Paul Lerner, IT; Adam Lehmann, Assistant to the County Administrator; Kathie Schultz, County Clerk; Judge Michael Sullivan; Dan Wallis, Court Administrator; and Matt Hansel, Planning and Development.

Ersel Schuster, Chairman

Donna Kurtz

Anna May Miller

Sandra Salgado

Kathleen Bergan Schmidt

Barbara Wheeler

Paula Yensen

MINUTE APPROVAL

Committee members reviewed the Management Services Committee minutes of March 14, 2011. Ms. Yensen made a motion, seconded by Ms. Schmidt recommending approval of the minutes of March 14, 2011 as presented. The motion carried with all members present voting aye on a roll call vote.

PUBLIC COMMENT

None.

PRESENTATION

None

Ms. Kurtz arrived at 8:35a.m.

Ms. Miller arrived at 8:37a.m.

NEW BUSINESS

Appointments – McHenry County Ethics Commission – Mr. Robert M. Martens, Deborah K. Nier: Committee members were informed that Ms. Nier has withdrawn her application for appointment as she no longer qualifies to be appointed to the McHenry County Ethics Commission. There are currently three openings for appointment to this commission. Committee members reviewed the application and interviewed Mr. Martens for reappointment to the McHenry County Ethics Commission. Ms. Schmidt made a motion, seconded by Ms. Yensen to recommend the reappointment of Mr. Robert Martens to the McHenry County Ethics Commission for a term of two years. The motion carried with all members present voting aye on a roll call vote (Kurtz, Miller, Salgado, Schmidt, Wheeler, Yensen, Schuster) Committee members were encouraged to recommend some individuals who are currently serving in government to apply for the open positions on the Ethics Commission. Mr. Labaj stated they look for someone that is serving in a “government” position, but who is not serving under County Government. The Commission meets at least twice a year and could meet more if a complaint is filed. They meet at least a couple times a year to get updates and review the policies and procedures of the commission. It was suggested that a press release be sent out informing the public of the open positions.

Chairman Schuster informed committee members that they would review item 5.4, since Judge Sullivan has taken time out of his busy schedule to attend this morning’s meeting.

Resolution Amending Resolution R-201010-99-273 to include Authorizing a Contract with Boller Construction from Waukegan, IL, Budget Line Item Transfers in the Series 2010-A Capital Projects and the 2010 Archive Facility Project Fund, and an Emergency Appropriation to the Fiscal Year 2011 Courtroom Build-out Project Budget: Judge Michael Sullivan and Dan Wallis, Court Administrator joined committee members to answer any questions concerning this project. Committee members were reminded that a 17th judge has been added to the County. This is the result of an elected position. They currently have 16 full courtrooms in use and a small room that is being used temporarily as an additional courtroom. An additional judge was expected but was not received. Judge Sullivan stated that they are trying to deal with the shortage of courtrooms but at times this has been very difficult. Committee members were informed that there were 531,000 visitors to the Government Center in 2010. This equates to over 2,000 persons a day going to the Government Center, most of who are required to attend court. During the planning session, they looked at alternatives to address overcrowding issues. They reviewed alternate times and locations to hold court sessions. Mr. Wallis stated that he spoke with the State Courts regarding this issue and night court is not widely used. The reason for this was because of the additional staff and costs involved from the State’s Attorney, Public Defender, Court Services, Court Security, Litigant’s and their Attorney’s. There are courts created that address the needs with non-support courts. These are generally started in the late afternoon but staff is needed to run these Courts. The building would need to remain open, creating additional staffing needs and costs. Judge Sullivan stated that options could be addressed but each option does result in additional costs. Committee members stated that they are voicing concerns that have been brought forward from the constituents. The constituents have voiced concern that when they are in the courthouse they

MANAGEMENT SERVICES COMMITTEE

April 11, 2011

Page 2

see there are many courtrooms that are empty so they question the need for more courtrooms. Judge Sullivan stated that he has heard these same issues for the past 35 years. He stated that Court Administration overbooks each courtroom in anticipation of some of the cases being settled, but, there is never a way to determine exactly how much time a case will take or how long a courtroom will be needed. He stated this could be from 5 minutes to 5 hours. Committee members questioned how many hours per day each courtroom is being used. They were informed that all of the courtrooms are scheduled for use daily, though it depends on the types of cases scheduled. Most courtrooms have a morning and afternoon session scheduled for their use. Ms. Kurtz again questioned how many hours per day each courtroom is used, on average. She noted that with a \$1 million dollar investment, she needs to know how the funds are being used. Judge Sullivan reported that roughly all of the courtrooms are in use in the morning and a half of the courtrooms are used during the afternoon hours. He stated that unfortunately, there will be some downtime. Mr. Wallis noted that "courts" do not just happen in the courtrooms. They need to take into account the types of cases coming in, the constraints of the community, attorneys, litigants and staff. Each case is reviewed across the board to make sure there aren't any conflicts for each of the above individuals. In the past there was one courtroom for each judge with appropriate staff to address anything brought before the judge. That is no longer the case. Each judge is assigned to a particular "call" and they are assigned based on the call. Each judge is also required to review massive amounts of information for each case. This requires space, not just courtrooms. They are now required to form a drug court. Each of the specialty courts uses a large amount of staff to address their cases. This is especially true for both drug courts and mental health courts. These cases can take 5 minutes to 5 hours. Each case is just too hard to predict and the courtrooms have to be scheduled in case they need them. Committee members voiced concern and stated they still feel they have excess capacity in the courthouse and the rooms are not being used in an efficient manner. Judge Sullivan noted that he also spends time in the hospitals addressing mental health court issues. Ms. Kurtz stated that if every judge comes with a \$1 million dollar premium and continued overhead costs for their lifetime, we have a problem. She stated they need to find a different way to address these long term needs. Judge Sullivan stated they have had these same issues since he joined the County and stated they run a very efficient program. There has been a large growth to the County in the past 30 – 40 years and he cannot control this growth. The legislature and census numbers decide when and if the County is to receive a new judge and this is something he cannot control. Should they acquire more than 18 judges there will be a problem that will need to be addressed by everyone. Ms. Kurtz stated she still feels there is a better way to address these issues. Committee members questioned if they had ever done a survey to find out how the constituents feel about traffic court? Mr. Wallis stated that a survey was completed and he could provide a copy for those interested. Committee members were informed that satellite courts would and could address overcrowding of the courts but this creates additional staffing/rent costs. Committee members questioned why there is an increased cost for this project. They were informed that when the space was being reviewed, it was determined it would be better if the juvenile courtroom was moved to the first floor. This would maximize the current space and addresses the need for waiting room space for the juveniles and their families. Committee members were reminded that Government is not a business but an entity that provides service to the public. Judge Sullivan stated that they try to schedule timely use of the courtrooms and they try to utilize resources to the best of their ability, but these courtrooms require scheduling for a large number of individuals and that is where the problems come in. Part of the problem occurs because they have a hard time getting attorneys to attend their required court dates. Court Administration is not totally in control to get these individuals into court. Each case takes a certain amount of time to resolve so they try to maximize the time as much as they can. Yes, they will see some empty courtrooms. This does not mean that the courtrooms were not scheduled for use. As well, just because a case is settled before they come into court does not mean there will be enough time to get someone in to use the now empty courtroom. Scheduling has always been an issue and they suspect, will always be an issue. Committee members again questioned why the project costs has increased so much since last November. Mr. Hadley informed committee members that the project was increased to include needed carpet in two of the old courtrooms and new tile in some of the areas outside of the courtrooms. They are adding two judge's chambers, including bathrooms. He stated that they are getting a good price for the amount of work being completed. Committee members questioned how they are addressing the parking issue with the increased court calls. They were informed that parking is always an issue so they try to stagger the court times so individuals will come into the courthouse at various times. Committee members voiced concern that there is a large contingent of individuals that enter the courthouse at 9:00a.m. Many of these individuals are requesting extensions of their cases, they questioned if there could be a different way to handle these extensions so they don't have to go before a judge. Mr. Wallis stated that they continue to review ways to address the situation. The old jury rooms are being used for mediation and meeting rooms. Committee members questioned if it is mandated that we get a judge. Committee members were informed that new circuit judges are created by the legislature and associate judges are added based on population numbers. Committee members voiced concern that this project now costs over a third more than the original budget. They noted as County Board Members they passed a budget that included no raises for non-union employees and now a project is over budget by a third. They stated they are having a real hard time with this request. Mr. Hadley noted that additional funds were added to the project to address the increased scope of the project. Mr. Wallis invited committee members to organize a visit to the courts so they can view for themselves the process of scheduling the court-calls. Committee members thanked Judge Sullivan and Mr. Wallis for their attendance. Ms. Wheeler made a motion, seconded by Ms. Miller to recommend approval of the above Resolution as presented. The motion carried with a majority of members voting aye on a roll call vote (Miller, Salgado, Schmidt, Wheeler, Schuster) nay (Kurtz, Yensen)

MANAGEMENT SERVICES COMMITTEE

April 11, 2011

Page 3

Resolution Authorizing Workers Compensation Claim Settlement No. 09-5100-06: Ms. Miller made a motion, seconded by Ms. Salgado to recommend approval of the above Resolution as presented. Committee members were informed that this claim is from an employee from the health department that was rear-ended in an auto accident in one of the County cars. Her attorney requested they go to trial as he wanted a settlement of 25% of a man as a whole. The County was offering much less. The arbitrator came close to what the County wanted to offer at 5% of a man as a whole settlement. This equates to a total settlement of \$8,355.25. The motion carried with all members present voting aye on a roll call vote (Kurtz, Miller, Salgado, Schmidt, Wheeler, Yensen, Schuster)

Resolution Authorizing Workers' Compensation Claim Settlement No. 08-3210-23: Ms. Schmidt made a motion, seconded by Ms. Wheeler to recommend approval of the above Resolution as presented. Committee members were informed that this claim was from an injury for a corrections officer that twisted his ankle on the stairs when responding to altercation in the jail. This claim went to pretrial before a settlement was reached for \$32,255.38. The attorney had requested a claim amount of 45-50% loss of a leg. The County recommended a settlement of 25% loss of a leg. The arbitrator awarded 30%, much closer to the County's settlement proposal. The motion carried with all members present voting aye on a roll call vote (Kurtz, Miller, Salgado, Schmidt, Yensen, Wheeler, Schuster) Mr. Labaj informed committee members that so far 2011 has been a good claim year. There have been no claims received from Corrections facility and only one from the Sheriff's Department. Only 16 claims have been filed so far this year.

E-mail – Discussion on Blocking "Reply All" to County Board Group: Committee members entered discussion on whether they wanted to block "reply all" for the County Board Group. Mr. Sullivan reported they can do this if they should desire. There was concern voiced that the County Board Members would be "holding a meeting" if they should have an email discussion from an email that was forwarded to the County Board email group. No State's Attorney Opinion was received regarding this issue. Committee members were informed that this process would "block" any county board member from replying to an email that was sent out to County Board All. They did not feel that these emails should be blocked. Committee members stated that all of the County Board Members need to be retrained on this issue so it does not become a problem. They noted that unless there is a discussion going on it is not a violation. It was stated that each County Board Member needs to be cognizant of the rules so they can make an independent decision on how to behave on this issue. They stated they did not want restrictions but each county board member needs to be accountable for their actions. It is all about education and what each county board member would be accountable for.

Next Step on Web-Streaming and Agenda Management: Chairman Schuster stated that she invited Ms. Schultz to the meeting today to address any concerns that may come if the County chooses a Web-Streaming and Agenda Management tool for use during the meetings. Previously the committee had discussed the possibility of purchasing an audio only product for recording of the County Board meetings. Last month a webinar was held with a firm that may provide web-streaming service to the County Board. Chairman Schuster and staff joined the webinar to review audio streaming services and agenda management as provided by IQM2. An additional webinar has been scheduled to make sure this equipment will meet the needs of the County. Committee members questioned if the County had sent out an RFP for these services. They were informed that in the past there were in-depth interviews with various companies that offer these services and IQM2 had the best program to meet the needs of the County. The program offered automates the process of agenda management. Mr. Austin went to Lake County to review their web stream/agenda management process. When reviewing this product in the past there was a \$100,000 licensing fee to obtain the product. They have now changed the way they do business to a subscription service where there would be no locked in contract. This contract would cost approximately \$3,000 per month with minimal costs for training. The services can be increased as needed. Committee members questioned how much time IT would have to spend on this project for installation etc. They were informed that they would not have to do too much as they would use the County's current system. Committee members were informed that extra costs are derived from the purchase of the equipment to run the systems. Cameras and additional equipment would be needed if they should decide to add the web-streaming component. They questioned Ms. Schultz if she would want the "e-vote" component added to the system. Ms. Schultz stated that she does not see the use of the e-vote system at this time though she does see some value for taking of the minutes. She stated she would still be required "statutorily" to provide a paper copy of the minutes as audio or video would not take the place of the statutory requirement. She stated this program could increase transparency of the County Board.

OLD BUSINESS

Amendments to McHenry County Board Rules: Committee members were reminded that the rules were being sent back to the committee for review in order to change the Zoning wording in the rules. These changes were to come from the Planning and Development Committee. They cancelled their last meeting so the recommended changes will be brought back to a future meeting for consideration. The changes will be reviewed by the State's Attorney as well. Committee members were informed if they have any concerns to please let the Chairman of the Planning and Development Committee know. Committee members voiced concern that they placed a rule in the County Board rules where the Chairman of the County Board needs to provide updates for meetings he is attending. They stated that today Chairman Koehler is attending a meeting downtown and they questioned who the meeting was with and what it was concerning. They stated they should be informed of his attendance at these meetings.

Committee members voiced concern regarding the "blue" Statement of Economic Addendum form that has been sent out. They stated that maybe a press release should be sent out regarding what the form is. Committee members stated that maybe the list of the individuals that are required to complete this form be reviewed to see if all of the individuals on this list are indeed required to file the form. It has been determined that the Senior Services Grant Commission members are not required to complete this form even though they were on the original list. Chairman Schuster requested a copy of the addendum list for her to review.

Ms. Kurtz stated that today we voted on \$1 million dollars of additional costs for the Courts. She stated that the County Board needs to review how the County can do business differently, especially when the County Board does not have control over the costs. She stated that we need to raise our voices to our legislators to address these issues. She stated that when construction is taking place they need to review the flexibility of a rooms use and how each room addresses the scheduling needs of the county. She stated that our legislator's decided our county needed a new judge. She questioned when and how this decision was made. She stated that if the number of cases decides when and how we get a new judge, the county needs to be involved with this decision, especially since the County is charged with the cost of these additions.

REPORTS TO THE COMMITTEE

Administrator's Report: None

Council of Governments: Committee members were reminded that the next McCog meeting is next week at Crandall's in Hebron starting at 6:30p.m.

Committee members asked how long records would be kept if the County should install an audio/video system in the County Board room. It was noted that clarification on some of the parameters of the system will be reviewed with the vendor. Ms. Yensen stated that she was delighted when the executive sessions were required to be recorded as some of the previous behaviors changed because of the requirement.

Chairman Schuster questioned if this audio program was implemented, would it fulfill the requirement to provide transcripts for the ZBA hearings. Currently there is a large expense in order to provide court reporters for all ZBA hearings. It was stated that this could result in a savings for this group.

Ms. Link reported that next Friday is a holiday at the County, it is also Earth Day and in celebration of this event the County is holding their Earth Day events on April 20th. There will be various vendors invited to highlight their earth day items. Various car dealers will bring their electric cars, trees will be sold for \$2, there will be recycling of tennis shoes, book recycling, battery and cell phone recycling, a solid waste display and energy efficiency displays in celebration of this event.

EXECUTIVE SESSION

None

ADJOURNMENT:

The meeting adjourned at 10:40a.m. on a motion by Ms. Salgado, seconded by Ms. Yensen with all members present voting aye.

RECOMMENDED FOR COMMITTEE/BOARD ACTION

- Appointment of Robert M. Martens to the McHenry County Ethics Commission
- Resolution Authorizing Workers' Compensation Claim Settlement No. 09-5100-06
- Resolution Authorizing Workers' Compensation Claim Settlement No. 08-3210-23
- Resolution Amending Resolution R-201010-99-273 Authorizing Budget Line Item Transfers in the Series 2010A Projects Fund for the Build-out of a New Courtroom, Holding Cell and Judge's Chamber

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