

**JUSTICE COMMITTEE MEETING**  
**October 24, 2013**  
**3:00 P.M.**

**MEMBERS PRESENT**

Greg Mattingley, Chair  
Jay Dunn, Vice Chair  
Jon Baxter  
Gary Minich  
David Williams  
Merv Jacobs

**MEMBERS ABSENT**

Dave Drobisch  
Bill Oliver

**COUNTY PERSONNEL PRESENT**

Mike Day, Coroner  
Jay Scott, State's Attorney  
Sheriff Schneider  
Judge A. G. Webber  
Jerry Lord, DPBC  
Lois Durbin, Circuit Clerk's Office  
Rodney Forbes, Public Defender  
Lori Long, Probation  
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 (September 26, 2013) made by David Williams, seconded by Gary Minich, and motion carried 6 -0.

**CLAIMS**

Motion to approve the claims and send them on to the Full Board made by Merv Jacobs, seconded by Jay Dunn, motion carried 6-0.

**REPORTS**

***Circuit Clerk***

Lois Durbin had no report except to say that the remodeling in her office is coming along nicely and she is very happy with it.

***Circuit Court***

Judge Webber reported on a future possibility of a judge shortage. He stated that Judge Fenson, who comes over from Monticello to cover Courtroom #1 since Judge White was assigned to the Appellate Court, may have to be moved to Clinton to cover for Judge Bryan who is undergoing surgery again this p.m. Judge Bryan may be out indefinitely. Judge Carroll in Douglas County is retiring effective December 1<sup>st</sup>. Judge Flannell has indicated that he may have to call on Macon County to help cover some of the other counties while those seats are vacant for a temporary period of time. That could put us 2 to 2 ½ judges down. He said they will find a way, but it is getting harder and harder to cover the courtrooms.

***Coroner***

***Macon County Board Resolution Amending the Coroner's FY13 Budget***

Mike Day reported the resolution is to transfer \$5,416 from revenue in the Coroner's fees line to expense in the autopsy medical line. The revenue comes from the \$50 cremation fee and for the documents provided to insurance companies, banks, attorneys, etc...

Motion to approve passing the resolution on to the Finance Committee for consideration was made by Gary Minich, seconded by David Williams and motion passed 6-0.

Mike Day went on to explain that in days past, the revenue line for the office topped out, sometimes, at \$2,000. The Legislature increased the fees that had not been reset by state legislature for 20 years. They are now \$50 for an autopsy, \$25 for a toxicology report, etc... Revenue for this year should now be roughly \$19,000 to \$20,000. That is not going to be the milk cow that will rescue this budget every year. At some point, that increase in revenue will top out. This year is pretty well already set as all that really needs to be done is final approval, display, etc... Mike asked the committee members to think about how the coming years should be approached during the budget processes. He said he has always complied to the wishes of the Justice Committee, Finance Committee & Board. This year we were asked to maintain the budget as it was the previous year, so we did. For the last 3 or 4 years, we've had to come back here leeching out the revenue line to try to cover the bills. That is not a logical long term budget plan. With the FOIA that has been passed, many of the documents that are used to investigate circumstances, are provided to the other agencies such as the Sheriff, City Police, State's Attorney's Office, etc... Now, they are going into their general files and instead of the Coroner's Office receiving \$50 from an insurance company, they pay a penny a page to their respective law enforcement agency where they access them from. Just the other day an insurance company called and wanted me to certify all the results and do all the work. Mr. Day said he had to tell them he did not know what they had or where they got it from. They said it came from the police files. Mr. Day said he could not certify the document as he could not even say if it was all there or not. This is something the Board Chair, Sheriff, City Police and Coroner need to talk about and try to figure out the right procedure. State Law says the documents should be accessed by the Coroner. They are the Coroner's property and the property of Macon County, not the property to be dispensed by any other agency who happened to attain them. The FOIA used to be crystal clear, now it is not. Everything keeps increasing in price. We took quite a pretty heavy hit on our budget a number of years ago when there was a budget crisis. We have not recouped any of that money. For the 20 years that Mr. Day has been in the position, there have been a couple of pretty devastating periods that we moved back out of. This is something to think about as we move forward. This revenue line, in a lot of counties, does not even go into the Coroner's budget. There is a provision of the law where that money is to be maintained as residual for a contingency fund for equipment replacement, etc... if and when it is needed. We try to maintain a bare bones shop and make good decisions. Sometimes, decisions require looking at the big picture. We are conscientious about the decisions we have to make on a daily basis. He requested that as the next year's budgets come around, rather than making an edict for all budgets, perhaps the door could be opened to conversation about the issues.

### ***Court Services / Probation***

Lori Long reported that she had no report now, but would like to introduce three resolutions during new business. They are clean up for three grants due to timing issues caused by differences in the County, State & Federal fiscal years.

### ***EMA***

No report.

***Public Building Commission***

Jerry Lord had no report.

***Public Defender***

No report.

***Sheriff***

Sheriff Schneider had no report.

***State's Attorney***

Jay Scott reported that Mike Baggett had asked him to relay the message that they are working on a resolution in regard to the Mental Health Court grant timing and they hope to have that in time for the November 4 Finance Meeting.

**CITIZEN REMARKS – PUBLIC COMMENT**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

Lori Long presented the three resolutions mentioned earlier. The two on Juvenile Redeploy and Drug Court are pretty straight forward. The third is for the DUI grant which comes from the Department of Transportation. In addition to the timing issues the other two have, there was a slight error in the projection of the amount for the payroll line. This resolution also corrects that by moving it into the contractual line. She stated she had worked very closely with the Auditor's office to make sure all figures reconciled and thanked them for their time and assistance. Lori stated that she would like to present these resolutions to the Finance Committee with the Justice Committee's permission. Mr. Mattingley stated that most of this is just pass throughs. Lori agreed. Mr. Mattingley verified the procedure around sending these on to the Finance Committee or if they should take action under new business. Chairman Dunn explained that this type of procedure has been done before and while the Justice Committee cannot take any action on them, they can, with no objections, be sent on to the Finance Committee. This happens because of the timing sometimes. Mr. Mattingley asked if there were any objections from the committee in sending them on to the Finance Committee for action. There were none. Chair Mattingley informed Lori that the committee would agree to send them on to Finance.

**CLOSED SESSION**

None

**NEXT MEETING**

TUESDAY, November 26, 2013

**ADJOURNMENT**

Motion to adjourn made by David Williams, seconded by Jay Dunn, motion carried 6-0, and meeting adjourned at 3:20 p.m. Minutes submitted by Jeannie Durham, County Board Office.