

JUSTICE COMMITTEE MEETING
February 28, 2013
3:00 P.M.

MEMBERS PRESENT

Chair Greg Mattingley
Jay Dunn
Merv Jacobs
David Williams
Jon Baxter
Bill Oliver
Gary Minich

MEMBERS ABSENT

Dave Drobisch

COUNTY PERSONNEL PRESENT

Jay Scott, State's Attorney
Mike Baggett, State's Attorney's Office
Michael Day, Coroner
Judge A. G. Webber, IV
Lori Long, Probation
Thomas Wheeler, Public Defender's Office
Amy Stockwell, Auditor
Lois Durbin, Circuit Clerk
Sheriff Tom Schneider
Lt. Max Austin, Sheriff's Office
Jerry Lord, DPBC
Jeannie Durham, County Board Office

This meeting was called to order by Chair Greg Mattingley at the Macon County Office Building.

APPROVAL OF MINUTES OF PRIOR MEETING

Motion to approve the minutes of prior meeting (January 24, 2013) made by Bill Oliver, seconded by David Williams, and motion carried 7-0.

CLAIMS

Motion to approve the claims made by David Williams, seconded by Merv Jacobs, motion carried 7-0.

REPORTS

Circuit Clerk

Lois Durbin reported that she recently updated their website and warned that if anyone has it saved in their favorites, they will have to hit F5 to refresh before they will be able to access it.

Circuit Court

Macon County Board Resolution Approving Increase in Appropriations in the Circuit Court's FY13 Budget for Expenses Fees in Certain Appeals

Judge Webber reported that he had a bill from Dr. Killian. This is a 2nd bill on the same defendant on a sexually dangerous person case.

Motion to approve sending the resolution to the Finance Committee for consideration was made by David Williams, seconded by Gary Minich, and motion carried 7-0.

Regarding the Law Library, our present service contract with Westlaw is going to come up for renewal next month. The team was in the Law Library today from Westlaw and we meet again next week. I expressed to them that it must be a self-sustaining operation. We are going to put some upgrades in on our electronic research which is the way of the future. We will be cutting back on the printed subscriptions. They will get a proposal to us. They are aware of our fiscal

boundaries. We will be able to enhance our electronic research, reduce print and keep us in budget. We will have a recommendation as to how we proceed from there.

Jay Dunn questioned whether there are two circumstances of where bills like this are brought to the committee. Judge Webber replied that this is the only one where the bills are brought in on a case by case scenario. The other thing is in the same appeal line and that is the fees for Monica Hawkins who is our contract attorney on juvenile cases and cases such as this. There is actually a budget line and those are budgeted ahead of time for those versus we do not budget ahead of time for this. Jay asked if there was a way to get, possibly from the auditor, records so these bills and the cost to the County could be tracked and monitored on a yearly basis. He would like to know what the costs are since the state stopped paying. Judge Webber stated that this is the first one this year, there were three at the end of last year and possibly more prior to that. Dr. Killian is the only one that does these in this area of unfunded mandate. Perhaps the auditor could pull the bills paid to Dr. Killian. Greg Mattingley stated that at one time the state reimbursed the county, but they stopped entirely. Judge Webber replied that they had tried that when it was a state case, brought by the Attorney General, submitted as an order assigning the case to an Appellate Defender. We sent the bill to them and it got sent back to us by the Appellate Court – with prejudice.

Coroner

Michael Day had no report.

Court Services/Probation

Lori Long reported that the newly formed Criminal Justice Mapping Committee has pulled together the requested information that describes how a criminal case moves through the criminal court system from beginning to conclusion and what happens at various decision making points in a defendant's case. We were also asked to provide a summary of the various types and amounts of fines and fees and costs that are assigned to criminal cases and how those fees are collected and disbursed. The members of the committee include Judge Webber, Jay Scott, Rodney Forbes, Sheriff Schneider, Lois Durbin, Greg Mattingley and Lori Long. The group met several times this month and will be ready to provide a brief presentation at next month's Justice Committee meeting. I think everyone on the committee thinks it was a good exercise which gave us an opportunity to look at the process and see what is working, what could be strengthened, if there are any gaps that need to be filled. We also think that the summary of information we put together could also be posted on the County Website so it will be accessible to the general public.

Greg Mattingley stated that he had received an email that tracked the day to day jail population and wondered if the number included the entire jail population including the federal prisoners we are holding. Sheriff Schneider asked if it was the DPBC list, which was confirmed by Jerry Lord, and Sheriff Schneider said that yes, it does include the federal prisoners being held. Greg questioned how many prisoners were federal prisoners. Sheriff Schneider roughly estimated the number at several dozen.

EMA

Sheriff Schneider reported that the 3rd Mitigation meeting has been completed. It has been presented with a draft of the plan. With a few modifications, it will be posted to the EMA website and it should be available by Monday.

Public Building Commission

Jerry Lord had no report.

Public Defender

Thomas Wheeler had no report.

Sheriff

Sheriff Schneider reported that the jail population today is 311 which includes federal inmates.

Macon County Board Resolution Approving a Contract between the Macon County Sheriff's Department and the Decatur Public Building Commission

Sheriff Schneider then introduced the above mentioned resolution explaining that this is a reoccurring contract that happens each year. It deals with the one court officer that is assigned to the County Office Building. It is for half the salary and includes benefits. There is a 2.5% increase contractually.

Motion was made to approve sending the resolution to the Finance Committee for consideration by David Williams, seconded by Gary Minich and motion carried 7 -0.

State's Attorney

Macon County Board Resolution Approving Increase in Appropriations in the State's Attorney's Grant Fund ARI Budget for FY12 and FY13

Mike Baggett reported that the resolution was drafted in coordination with the auditor. The ARI budget that was adopted by the Board last year for the State's Attorney did not account for what the award would actually grant because of the deadline for the county to approve their budget occurred prior to the award being given by the State. We were awarded more money than what we anticipated at budget preparation time. This would bring it in line with the FY12 and would reallocate money due to the overlap in fiscal years to make it congruent with the amount of money actually awarded there. Since the ARI grant started Nov 1 and our FY started Dec 1. There are also some changes with FY13. This is partial at this point. An additional resolution will be coming. This handles everything except the contractual grant. It brings it into line with what we were actually awarded. There is still some work and negotiations that are taking place between us and the state with the contractual line and how we designate it. We are not there yet. At this point, it is just payroll, equipment, travel and supplies for FY13. There will be another resolution down the road when we get contractual work done.

Motion to approve sending to the Finance Committee for consideration made by Merv Jacobs, seconded by Jay Dunn, and motion carried 7-0.

CITIZEN REMARKS – PUBLIC COMMENT

None

OLD BUSINESS

None

NEW BUSINESS

None

NEXT MEETING

March 28, 2013

ADJOURNMENT

Motion to adjourn made by Bill Oliver, seconded by Jay Dunn, motion carried 7 – 0, and meeting adjourned at 3:19 p.m.

Minutes submitted by Jeannie Durham
Macon County Board Office