

FINANCE COMMITTEE MEETING
Special Meeting – Budget Hearing #2
August 21, 2018 @ 5:15 P.M.

MEMBERS PRESENT

Kevin Greenfield, Chairman
Debra Kraft
Greg Mattingley
Patty Cox
Tim Dudley
John Jackson

MEMBERS ABSENT

Jay Dunn

COUNTY PERSONNEL PRESENT

Judge Webber
Carol Reed, Auditor
Laurie Rasmus, Env Mgmt
Lois Durbin, Circuit Clerk
Mike Baggett, State's Attorney's Office
Jay Scott, State's Attorney
Matt Snyder, ROE
Jeannie Durham, County Board Office

CALL TO ORDER

The meeting was called to order at 5:15 p.m. by Chair Kevin Greenfield at the Macon County Office Building.

APPROVAL OF MINUTES

Motion to approve minutes of prior budget hearing #1 meeting on 8/6/2018 was made by Ms. Kraft seconded by Ms. Cox and motion carried 6-0.

Budget Proposals

Regional Office of Education

Mr. Snyder explained that their budget comes from both Macon and Piatt Counties. The budget is exactly the same as last year using the EAV percentage for each county. Last year, Macon was 79.1% of the total and this year it is 78.3% based on the EAV. So, the actual total went up just a little bit because of the percentage change. Other than that, nothing in the budget has changed.

Ms. Kraft made a motion to approve the proposed budget and forward on for display, seconded by Mr. Jackson and the motion carried 6-0.

Circuit Clerk

Ms. Durbin explained that she had rearranged some salaries that were paid out of the general fund between this fund and some of the other funds. The budget is decreased by \$333 from last year.

Jury Budget comes out of the general fund and everything has been left the same except the jury demand fees are down a little bit. Chair Greenfield asked how the judges are doing as far as scheduling jury trials. Ms. Durbin said that they had had jury this week and there had been 94 cases set for the week. She said last month they had 5 or 6 go which was great. The jurors are being used very well. Judge Webber added that they are down to 12 weeks per year from 16 last year. The number keeps getting reduced. Ms. Durbin said it is working.

Clerk Automation has had some things switched around as far as salaries. Line 5030, Court Technology Administrator, is new as of last September and is at a lower salary, so there is a

savings of about \$40,000 right there. EDP lines for clerks & courts have each been reduced by \$10,000 each. Chair Greenfield asked if some of these fees had just been increased as a result of a study that was just done. Ms. Durbin said that the automation (and all) are increased to \$25, but as of yesterday, the Governor signed HB4594 which puts it back down to \$20. That explains the decrease at the top. Mr. Baggett added that we don't know yet what the perspective impact of the Governor's action yesterday is going to be. HB4594 is a Crime and Traffic Assessment Act and basically, all criminal and traffic cases beginning July 1 of next year have been completely blown up as far as the prior way of assessing fines and fees in these cases. We have about 10 months to figure out how to implement the new scheme, but it is a comprehensive, statutory scheme which will apply across the board and will result in cuts in various areas both at the local and state levels, but we will feel the pinch more here than anywhere else. But, we don't know the extent. It is a 300+ page bill. It does away with everything that was done before and replaces it with a whole new system that we are all going to have to learn. Ms. Durbin said she has a binder that she is going through and trying to figure it out. Chair Greenfield asked that she keep the committee up to date on it.

Document Storage – more rearranging of salaries was done here. Ms. Durbin noticed that there is a blank that did not get filled in. Line 7180 should have the \$80,000 in it. That will bring the difference from FY18 to FY19 for that line to zero. At the top, the document storage line 4292 is also affected by the HB4594.

Restricted Cash – some salaries have been added in here from some of the other funds because it has built up. This is the \$36 fee a year on the child support maintenance. It is the admin fee that is collected every year. Everything else remains the same. It is just strictly the salaries that were changed from one fund to another.

Circuit Clerk and Admin Fund – This remains the same with no changes.

Chairman Greenfield asked where the Tyler Software would be put. Ms. Durbin said she is working on that.

E-Citation Fund – that is strictly for e-citations that law enforcements are using for tickets and that is the only thing it can be used for. It also remains the same.

Ms. Kraft made a motion to approve the proposed budget with the corrections and forward on for display, seconded by Mr. Jackson and the motion carried 6-0.

Chairman Greenfield informed the committee that they had met with the Building Commission and they have agreed to go with the Tyler Program. He said they had had negotiations with them the other day and Mr. Baggett and Ms. Durbin had been able to get them to come down even more. There is another meeting coming up with the Building Commission to see exactly how the contract will be set up. Ms. Durbin said that she and Mr. Baggett had received a copy of their first draft of their agreement. She will bring it to the meeting.

Circuit Court

Judge Webber reported that his budget is identical to last year. Personnel is the principal expense and it has remained flat with no raises. The clerks are non-contractual. Last year the board approved step increases for the clerks on their anniversary dates. This amounted to about

\$5,000. He said he had not budgeted for any step increases this year, but would advocate for that on behalf of the clerks.

The Law Library budget is decreased by about \$10,600 on the electronic research line. That was renegotiated with Westlaw. The Law Library is self funded and by agreement with the committee and board the last couple of years, he has been drawing down the Law Library fund to pay for the judge's electronic research. That is where all of the cases and statutes are gotten now. They are no longer published in book form. So, they are a necessity. That decrease is going to delay the draw down of the fund by probably a couple of years. It was on track to be drawn down in about 3 years and this will extend it to 4 or 5 years. The Law Library is self-funded through filing fees. He said he did not know what the new bill would do to that, but overall, the filings are down from about \$35,000 in 2001 to \$22,000 this year. That translates to reduced funding which is a nationwide trend.

Chairman Greenfield asked about whether the \$10,600 could be taken from the Law Library to give the clerks a raise. Judge Webber said no. Chairman Greenfield asked if the Law Library savings could be put somewhere else in the budget. Judge Webber said the Library is funded from the Law Library fund and he would have to expend Law Library fund dollars on clerk salaries and the Statute that permits the collection says the assessment is for the maintenance of the Law Library. Paying non-Law Library personnel with Law Library funds would probably not pass.

Chairman Greenfield asked about the test that one of the judges had ordered recently. Judge Webber said this is not a reoccurring thing, but the Statute says that the County shall pay from its general fund. This is one of those unfunded mandates. Mr. Baggett added that that was a different situation and had to be ordered by the judge specifically is that these do come up, but they are generally clients of the Public Defender and the Public Defender has a line item in the budget to cover that. In this case, it was a defendant who was being represented by private counsel, but still found to be indigent, unable to afford the retention of an expert by the court. In that case, even though they are represented by private counsel, that is the Statute the Judge referred to and it does mandate that the county has to pay for that examination to determine if the defendant is fit to stand trial. The only reason that this one came up a little bit weird is because of that situation. It would normally come up under the State's Attorney's budget because it would be their request or it would come up under the Public Defender's budget because it was their request. Chairman Greenfield said that normally, the charge is about \$2,300 to \$2,500. Judge Webber agreed saying that those are sexually dangerous and sexually violent persons. Mr. Baggett said it is a lot cheaper to find out if someone is fit.

Ms. Cox asked how many clerks there are. Judge Webber said there are 9 regular courtroom clerks, an extra floater clerk, a supervisor as well as the Law Librarian that is covered as a clerk, but is under a separate budget. That makes 11 on the clerk budget and one on the Law Library budget. Mr. Greenfield asked if there is any carry over in the courts budget. Judge Webber said sometimes a little, but not very much because in past years, everything has been reduced and some things have been eliminated. There is very little. Most of the budget, other than postage and telephones, is state mandated. It is translators, legal advertising, appeals, transcripts which are again items that the statute says, the county shall pay for from its general fund. Chair Greenfield suggested they vote to pass it on and then sit down with the Judge to work something out to get them a raise.

Ms. Kraft made a motion to approve the proposed budget and forward on for display, seconded by Ms. Cox and the motion carried 6-0.

State's Attorney

Mr. Baggett explained the general fund budget. The dollar amount as requested, is the same amount as last year as far as the net revenue minus expense. Some changes were made in rearranging some of the allocations. Salaries, for the first time in about 10 years, the General Assembly did not prohibit the automatic cost of living increase for the State's Attorney. That salary is up. As a history lesson, back in the late 1980's, the General Assembly passed a law that said that everybody gets a cost of living increase that will not have to be reviewed from year to year. It will be set by the compensation review board – and they set it and then washed their hands of it and walked away. Ever since, they've had to come in year after year and prohibit the cost of living increase from going into effect. That applies to the executive and the legislative branch. The courts had some litigation on it some years back and found out that they were exempt as a separation of powers issue. Here, the State's Attorney, as an elected state official, fell under that purview. They have prohibited the cost of living increases for all state officials since around 2008 or 2009. This is the first year that they did not do that. They specifically struck the State's Attorney from that. So, the State's Attorney's salary goes up. There is a placeholder amount in the budget. It is being estimated to be at 2.1% because it is tied to a certain index, but they are waiting for the Department of Revenue to release a final number. The other salary lines have moved a little due to attrition and hiring in younger attorneys to replace the older attorneys. Same thing with some of the support staff. One health insurance figure was added back in resulting in an increase of \$9,800. That was previously from the judgment line. Several have been removed from the judgment fund this fiscal year. In the 7000 commodities lines, there is a slight decrease in the telephone expense, a slight increase in postage, decrease in library due to renegotiation of the contract for online legal research and receiving a significant savings by switching providers. There is now a better online legal research system and it costs quite a bit less than what was being paid last year. There is a slight increase in copy expense. The contract with the Appellate Prosecutor that handles the appeals as well as special prosecution cases stayed flat. Investigations and court costs remained the same. Court costs are where mental exams that are done at the State's Attorney's request are paid. It is unknown how much these will be until they come up and so sometimes there is money left over at the end of the year. Office supplies line was increased. The automation fund was utilized for this in the past several years, but that fund has been tapped out. The anticipation is that there will be a significant increase. Mr. Baggett said they are still using the County to print most of the folders, envelopes, etc. He said they are also utilizing the county pricing at Striglos for office supplies. There is a \$100 increase for equipment. The upgrades for computer equipment are done toward the end of the fiscal year as old machines become obsolete and unusable depending on how much money is left in the line.

Judgment Fund Budget – The only areas that Mr. Baggett says he has input on are the salaries and fringes. The rest of it may have to be adjusted. In the last year, we have become self-insured up to a fairly significant sum meaning that when the county has certain lawsuits filed against it, we have an obligation to defend ourselves and pay the fees for outside counsel as well as any judgments or settlements that may come up to a certain point before the excess coverage kicks in. There are a couple of fairly sizeable claims outstanding right now that are in active litigation. There is some sizeable exposure there and these numbers may need to be

adjusted to take care of that because of the fact that we are now self-insured and not relying on a private insurer. Contractual Services line funds our outside counsel, primarily Ed Flynn and his firm, for the work they do in employment such as contract negotiations and work comp. They also pitch hit for Mr. Baggett when the load becomes too heavy. The \$7,500 in line 7561 has a description error and should be the Special Prosecutor fund in the event private counsel needs to come in. Most years that goes untapped. As currently presented, there is a decrease of about \$82,000 from last year's budget.

Chair Greenfield asked about Birchwood. Ms. Reed said they are not current, but efforts have been made to get them current. The terms have been changed a little bit as a result. Mr. Baggett added that, through outside counsel, we are in contact with them to make sure it is coming along. The \$12,000 is the anticipated revenue for next year. Ms. Reed explained that they are supposed to pay \$1,000 a month, but they are in arrears. If they get through this year, it should have been their last year, but they'll have one more to go due to the arrears.

Ms. Cox asked what the Judgment Fund balance was. Ms. Reed will check and let Ms. Cox know via email tomorrow.

Chair Greenfield asked for an explanation of the \$7,500. Mr. Baggett said that prior to 3 or 4 years ago, when the Special Prosecutor Statute allowed for more frequent appointment of private attorneys to be special prosecutors in case the State's Attorney has a conflict, that was used. It was kept there in the event that it is needed, but hasn't been used. Mr. Greenfield asked why the line description didn't say Special Prosecutor if that is what it is for. Ms. Reed explained that it is a software issue and will be fixed.

Child First Center – This fund has to do with the Circuit Clerk fees for both Macon & Piatt Counties and it pays a portion of their salaries. A good share of their money comes from grant revenue. The Director of the C1C, Jean Moore, came up with these numbers based on past years and projections based on experience, but as of yesterday, we don't know what the fees are going to be. The law the Governor signed yesterday does not go into effect until July 1 of next year, but we don't know how this will impact the amount of revenue coming into the C1C. Chair Greenfield commented that he assumes that if the committee votes to pass this on and then something changes, they would come back to the committee so it can be rectified before the budget goes on display. Mr. Baggett agreed, if they know anything before the October date, but if it is not known until next year . . . About 6 years ago, because of a court decision, the way that fines and fees were assessed and calculated in traffic cases changed and it cut close to \$200,000 in revenue for the CAC in one year. The CAC did not catch it and continued spending money they had been appropriated by the County Board and we found ourselves in a 6 figure hole that took years – up until last year – to dig out of. Mr. Baggett assured that they would be keeping an eye on it. If revenue is not coming in, adjustments will be made throughout the year to keep from going into the red.

092-401 budget – This is the Attorney General's Violent Crime Victim Assistance for the Child First Center. It is money in / money out.

092-402 budget – This is the DCFS grant for C1C and is also money in / money out.

There are award contracts or notifications on all of these.

VOCA Grant for C1C – money in / money out

Teen Court Grant – This is the contract with Millikin. This is revenue from Clerk fees and it is paid over to Millikin.

DUI Grant – Notice was received today that this has been bumped up to \$108,500. Last year, the award was \$63,594. It is going to fully fund a mid-level Assistant State's Attorney, support staff person, and fringes. That is one of the reasons the health insurance was moved out of the General Fund. That is just fantastic news. It did go up last year, but this year, it went up pretty dramatically and it's a reflection of the DUI unit's work and the state's recognition of good work. Chair Greenfield asked if the grant is from IDOT. Mr. Baggett confirmed, saying that it is. It is through the federal government and IDOT is the pass-through entity. Mr. Greenfield asked if the sheriff was also given a grant for patrol. Mr. Baggett did not know.

ARI Grant – Because of some of the changes in the way fringes are calculated here, it is budgeted at \$2,000 over. This is supposed to be money in / money out. The Program Director will have to find \$2,000 to cut somewhere, but the fringes will be paid.

Elder Victims Crime Unit – This grant is supposed to lapse on November 30, 2018. The original grant award four years ago indicated that any unexpended funds at the end of the 4 year period would be returned to the Howard Buffett Foundation. Permission has been received from the Buffett Foundation allowing any unexpended funds be spent. This allows the Investigator's salary and fringes be paid through next year. This turned a 4 year grant into a 5 year grant. That was very generous.

Mental Health Fund – this is partial payment for a prosecutor and is money in / money out.

Attorney General Fund – this is partial payment for a Victim Witness Coordinator and is money in / money out

Opioid Prosecution Unit Fund – This is going into year 2 of a 3 year grant. It funds a senior Assistant State's Attorney and a paralegal and it is money in / money out.

Mr. Jackson made a motion to approve the proposed budget and forward on for display, seconded by Mr. Mattingley and the motion carried 6-0.

CITIZEN REMARKS – PUBLIC COMMENT - None

OLD BUSINESS - None

NEW BUSINESS - None

CLOSED SESSION - None

NEXT MEETING -

Tuesday, September 4, 2018 @ 5:15 p.m. (next regular Finance Committee meeting)

Wednesday, September 5, 2018 @ 5:15 p.m. Budget Hearing #3

(Env Mgmt, County Clerk, Probation, Workforce, County Board, Recorder, Historical)

ADJOURNMENT - Motion to adjourn made by Ms. Cox, seconded by Ms. Kraft, motion carried 6-0, and meeting adjourned at 6:00 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office