

**JUSTICE COMMITTEE MEETING**  
**August 28, 2014**  
**3:00 P.M.**

**MEMBERS PRESENT**

Greg Mattingley, Chair  
Jay Dunn  
Merv Jacobs  
Jon Baxter (arrived @ 3:20 p.m.)  
Gary Minich  
Dave Drobisch (left @ 4:00 p.m.)  
Bill Oliver

**MEMBERS ABSENT**

David Drobisch

**COUNTY PERSONNEL PRESENT**

Sheriff Schneider  
Rodney Forbes, Public Defender  
Lt. Jon Butts, Sheriff's Dept  
Amy Smith, Probation Dept  
Jim Root, EMA  
Mike Baggett, State's Attorney's Office  
Judge Webber  
Lori Tharp, DPBC  
Pat Berter, Probation  
Amy Stockwell, Auditor  
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 (July 24, 2014) made by Dave Drobisch, seconded by Merv Jacobs, and motion carried 6-0.

**CLAIMS**

Motion to approve the claims as presented made by Dave Drobisch, seconded by Gary Minich, motion carried 6-0.

**REPORTS**

*Circuit Clerk* No report

***Circuit Court***

Judge Webber reported that they had conducted interviews the day before with 15 lawyers who applied to replace Judge Steadman as Associate Judge. They were a very talented group and they should have back from the Bar Association the poll results for the applicants by the middle of next week and they also have in hand the ballots from the Administrative Office and they are due to be back 2 weeks from yesterday. So, after the poll results come back the judges will get together and caucus and reach a consensus and then mail the ballots back in. But, the AO makes the announcement. They do not make the announcement until the two week period has passed. There should be something out of Springfield two weeks from today or tomorrow as to who the new judge will be.

Chair Mattingley said and then there will also be a 2<sup>nd</sup> to fill, at some later point. Judge Webber agreed and said they told all the interviewees that they were considering that to be an interview for both positions. With Judge Bollinger's position coming up in December when Judy McCarthy retires. By Supreme Court, we cannot open that position until 30 days prior to the election. So, it will be posted as of October 4. We will not have to go through the full process. Unless someone

new applies that we don't know about at this time, we will go with the same applicants. By the end of the year there will be two new judges. Greg stated that they would then be back to full staff. Judge Webber agreed and said they would be back to the full 9 judges with the replacement of Judge Steadman as Associate Judge. That's the first time full strength since January of last year.

*Coroner* – No report

***Court Services / Probation –  
Macon County Board Resolution Amending the Probation's FY14 Budget***

Pat Berter explained that due to the continued juvenile arrests and individuals being detained in the Peoria County Detention Center and the Champaign County Detention Center, he has to come before the committee and ask for more money. He said that they had received some good news that they received \$111,000 additional funding from the State of Illinois for FY14. Also, within this, there was a secretarial position of an individual who resigned where there will be some savings of \$9,500. Unfortunately, if we continue to project costs with the individuals that we have in there, we are still not going to have enough money. Pat said he provided a 2 year history of what it has cost the County to house individuals. Looking at July, 2014 this past month we paid \$59,237 to house individuals. Currently, there are 10 individuals in custody. Eight are in Peoria County and 2 are in Champaign County. They are in for murder, attempted murder, unlawful use of a weapon, possession of a handgun, aggravated kidnapping, armed robbery, predatory criminal sexual assault. The individuals that are in there need to be in there. They are not in there for retail theft or truancy. They pose a safety risk to the community. Chair Mattingley asked if any of them are close to aging out where they could be transferred to the adult jail. Pat said no.

Bill Oliver made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Jay Dunn and motion carried 6-0.

***Macon County Board Resolution Approving Revenue in the Probation Grant Fund for Juvenile Redeploy Illinois Grant***

Pat Berter explained that this is the Community Access Grant and that they were fortunate enough again this year to receive funding for the grant in the amount of \$328,050. This resolution fixes the grant timing issue resulting from the difference in the state versus the county fiscal years. This will move \$136,687.84 to pay for the FY2014 bills.

Auditor Stockwell pointed out that a technical correction was needed so the expenditure line could be added.

Gary Minich made a motion to pass the resolution with the addition of the expenditure line on to the Finance Committee with recommendation for approval, seconded by Jay Dunn and motion carried 6-0.

***Budget Presentation***

Probation Budget:

Revenue Lines

Line 3884 – Reimbursement from Probation proposal is for \$600,000. That is a decrease from last year with the reason being that the allocation from the State of Illinois. An additional \$200,000 was received over what was received last year. The proposal is to bring that fee reimbursement down because only about \$428,000 is actually brought in per year. This year alone, the \$714,341 budgeted for FY14 will be spent. If this path continues, in a few years, there will be no reserve.

Line 4317, Mental Health Grant is received from the 708 Board. This is the same amount promised last year.

Line 4331 – Court Grants in Aid has gone up, thanks to the State of Illinois, by \$197,644

Line 4332 – Courts Subsidy has gone \$20,060, however

Line 4333 – Courts Pre Trial has gone up \$27,000. Once again, Pat feels very fortunate to get some good news from the State.

Line 4900 – Probation Misc is not budgeted. A few years ago, reimbursement from the Attorney General's Office was received for sex offender evaluations. This is no longer received and the department now absorbs those costs.

Expenditure Lines

Line 5001, 5040, & 5325 – Chief Probation Officer, Administrative Assistant, & Probation Officer does not include a budget figure as negotiations are currently underway. The Secretary line 5465 also does not include a raise.

Line 5707 – Overtime pay will be kept the same. There are individuals that have comp time on the books and they can come to us and say they'd like to have it paid out at any time.

Line 6010 – Hospitalization is for 34 staff. There is a decrease of \$828.

Line 7115, 7120, 7150 – Telephone, travel & Postage lines will remain the same.

Line 7180 – EDP is automation and is being increased \$4,640 to accommodate upgrades & license fees in the automation system.

Line 7190 – Training remains the same

Line 7200 – Contractual Services is decreasing \$3,000 because more money needs to be moved toward juvenile detention costs.

Line 7210 – Dues will remain the same. The IPSA was very instrumental in all counties receiving the same amount of additional funding and we want to make sure the officers are able to stay involved with that association.

Line 7255 – Offender Services will remain the same. That is for the sex offender evaluations, treatment and drug testing that are not covered by the Mental Health Board.

Line 7510 – Electronic Monitoring will stay at \$5,000. Quite a bit of the FY14 budget has been spent. Individuals that are deemed appropriate by the court can be placed on electronic monitoring GPS, especially juveniles. The Juvenile Redeploy Access Grant money was used for some of these costs. Also, Adult Redeploy Grant money was used for this.

Line 7560 – Juvenile Detention Costs is budgeted at \$308,000 based on monthly trends, but this is one of the parts of the budget that cannot be controlled. Greg Mattingley asked if it is envisioned that this will be enough to cover the increase in juvenile detention like is being seen this year. Pat was hopeful and said he had spoken with Peoria County and they are seeing the same thing. Right now Macon County has 10 individuals in. At 10 individuals, this would cover it. That is 5 more than the 5 guaranteed bed spaces currently had.

Line 8020 – Supplies was cut by \$750. Some of the supplies can come from grant monies.

Line 8060 – Vehicles will remain the same so maintenance can be kept up. Two years ago warranties were purchased for 3 vehicles and depending on how this line goes, the purchase of 2 more warranties might be considered in FY15. Bill Oliver questioned what the benefit of a warranty was. Pat said that a couple of years ago, vehicles were having fuel injection problems at a cost of \$800 every time they had to be taken in. Those issues are covered by the warranty and it has really helped out. Bill asked if it was an extension of the original warranty and for how long. Pat confirmed that it is for 3 years.

Dave Drobisch made a motion to pass the budget proposal on to the budget hearing, seconded by Bill Oliver and motion carried 7-0.

#### Mental Health Court Budget

##### Revenue Lines

Line 4310 – Probation Drug Court Fees are averaging about \$700 a month received.

Line 4317 – Contributions in the amount of \$57,013 is reimbursement from the Mental Health Board.

Line 4594 – Drug Court Fees that are being received at the rate of about \$1,000 a month

##### Expenditure Lines

Line 5050 – Half of the Assistant Public Defender is paid out of this line

Line 5330 – Specialty Courts Administrator

Line 6010 – Hospitalization is taken care of out of the probation budget

Line 7200 – Contractual Services is \$12,000 that goes back to the Mental Health Board for services they provide

#### Probation Grant (095) Dept 056 - Juvenile Redeploy Budget

Pat said that they were lucky enough to receive \$328,050 for FY15

Going down the line items, the revenue in is \$191,362.16 and the expenditures are \$192,362.16.

Pat said that he met with the Program manager of the program and created the budget. The equipment line will help purchase a new compute for the Probation Department that is obsolete.

#### Probation Grant (095) Dept 057 – IDOT DUI Grant

An email has been received indicated the grant has been received in the amount of \$40,000. Once everything is final, a resolution will be done for FY14 to make sure those costs are covered, but this is for FY15. All this grant covers is the Probation Officer's salary and part of the hospitalization. It is for one year. Bill Oliver asked if the person is aware that the job is only for one year. Pat explained that because of the union, that person would not lose their job. If this grant were not secured, someone would have to be laid off. There is no money here for contractual services, travel, supplies, et... This is a DUI grant and the only thing that could be asked for was the Probation Officer salary. It is hopeful that with the Affordable Care Act, individuals in the program will be covered. They are screened. Bill said that is something he's been worried about when grants are received that pay salaries and jobs are created and then the grant isn't continued and we have to do away with position we've created. Pat assured him that there is a sustainability committee created for Hybrid Courts that are looking at different ways to fund these positions. They have been steadily working on trying to figure out how they can continue to bring more revenue in so they don't have to lay anyone off.

#### Probation Grant (095) Department 059 – Adult Drug Court Grant

No notification has been received whether the grant has been received. It is for \$100,000 for one year. It is a Drug Court Enhancement Grant and is just for services – not personnel. A letter was received from the Administrative Office of Illinois Courts and additional funding for existing programs is available. Information from the Fred Spannus evaluation will be sent asking for that position to be covered.

Dave Drobisch made a motion to pass the budget proposal on to the budget hearing, seconded by Gary Minich and motion carried 7-0.

#### ***EMA-***

Budget Presentation – Jim Root

Revenue Lines

Line 4330 – Nuclear Safety Block Grant shows an increase of \$1,347. The grant is received on a regular basis.

Line 4350 – FEMA (IEMA) Grant shows an increase of \$2,500.

Line 4352 – FEMA LEPC, an IDOT grant has an \$1,100 increase.

Expenditure Lines

Line 5001 – EMA Coordinator has a shortage from last correction figured into it.

Line 5100 – Assistant Coordinator position no longer exists and has been converted to part time help.

Line 5475 – Administrative Assistant shows an increase of \$900 which is a 3% contractual obligation.

Line 5480 – part time help remains the same and covers one employee most of the time. A 2<sup>nd</sup> can be brought in if necessary

Line 5707 – Overtime budget remains the same.

Line 6010 & 6011 – Hospitalization & Fringes are calculated on the figures that have been provided

Line 7110 – Maintenance of Equipment remains the same

Line 7111 – Radio Maintenance was decreased by \$400

Line 7115, 7150, 7160, 7195, 7210 & 7120 – Telephone, postage, printing, training, dues & travel stay the same. The travel is for people travelling to and from training that is required by the State.

Line 7123 & 7590 – Mobile Command Post & Underwater Search and Rescue have been cleaned out and will no longer be used for expenses for a savings of \$500 per line or a total of \$1,000.

Line 7200 – Other expenses was used for a previous grant and is no longer used.

Line 7595 – Nuclear Safety Block Grant is increasing

Bill Oliver asked about the radio maintenance line and whether EMA was tied in with the system as it is now with the County & the City. Jim explained that a Starcom users fee is paid, but the old Sheriff's main, which is the old VHF system. They also manage and do maintenance on the County Fire Repeaters. They also manage the maintenance for the repeaters for the Building Commission and the jail. Altogether there are 6 or 7 radio licenses that are maintained on that radio maintenance.

Bill Oliver asked what the Underwater Search & Rescue was. Jim explained that this is a line that has never been used. Typically there could be a recovery of a vehicle from a gravel pit or a body that is found in a lake or pit. Sometimes there is money associated with recovery, but it hasn't been used, so is being closed out.

The 8000 lines all stay the same.

Total Expenditures are decreased by 1% as requested.

Jay Dunn made a motion to pass the budget proposal on to the budget hearing, seconded by Merv Jacobs and motion carried 7-0.

Jay Dunn thanked both Pat Berter & Jim Root for listening to the committee's request on their budgets.

***Public Building Commission –***

No report

***Public Defender –***

Budget Presentation

Rodney Forbes presented the budget line by line.

Revenue Lines

Line 4317 – Mental Health Board gives us \$10,600. That money is used for fitness evaluations for persons who may not be fit to stand trial. A psychiatrist evaluates those persons.

Line 4334 – State Salary Reimbursement – The County pays 1/3 of the Public Defender’s salary and the State pays 2/3.

All other revenue comes from the general fund. There are no grants or other revenue

#### Expenditure Lines

Line 5001 – Public Defender’s salary is set by Statute. By law, the Public Defender must be paid 90% of what the State’s Attorney makes.

Line 5050 – Assistant Public Defender has been decreased by \$4,000. The Board allowed for raises last year, but even with the raises, there was a surplus, so it is being decreased in an effort to comply with the Board’s request for a 1% decrease in the budget. This budget is primarily salaries with just a little equipment, supplies, telephone, postage, etc... If there is going to be a decrease, it will have to be in salaries. Rodney said he would like to ask for a raise for the employees, but in keeping with the request for the 1% decrease, it will not be possible.

Line 5350 - Investigator Salary – remains the same

Line 5400 – Support Staff include the Office Manager & secretary. This remains the same.

Line 6010 – Hospitalization shows an increase due to the numbers the Auditor’s Office told us to use in the calculations for the budget

Line 7115 – Telephone will remain the same. It was increased last year because it was discovered that the office had not been billed for all of the lines in the office.

Line 7150 – Postage is being decreased by \$500. Historically the entire \$1,000 has not been used. This is a line that can be decreased to help with the 1% cut.

Line 7200 – Contractual is for contracts with the conflict attorneys. These are 2 attorneys that handle cases where the Public Defender may have a conflict of interest. It also covers the Westlaw Contract. This is a 3 year contract with 2% increases. This line needs to be increased by \$1,300 to meet those obligations.

Line 7205 – Transcripts have been reduced by \$3,000. That money has always been sitting there in the event that we have a big case where we may need to order a lot of transcripts. The number of transcripts ordered this year has increased, but even with the increase & based on history, the line will be reduced by \$3,000. It’s nice to have that money in case unexpected expenses come up, but in an attempt to keep with the 1% decrease, it will be cut by \$3,000.

All the rest of the lines for supplies, equipment, etc... remain the same. Last year, at the end of FY13, the equipment line was used to buy some computers and in FY14 it was used to buy more. The office is still about 3 computers short which are all Office XP and no longer supported by Microsoft. Something will have to be done with those 3 computers, so the line is being kept the same.

Mr. Forbes ended his presentation with a comment that if the Board felt that the attorneys and support staff were deserving of raises, a 3% increase would amount to \$20,444. He said he would like to make the request, but it has not been submitted in order to keep in line with the County's request.

Jay Dunn said that when he & Chairman Ashby sat down prior to the start of the budget process and looked through most of the budgets from the previous year and came up with the plan to keep the budgets the same or preferably a 1% cut, they found a few budgets that they knew were not going to be able to make the cut. The Public Defender's budget was one of them. He said Mr. Forbes had done a good job in keeping it as low as he could, but he was not in favor of keeping the budget without raises, so Jay Dunn made a motion to pass the budget proposal on to the budget hearing with the addition of the \$20,444 for raises, seconded by Gary Minich and motion carried 7-0.

*Sheriff* –  
Budget Presentation  
001-060

Sheriff Schneider began the line by line presentation starting with reporting the amounts in the Revenue Lines for total revenue of \$381,392.97. Chair Mattingley asked about the substantial increase of \$100,000 in the misc. revenue line. Sheriff Schneider explained that it has been communicated to him that he will receive another \$100,000 for the Community Outreach Grant. It will be a wash because in the expenditures there is \$100,000 increased allotment that will take care of that.

Sheriff Schneider went through each of the expenditure lines giving the amount budgeted. He explained that through attrition and automation, 2 positions have been cut over the past 2 years. All of the 7000 lines remained the same appropriations as in FY14.

Jay Dunn asked for an explanation of what line 7500, Youth Advocate, is. Sheriff Schneider said that during the last year of Jerry Dawson's term, the Youth Advocate approached him about the shortfalls they had and discussed the services that they provide to the department. At that time, the Board and / or the Sheriff's Department agreed to give them that \$8,000 and we continue to keep that in there at their request – and they do request it. Jay asked what kind of service they provide. Sheriff Schneider said many services. Any time there is a juvenile beyond control situation or something dealing with a juvenile in need of assistance, their counselors, outreach workers, etc... come in. The department feels it is a vital program for the amount of money.

001-061

Revenue Lines were presented for a total of \$1,012,000. There were no questions.

Expenditure Lines were presented for a total of \$4,386,142.49.

Bill Oliver asked what would happen to the budget if they did not have the federal prisoners.

Sheriff Schneider said over \$700,000 in revenue would be removed from this budget. It would be devastating. A reduction has been seen, but with a judge coming back in to fill the vacancy at the federal level, it will be increasing again.



LEST 002-060

Revenue lines were presented in the amount of \$12,000.

Expenditure lines were presented in the amount of \$2,329,168.29.

Pages 5 – 14 were not included in this packet, but had been placed in committee member boxes a week earlier. Some members did not have copies in front of them.

Jay Dunn thanked the Sheriff for cutting the two general fund budgets as the Finance Committee had requested and made a motion to pass the budget proposal on to the budget hearing, 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 Budget for Forensic Mental Examination Expenses***

Mike Baggett explained that this is the same as the one that was brought before the committee last month and in February. These are to cover examinations for sexually dangerous persons which are mandated by Statute. Whenever the State files a petition to have someone deemed a sexually dangerous person, Statute says that the court must appoint two different qualified evaluators to examine and report to the court. The two reports are to be paid for out of the County's general fund by law. This is an unfunded mandate.

Motion to approve sending the resolution to the Finance Committee with recommendation for approval was made by Jay Dunn, seconded by Gary Minich and the motion carried 6-0.

***Macon County Board Resolution Approving Amendment in State's Attorney's Teen Court Budget to Reflect Additional Revenue***

Mike Baggett explained this reflects an overage in the Juvenile Redeploy Grant at the end of its fiscal year at the State. This appropriation would allow us to utilize that excess money from the state.

Motion to approve sending the resolution to the Finance Committee with recommendation for approval was made by Jay Dunn, seconded by Gary Minich and the motion carried 6-0.

***Macon County Board Resolution Amending the State's Attorney's Child Advocacy Center Budget for FY14***

Mike Baggett explained that this is similar to the Teen Court situation where notification has been received from the state that there is an additional amount. This would allow the budget to be amended to appropriate that amount.

Motion to approve sending the resolution to the Finance Committee with recommendation for approval was made by Jay Dunn, seconded by Merv Jacobs and the motion carried 6-0.

***Macon County Board Resolution Approving Participation and Support of Intergovernmental Law Enforcement Officers In-Service Training Act – Public Act 82-674***

Mike Baggett explained that this resolution is on behalf of the State's Attorney's office and will affect the Sheriff's Office, the Coroner's Office, & the Probation Department. This will allow the Law Enforcement Officers In-Service Training Act to be implemented within this area for Macon County. This would allow all of the law enforcement agencies to participate and for appropriations to be made that would carry out the mission of this organization. Jay Dunn asked what this is for. Sheriff Schneider explained that this is the mobile training unit. Units 10 & 11 have combined and this agreement has been in effect for local training unit, but through the State of Illinois, it has been combined and go to Springfield which is what they call LETAC. By combining, we had to fall under their agreement to be able to get the training provided by the state. Jay asked if the training costs are in the budget. The sheriff said it is in the training line 7195 and he said he thought it was a slight reduction by going there to do this. He reiterated that this one resolution covers the Coroner, State's Attorney, everybody.

Motion to approve sending the resolution to the Finance Committee with recommendation for approval was made by Jay Dunn, seconded by Jon Baxter and the motion carried 6-0.

**CITIZEN REMARKS – PUBLIC COMMENT** – none

**OLD BUSINESS** - none

**NEW BUSINESS** –

Greg Mattingley presented information that had been previously requested by Jay Dunn about the costs the County has incurred over the years for the sexually dangerous persons cases like the one that was just presented. He said the list is current up to the one that was just presented at this meeting. Jay said the State used to pay some of these fees and what he would like to do is figure out what now has to be paid out of the County budget that the State used to pick up so he can have the Legislative Committee talk to our representatives. Greg said that would be a second list. This is the one that always fell entirely upon the County to pay. The sexually violent persons were the ones in the past, and there weren't as many of those, and Greg couldn't remember for sure whether they are entitled to new evaluations every time they refile as opposed to this list where once they are there, they don't get re-evaluated. That list is not done yet.

**CLOSED SESSION** – none needed

**NEXT MEETING** – Thursday, September 25, 2014

**ADJOURNMENT**

Motion to adjourn made by Gary Minich, seconded by Jay Dunn, motion carried 6-0, and meeting adjourned at 4:10 p.m.

Minutes submitted by Jeannie Durham, County Board Office.