

FINANCE COMMITTEE MEETING
Special Meeting – Budget Hearing #1
August 20, 2019 @ 5:15 P.M.

MEMBERS PRESENT

John Jackson, Chairman
Kevin Greenfield
Debra Kraft
Greg Mattingley
Jim Gresham
Tim Dudley
Laura Zimmerman

COUNTY PERSONNEL PRESENT

Doug Harlan, U of I Extension
Judge Webber
Carol Reed, Auditor
Greg Collins, Veterans Administration
Lois Durbin, Circuit Clerk
Mike Baggett, State’s Attorney’s Office
Jay Scott, State’s Attorney
Lisa Wallace, Auditor’s Office
Matt Snyder, ROE (5:20 p.m.)
Kathy Powless, Veterans Administration
Jeannie Durham, County Board Office

MEMBERS ABSENT

CALL TO ORDER

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

APPROVAL OF MINUTES

Motion to approve minutes of prior meeting (regular finance committee meeting) on 7/29/19 was made by Ms. Kraft, seconded by Mr. Greenfield and motion carried 7-0.

Note: Budget Hearing #1 on 8/5/19 was CANCELLED

Budget Proposals

Regional Office of Education

Budget Presentation

Ms. Reed explained that Mr. Snyder was not present so she would present.

They are basically asking for the same amount as last year. The general fund \$138,000 is what has been given to support salaries, travel and some building lease plus \$15,000 in the retirement and social security fund for a total of about \$200 less than last time. This remains pretty much the same every year.

Ms. Kraft made a motion to approve the proposed budget and forward on for display, seconded by Ms. Zimmerman and the motion carried 7-0.

Veterans Administration

Budget Presentation

Mr. Collins explained that they are still within their levy and have not changed much. Some has been added to the emergency assistance fund just because they had gone over last year with the high power bills over the winter. The phone line was decreased. The department is down to one phone. They have to have one for the van that goes to Danville, but the others have been done away with. Everybody has their own, so they weren’t needed.

Chairman Greenfield asked about raising the levy sometime in the past and asked if that has been sufficient. Mr. Collins & Ms. Powless confirmed that it has been.

Ms. Kraft made a motion to approve the proposed budget and forward on for display, seconded by Mr. Mattingley and the motion carried 7-0.

***University of Illinois Extension
Budget Presentation***

Mr. Harlan explained that their tax levy is just a little over half of the 5 mil tax levy. He said they are asking for the same levy they had last year for \$445,136. There is no change in it at all.

Mr. Gresham made a motion to approve the proposed budget and forward on for display, seconded by Mr. Dudley and the motion carried 7-0.

Circuit Clerk

Ms. Durbin explained about the recent attach on the Circuit Clerk website. She said the website is hosted by a company called Hostek. It is on its own server and is not even in this city. It is located out of Decatur, IL. There was no breach of data. Nothing was compromised. Firewalls and everything worked very well. She said it has made them look at if something else were to happen. New steps have been taken to assure it never happens again. Everything was in place to protect everything. She explained that through the Circuit Clerk's website, no information is on there that could have been hacked. To pay through the website, once the pay button is hit, it leaves the Circuit Clerk site and goes completely off that site. So, there was no danger of anything being compromised. Everything is ok today.

Budget Presentation

General Fund

Circuit Clerk IVD Grant – remains the same

Salaries – increased to accommodate the extra Leap Day & union contract raises

Phones – remains the same

Legal Advertising – increased by \$5,000 due to an increase in publications in juvenile cases

Postage – removed from general fund and moved to another fund

Office Supplies – reduced by \$2,500

Jury Services Fund

Everything is pretty much the same.

There was rise in the maintenance fees, so it was raised by \$200

The jury coordinator retired in May. The new coordinator is paid less. That is a savings

Chairman Greenfield asked about the number of jury trials and if a decline has been noticed.

Ms. Durbin said in the last couple of months there have been quite a few jury trials, more than what there had been. So far this week, there was one that went. Coroner jury is tomorrow.

There may be more set for Thursday and the rest of the week. The last couple of months, there have been more. Judge Webber added that since he has been in charge, the jury weeks have been cut from 24 to 12. That is about as low as it can go. After the first day, they try to call in fewer than all the panel. Ms. Durbin commented that today, only 60 jurors were called in.

Judge Webber said if they have only one trial which they really think is going to go, they will call in 25 jurors as opposed to all of them.

Chairman Greenfield asked if the fees were being cut by the judges and if it has had an effect on the revenue stream. Ms. Durbin clarified that he was referring to the waivers for the filing fees, etc. and said there has been one on the criminal side and they had just had a 2nd one today on the civil side. Other than that, there have been none so there really has not been an affect on the revenue.

Automation Fund

Everything stayed the same pretty much. The difference is in SS & IMRF retirement

Mr. Gresham asked about the conversion and the \$100,000 in the budget and how long that would be going on at that level. Ms. Durbin explained that she had plugged that in not knowing what would actually be needed for the conversion. She said she had just purchased new, larger monitors to enable pulling things up side by side. Office technology is still being upgraded. She said she did not think she'd be using the full \$80,000 amount. She said she has not in the past, but she was trying to honor the committee's request to budget for her needs and not come back asking for more during the year. The last couple of years, only about \$45,000 was spent. The second line, \$20,000 is used by the courts. Chairman Greenfield asked if she thought she might only use \$40,000. Ms. Durbin agreed that that is her hope, but with the conversion she could not be sure. Mr. Greenfield asked the committee members if they would rather see her cut the \$40,000 and then come back and ask for more if she has to or . . . Ms. Durbin said this is the amount she has had in past budgets. At one point, it was over \$100,000. She went on to explain that the conversion is moving along very quickly with the data and the push and pull they've had only 12 issues to take care of which is unheard of. The original live date was May 4, 2020, but because of the wonderful job being done here, it has been pushed back to March 23, 2020.

Mr. Jackson asked about the automation fees on the budget line 4290. Ms. Durbin explained that it had been reduced by \$25,000 just because of the new schedules that went into effect. Mr. Jackson said that would carry over with what Mr. Greenfield is saying, if you have a fund balance now of \$36,000 with the carry over of the additional \$40,000. Ms. Durbin repeated that she did not think she'd use the \$80,000. She said she is just trying to abide by the wishes of not coming back and asking for more money later in the year. Mr. Jackson agreed, saying she would carry it over.

Document Storage

The same thing was done on the Line 4292 – reduced by \$25,000, again due to the schedules. She said they are finding that people are filing more since it costs less to file.

Everything else stays the same

The line 7180, EDP is the same scenario as the automation fund.

Restricted Cash

Revenue was raised because last week, 1970's & 1980's cases were turned over to the credit collection partners. A total of \$244,520 worth of outstanding clerk fees was turned over. Last week, we received \$747 for 2 accounts and so far, for this week, we are already at \$600 plus. They are collecting, so the \$50,000 might be a little low. She said they are working on 1990 debts and getting ready to turn them over to collections as well.

Operations and Administration

The only change here is the inclusion of postage which was removed from the general fund.

Training and Travel were each raised by \$1,000

Association fees are going up \$55

Ms. Kraft asked about the reduction in postage. Ms. Durbin explained that it had been \$22,000 and she went to \$20,000 because of e-filing. It might be less than that.

E-Citations

This is money that can only be used for e-citations and it is the annual maintenance fee.

Juror Agency

This is an explanation of page 2 of the general fund.

Chairman Greenfield asked about personnel replacements within the office if the need should arise and whether positions / salaries would be replaced if the moves created open positions.

Ms. Durbin said no, she probably would not replace them. Mr. Greenfield said that if we get within a balanced budget, we've got the salary plus the \$40,000 we could come back and

cabbage onto to help out??? Mr. Jackson asked if there are restrictions to the jury agency fund.

Ms. Reed explained that that fund is an in & out. The money comes in, is transferred to the Circuit Clerk's account because she writes the checks for the jury.

Ms. Kraft made a motion to approve the proposed budget and forward on for display, seconded by Mr. Mattingley and the motion carried 7-0.

Circuit Court

Budget Presentation

Judge Webber reported that the Court's budget is essentially flat this year as per the request of the board. It is actually down by about \$3,600 due to cutbacks on a few things.

Training was down to \$500 and due to the conversion, a little more may be needed in case IT or Court Clerks need more training on the system.

Interpreters have also been bumped up. It just takes one or two cases where a language or sign interpreter is needed to go through the current budget amount. Interpreters are an example of what is most of the budget, other than personnel, is state mandated spending.

Overall, the budget is down by about \$3,600. There are no raises included for the clerk staff. There are 11 employees. They have a handbook which provides for a step increase every 24 months that is not contractual. For the last couple of years, the budget has been presented flat, but the committee and board then agreed to allow the clerks about a 2 % raise. They get the raise on their anniversary date, so it is scattered throughout the year and not all paid out on December 1st. The calculated expense would be about \$6,900. Judge Webber urged the committee, for the sake of parity with the contractual employees, to consider this.

The Law Library is self financed by the Law Library Filing fees and with the agreement of the committee a couple of years ago, some of those fees are being used to pay for all of the electronic subscriptions for the court. Those have been negotiated down last year, but now there are no more published books. Everything has to be gotten online so it has to be paid for. Judge Webber expressed concern over the Criminal and Traffic Assessment Act is silent as to the Law Library fund. We don't have a word if that is still part of what we can assess. We

keep assessing it and will until the Supreme Court says we cannot. But, if they do, that fund will be exhausted in about 2 years as opposed to about 4 or 5 years. That is something to keep in mind for the future.

Other than that, the budget is essentially identical to prior years, but once again Judge Webber said he implored the committee to grant a raise to the clerk staff. There are 11 employees. Chairman Greenfield asked if it would be ok to wait on that until the end of the budget cycle. Judge Webber agreed. Mr. Greenfield asked about the 11 employees, the number of judges and for clarification that the court reporters are paid by the state. Judge Webber explained that they are the person that sits next to the judge, make the documentaries for the cases and interact with the system, and act as secretary and receptionist for each judge. They are the office staff in addition to being the employees that maintain the records of what the judges do. There are 9 judges. Each judge has one clerk, there is one floater who typically is in traffic court because of the volume, and one clerk supervisor that doubles as a floater in the event of vacations or illnesses.

Mr. Greenfield made a motion to approve passing the proposed budget on for display with the exception of the possibility of the raises in the next couple of months, seconded by Ms. Zimmerman and the motion carried 7-0.

State's Attorney

Budget Presentation

Mr. Baggett explained that as per the request in the budget letter this year, the budget maintains the same spending as last year's spending.

General Fund

There is an increase in the state salary reimbursement for the State's Attorney's salary. The State's Attorney did receive a cost of living adjustment as did all of the General Assembly, the Governor's Office and all the Constitutional officers. That happened automatically on July 1. He explained that when he spoke to the Justice Committee, he had indicated that he thought an affirmative action was needed by the General Assembly, but it is the opposite. They need to affirmatively act to make it not happen and they did not. So, that did go into effect July 1. It is accounted for, both in our expected reimbursement from the state as well as an increase in the elected office holder's salary in the 5001 line.

The numbers for the Mental Health Grant through the local Mental Health Board funds deferred prosecution. There is an executed contract on that because they are on the state fiscal year.

The Drug Enforcement Grant from the State's Attorney Appellate Prosecutor is still awaiting final word. They have an issue with their state overseer of the dispersal of their money. It has been this number for a number of years going back. He said they are pretty confident of the number.

Victim Impact Panel have been lowered a little after looking at past history and seeing that the numbers are decreasing a bit. The numbers are not impacted by the Criminal and Traffic Assessment Act. The fees, as they come in, are not necessarily on a regular timeframe. They tend to come in during different parts of the year, but the fall is a big one.

Salaries – minor movement between the funds based on current salary levels. \$17,500 was subtracted from the investigator line as a decision was made within the office to stick with the two current investigators. There is one investigator coming off of a grant next year that will be fully funded by the general fund beginning next year. He has been funded by the Elder Victims Crime Unit grant for the last 5 years. Chair Jackson asked about the breakdown. Mr. Baggett said they had been keeping money in the investigator line with the expectation that while he was not being paid out of that line, but out of a grant, it was known it was going to be needed in the future and did not want to come back to the committee and ask to go from zero to \$70,000 in a year. This budget accounts for one person being moved out of the general fund as far as the health insurance, so there is about a \$10,000 savings there.

Commodities lines do not show a lot of changes from last year.

There are not regularly monthly expenses with the exception of Appellate Services where there is one bill per year and the Library that includes the electronic legal research. There is a monthly bill for that. Once a year, books are purchased for the attorneys to use in the courtroom. There is a pretty good contract worked out with Westlaw and Lexus for those services. There is a 5 year contract with Westlaw that has no increase from year to year.

Equipment line – a slight increase due to attempting to maintain and upgrade the computer systems.

Chairman Greenfield asked if the State is current with the salary payments for the State's Attorney. Ms. Reed confirmed that they are. The Treasurer's Office files it and the Public Defender's each month and it comes in regularly.

Judgment Fund – This is not exactly the State's Attorney's fund, but there is a lot interplay there and a good portion of personnel expenses are paid out of this fund. That has been done historically. Going into next year, there is a slight increase in the amount of compensation being run through the Judgment Fund. More of an attorney and less support was included.

Revenue numbers are placeholders. The Auditor's office will determine those numbers later.

Group health insurance is flat and pays for 5 full time employees.

Contractual Services has always been budgeted at \$125,000. That has worked out well and a lot of times it has been a lot less. Generally, historically, this went to pay for Ed Flynn's work. This past year, it has had to be tapped a lot more frequently because we are now self insured. Our self insured retention of \$100,000 means that we pay the first \$100,000 for any claim against the county on general liability. All of the suits that have been filed against the Sheriff's Office or the County, we are paying the attorney's fees out of pocket up to that first \$100,000 and for the first time in his tenure, Mr. Baggett said he is reviewing those bills rather than letting the insurance claims adjuster review them. He said if we don't pass \$125,000 this year, he would be shocked. If it is not passed by a lot, he will be shocked. As long as we remain self insured, this will continue to be an issue unless the committee would like for the State's Attorney's Office to start hiring more civil attorneys to work full time for the county. Right now, Mr. Baggett said he is all we have and he obviously has too much on his plate to be lead counsel on all the litigation there is. So, it is necessary to farm these cases out and it costs a not insignificant amount of money. It is not uncommon to see a monthly bill of \$8,000 to \$9,000 for one case.

Special Prosecutor line is for when the court appoints a special prosecutor when there is a conflict in the State's Attorney's Office. That is generally not needed, but it is there just in case. It is not known when that may be necessary.

Chairman Greenfield asked if the Judgment Fund has a cap on the levy. Mr. Baggett thought it does not. Ms. Reed was not sure. Mr. Greenfield asked if, due to all the lawsuits we have, it would be possible to pay an investigator or another attorney out of that Judgment Fund. Mr. Baggett said he thought another attorney could be justified, but he was not sure about an investigator because they don't work on civil cases. That is not the way civil litigation tends to work. Every once in a while, there is a need to investigate claims, but it is generally not done with a law enforcement official. Mr. Jackson commented that that is not a bad idea. Mr. Greenfield asked about paying 2 attorneys from the Judgment Fund. Mr. Baggett said that it is the Board's pleasure as to how much is set aside in the fund. Mr. Greenfield said he thought 2 might be justified and thought it might definitely be an option for discussion as they move forward. Mr. Baggett pointed out that the State's Attorney, since he has taken office, has very much streamlined the operations of the office. When he started, there were almost 50 employees and now there are 33. There are about 4 to 5 fewer attorneys and about 15 less support staff. It went from 3 investigators, up to four because of a grant, and now back to 2. The office is as efficient as the office can be without impacting the ability to do the work. If the Board's pleasure is to move some of the expenses from the 090 over to Judgment and increase it by two attorneys, they need to understand that it will be perpetual or they will have to move them back to 090 in the future. Chairman Greenfield said that the office staff is down, but the population is down by 30,000 people too, so is the crime not down. Mr. Baggett said it is not and distributed information with statistics to members. Mr. Greenfield said his next question would be what is going to happen when marijuana is added and what that impact would be. Mr. Baggett said he did not know about the impact but suspected an increase in DUI's and they already have a fairly high number of those in Macon County compared to significantly larger counties. As far as cannabis prosecutions, he was not sure of how much of a dramatic change that would involve. The lower level cannabis offenses that might be charged as misdemeanors have been charge in the City Administrative Court for a number of years now. So, how it is going to affect our misdemeanor filings, it is unknown. If you are in possession of more than 30 grams of cannabis after January 1, it is still going to be a crime. It is still going to be prohibited by the Cannabis Control Act. Those are still going to be prosecuted. He said he is just not sure of how much it will affect what is already done based on the fact that the City is already taking a lot of the load with respect to low level cannabis possession. Mr. Mattingley asked how much that might impact the low level offenses charged as a second time felony. Mr. Scott said that the second time is only when you go over the 30 grams. You can have 15 prior convictions and as long as you don't go over 30 grams, it is not a crime. You are going to see an increase in the illegal distribution of cannabis.

Back to the question about crime numbers, Mr. Baggett referred to the handout and said, 2017 jumped to 10 homicides from 3 in 2016. There were 9 in 2018 and we are already at 6 as of early July, 2019 and there may have been 1 or 2 more since these numbers were put together. Shootings are going way up. As of early July this year, they are going down, but homicides are going up. Population may be going down, but crime is not. Violent crime is not. He said they had called and gotten statistics from other counties, all of which are larger than Macon. We have 3 first chair homicide attorneys with 1 who is assigned but has not tried a jury trial yet.

There are 20 active homicide cases right now. The other counties numbers in regard to the number of first chair homicide attorneys and the number of active homicides they have shows volumes. Champaign County is almost double our size and they've got 6 active homicide cases and more than double than what we've got in prosecutors. When you look at the case filings, you can see that Tazewell County has more people than us, but files 34% cases fewer per year total which includes felony, misdemeanor, juvenile abuse and neglect, DUI's and juvenile delinquency cases. Looking at counties that are significantly larger, we have almost as many criminal cases as they do. That is where we are and the reality we have to live in. It is worth pointing out too, that during the State's Attorney's administration, the office has made cuts year after year at the request of the County Board and it has gotten to a point where there is nowhere else to cut, but almost \$300,000 was returned in the last 6 years since Jay Scott took office. When the opportunity arises to return what has not been spent, it has been returned.

Chairman Greenfield assured that he was not questioning efficiency, but said he really would like the committee to take a look at and discuss with the Auditor about whether they could pay a couple of attorneys out of the Judgment Fund. Chair Jackson agreed saying he would like to know if the fund balance has been net positive to carry forward because as of now. Ms. Reed said there is over a million dollars in the Judgment Fund.

Chairman Greenfield asked about how many grants the office has from the HGB Foundation. Mr. Baggett said they are in the last year of two. The Elder Victims Crime Unit is in year 5 of a 4 year grant because the Foundation allowed spending the fund balance down in year 5 and to zero it out. This next year will be year 3 of 3 for the Opioid Prosecution Grant. He said it is supposed to accommodate 1 attorney and 1 support staff person, but got permission to fund 2 attorneys and a support staff person out of that grant going into next year. He explained that that is one of the ways he is making this budget flat going into next year. One attorney has already been moved out of the general fund and into a grant unit for its last year.

Mr. Mattingley made a motion to table the proposed budget, seconded by Mr. Greenfield and the motion carried 7-0.

Chairman Greenfield asked about whether the Birchwoods are current. Ms. Reed confirmed saying that they are on a new schedule now which is a little more lenient, but they are close.

CITIZEN REMARKS – PUBLIC COMMENT - None

OLD BUSINESS - None

NEW BUSINESS - None

CLOSED SESSION - None

NEXT MEETING -

Tuesday, September 3, 2019 @ 5:15 p.m. (next regular Finance Committee meeting)

Wednesday, September 4, 2019 @ 5:15 p.m. Budget Hearing #2

ADJOURNMENT - Motion to adjourn made by Mr. Dudley, seconded by Mr. Mattingley, motion carried 7-0, and the meeting adjourned at 6:10 p.m. *Minutes submitted by Jeannie Durham, Macon County Board Office*