

JUSTICE COMMITTEE MEETING
August 25, 2016 @ 3:00 P.M.

MEMBERS PRESENT

Greg Mattingley, Chairman
Jon Baxter, Vice Chairman
Jay Dunn
Grant Noland
Matt Brown
Bill Oliver (arrived @ 3:08 p.m.)

COUNTY PERSONNEL PRESENT

Sheriff Schneider, Sheriff's Department
Lt. Tony Brown, Sheriff's Dept
Lisa Wallace, Deputy Auditor
Lois Durbin, Circuit Clerk
Judge Little, Courts
Jerry Lord, DPBC
Carol Reed, Auditor
Pat Berter, Probation
Jim Taylor, Probation
Lt. Jim Root, EMA
Mike Baggett, State's Attorney's Office
Sheri Wallace, HR
Rodney Forbes, Public Defender
Jeannie Durham, County Board Office

MEMBERS ABSENT

Dave Drobisch

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

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Dunn made a motion to approve the minutes from the July 28, 2016 meeting, seconded by Mr. Baxter and the motion carried 5-0.

CLAIMS

Mr. Brown made a motion to approve the report of the claims as submitted, seconded by Mr. Dunn and the motion carried 5-0.

REPORTS

Circuit Clerk –

Ms. Durbin had no report

Circuit Court –

Judge Little was in attendance while Judge Webber is on vacation. He had no report.

Coroner –

Mr. Day was unable to attend. Ms. Reed presented the following resolution for him.

Macon County Board Resolution Approving Increase in Appropriations in the FY16 Coroner's Budget

Ms. Reed explained that the Coroner is running short on his autopsy medical line, as he usually does. He has brought in more Coroner fees this year than was allowed for in the budget. It is projected to be about \$6,000 ahead in Coroner fees collected, so he would like to up the line for expenses by \$6,000.

Mr. Dunn made a motion to forward the resolution to the Finance Committee with recommendation for approval, seconded by Mr. Noland and the motion carried 5-0.

Court Services / Probation –

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

Mr. Berter explained that they had received notice that they would be receiving the Juvenile Redeploy Grant once again. No money has yet been received for FY16, but this is for FY17. They have been approved for the entire year, but the money that is being appropriated is for 6 months because of the stop gap in Springfield. It is hoped that after December 31, they will receive the full amount.

Mr. Dunn made a motion to forward the resolution to the Finance Committee with recommendation for approval, seconded by Mr. Brown and the motion carried 5-0.

Budget Presentation

Mr. Berter distributed a budget packet with information on the Probation Department, Mental Health Court and Juvenile Redeploy. It also has the organizational chart indicating the number of staff and their positions. Also included are some explanations about why the money is being spent as it is and some background info on what the department is doing.

Line 3884 – Reimbursement from Probation – shows a request to spend \$580,000 in probation fees. It is down from the previous year. The reason for that is that eventually a level where what is being spent out of the probation fee account is what is brought in. As of July 12, there was \$1,029,109.65 in that account. If the department continues to overspend what is brought in, that account will become zero. He said the probation department has been trying to figure out where they can cut and what is needed to come to a level where what is brought in is what is spent.

No information has been received from the Administrative Office of Illinois Courts. Those line items are the 4331, 4332, & 4333. Mr. Berter said he spoke to Jeff Waite who is the Administrative Assistant to Chief Judge Flannel to try to find out if he had an allocation letter from the state. He did not. When he spoke to AOIC, they said that they would have that allocation letter out by next week. Mr. Berter said he is hopeful that it is more than his projection, but he will go from there and if an amendment is needed, he will do that.

The Chief Probation Officer line has been reduced, which is Mr. Berter, Jim Taylor, Amy Smith, & Clint Walters. A senior supervisor retired last December allowing this number to be lower. This line includes an approximate 3% raise for the remaining staff.

The Administrative Assistant will get just under a 3% raise. The contractual staff receives a 4% raise. Contract negotiations from a couple of years ago called for a 2.75%, a 2.75%, a 2% this year from 12/1 to 6/1 and then another 2% for the remainder of the year.

The Probation Officer line, through staff attrition, was reduced. Positions for a senior supervisor who retired, a PSI writer and intake officer who will be retiring in September are not going to be filled.

Within that breakdown, there is a staff member who may be leaving. They have been decreased from their position. If they end up not leaving, money is written into the Adult Redeploy Grant for one position. They would be put into that position. This person is already an Adult Redeploy Officer.

Secretarial raises are contractual. Overtime was decreased because when they contracted with Peoria County, they take care of all of the after-hour calls for kids that need to be incarcerated in the Peoria County detention. In years past, this cost overtime and comp time. That cost comes to \$3,200. The hospitalization line has been decreased due to staff attrition.

Every other line that was able to be cut, was except for EDP which is the automation. There is a case management system upgrade needed.

The offender services line had a big decrease of \$20,000. This is the drug testing received from the Sheriff's Department. This is really appreciated and it has helped the department out tremendously. The electronic monitoring was decreased, again through work with the Sheriff's Department and obtaining a generous donation from the Howard Buffett Foundation. That has really helped out. That money goes to the kids that are coming out of the juvenile detention facility and are considered high risk. They are being put on GPS. The Juvenile Detention line was decreased by \$50,000. The reason for that stems from being asked to take a look at the last 5 years numbers of minors that were being detained. It was 5.8 average. He then looked at how much was spent, how much is being paid for youth. It is \$250,000. The contract with Peoria will be \$231,447.22 without the overages. The number was factored in and the cut was made. Currently there are 10 kids in custody with 5 being for murder or attempted murder. They will be in there for a while. The Juvenile Detention line is the only line in the budget that cannot be controlled. The kids that are locked up need to be locked up. Mr. Berter said they work very well & very closely with the courts and sheriff's department. There is a dedicated deputy that helps out. It has been great. The kids that are getting released that are high risk are being put on GPS. If they don't do what they are supposed to, a warrant is gotten and they are picked back up.

The cars line was lowered. Equipment was raised. The department went to uniforms a couple of years ago. This has helped out tremendously. Last year, no officer received uniforms, so this year, the request is for \$250 / officer because they get worn out.

The bottom line is that the request was to cut the expenditures down to \$2,411,098 and the cut was to \$2,410,567.70. The amount of money being requested from the general revenue fund is \$799,594.70. That is a cut of over 6%. The number that was given as far as the expenditures was \$153,900. If that amount were cut out of just the general fund, it ends up being around a 20% cut. The 6%, as requested, was cut and the expenditures were cut below the level requested.

Mental Health Grant Budget

This money is received from the Macon County Mental Health Board. It is the same amount that was received last year. It is broken down the way it is because the Mental Health Board's fiscal year and the County's fiscal years are different. It ends up being \$46,000 that the probation department receives. Included in that is money for an Assistant Public Defender. The Mental Health Board has been very good at helping out with the specialty courts.

Juvenile Redeploy Grant Budget

This is money in / money out. It is all state money and is the exact same amount we were supposed to get last year and is broken down exactly the same. There are no raises in it.

The next two budgets are zeroed out. The IDOT grant money will not be renewed. The DUI Court Grant ends September 30th. One check for \$6,000 was received last week. That was from October 1 – 31. Mr. Berter explained that because of staff attrition, the officer's position was absorbed into the probation department's budget. He explained that he did not want to have to come back to the board and ask for more money or present a budget for the IDOT grant when he was not sure they would receive the money. He said they would continue to sustain, within the department, especially with the specialty courts, in the regular budget to help out those programs.

The Adult Drug Court budget was federal money received from the Department of Justice. That also ends 9/30 and will not be renewed. All of that money that was received for the drug court went to Heritage and Fred Spannus who was the consultant. It did not have any effect on drug testing or staff and once again, the specialty courts can be sustained within the current budget. That is one of the things, that when the specialty courts started, that was planned for – sustainability.

Mr. Dunn asked how much the DUI grant was. Mr. Berter said it was about \$96,000. Mr. Dunn asked how much has been received. Mr. Berter said just the one check for \$6,000. All of the vouchers have been sent it, but like everything else, the stop gap is supposed to be paying those bills. Money was received under a different funding agent for Adult Redeploy, but no money has been received for Juvenile Redeploy. Mr. Dunn asked Ms. Reed if all the grants and the amounts and salaries the state is supposed to be paying was being kept track of so we know where we are on how much they owe us. Mr. Dunn asked for a monthly report. He said he did not want it to be forgotten. Mr. Berter said that Lori Norfleet has everything broken down as far as to what the state owes.

Mr. Oliver questioned about the grants. Mr. Berter said the thing is that with the Drug Court Grant is that the funds had to be matched with some money out of the Probation budget and the coordinator had to be supplied. He said he did not like to be in a position of having to match a grant. The "match" was called flex funding and that is to help individuals out. An example is of a lady that got out of treatment and when she went back to her home, someone had stolen her stove. She had four children and couldn't cook. Out of the probation budget's offender's services line, a stove was purchased. Those are things that will continue within the budget. Every line, except for the juvenile detention line, can be controlled. There were 3 position in the Adult Redeploy, 1 position in Drug Court / DUI and one with Mental Health Court. He said they are very fortunate to continue to get money from Mr. Crowley for the Specialty Courts Coordinator. Three staff were

going to have to be laid off because they were not receiving state funding. So, in looking at the budget, instead of filling positions, those individuals were plugged in. A letter was sent to Chief Judge Flannel and he sent a letter to AOIC and two positions were moved into the AOIC funding because that was money that is being received. The hope is that more money comes from the state. Mr. Berter said that he would like to eventually have all staff under the AOIC funding because it continues to come in. That way, there is no worry about if the state or federal government falls on hard time and money for the grant doesn't come in. The programs can still be sustained this way. The more that can be sustained with the probation budget, the better off we are. There is a 2 to 5 year plan for the managers and the department is going to be restructured in the next 6 months. To meet the demands of the court and the community, that is what we are going to have to do.

Mr. Dunn made a motion to forward the proposed budget to the Finance Committee Budget Hearing with recommendation for approval, seconded by Mr. Oliver and the motion carried 6-0.

EMA- Budget Presentation

Lt. Root began with the revenue lines where mostly everything remained the same. There is a decrease in the LEPC Grant which is a transportation grant which was originally for the purpose of maintaining and operating the local emergency planning committee. That committee is an unfunded mandate that the grant money was being used for. Over the last couple of years, IEMA has been cutting back on what the grant can be used for. Now it is down to just commodity flow studies to study the amount of hazardous materials that are transported through Macon County. That is not something that is seen as doable, so the grant was not applied for this year. The same planning that was done for hazardous materials will continue, but will be done with the part time staff.

The reduction in the Nuclear Safety is a reduction from last year. That is the money we get next year.

Expenses –

Salaries line 5001 is contractual. The Administrative Assistant, 5475, is contractual. Part time staff has been reduced by the amount that would have been spent out of the LEPC grant. To counter not getting that grant, it was taken out of this line item. The holiday pay is contractual. The sick time buyout was reduced because Lt. Root said he has only one more year on that. After 2017, the sick time will be mitigated. Hospitalization, social security, etc... are all from numbers handed out by the Auditor's office.

The only change on the line items is the 7595, Nuclear Safety Grant which has been reduced by the \$500 that will not be received this year. Everything else remains the same.

Supplies remain the same and nothing will be purchased via the capital improvements.

Mr. Brown made a motion to forward the proposed budget to the Finance Committee Budget Hearing with recommendation for approval, seconded by Mr. Noland and the motion carried 6-0.

Public Building Commission – No report

Public Defender –

Mr. Forbes distributed his monthly report and explained that for July, 260 cases were opened and 280 were closed. He reminded the committee that the June report had shown the opposite, so this was expected.

He also supplied members with a copy of a recent law that was passed that indicates that the County Board can choose whether the Public Defender's reports are to be done monthly or quarterly. He said he is fine with monthly, but was letting them know about the law.

At the last meeting, Chairman Mattingley had asked for copies of the Public Defender's reimbursement fees. This is a number that the Circuit Clerk keeps track of and lets them know each month how much money the court has collected for the services of the public defender. The report contains 2015 & 2016 numbers. In 2015, the county was reimbursed \$17,876.64 and so far in 2016, the county has been reimbursed \$14,104.009. These monies are generated if a defendant is found guilty or pleads guilty and has bond money, the court may ask the defendant if they have any objection to paying for their attorney's services. Usually the defendant will not object and the public defender fee is imposed based on its review of the record and what the court thinks is an appropriate fee. These are fees that the court has set and the defendant has paid. The money does not go to the Public Defender's office. It goes to the general fund. In some county budgets, it is a revenue line, but it is not in Macon County. He said he has no problem with that, he is just letting them know that there is some revenue generated as a result of their services and he was providing the report at the chairman's request. Mr. Oliver asked Mr. Forbes how he would prefer to do the report. Mr. Forbes said he felt it is easier to do monthly. The assistants have to provide the numbers and it works best to do it monthly.

Budget Presentation

There is one Public Defender, 11 Assistant Public Defenders, 2 support staff, 1 investigator and 1 Conflict Attorney in case there is a conflict in the office and someone else needs to represent. Last year there were 2 conflict attorneys, but the office has been requested to reduce the budget by 3%. He said they didn't quite do that, but did make a reduction in the budget. As part of that reduction, one of the Conflict Attorneys was lost last year.

This year, the request is to reduce the budget by \$10,000. The proposal meets that. In order to do so, the Assistant Public Defenders salaries had to be tapped into with a reduction of \$11,454. He mentioned that he had put in a note that if he could reduce it by a little less, he could maintain all current salaries, however, since submitting the proposed budget, one of the attorneys in the office has decided to leave. There is now an opening and the loss can be made up by hiring someone in at a lower rate. He said he is no longer asking to reduce the line less than the proposal.

The revenue lines have not changed. Revenue is only received from the Mental Health Board and the state salary reimbursement.

The Public Defender line, 5001, shows no change.

The Assistant Public Defender line is being reduced, but all current existing salaries will be maintained for all Assistant Public Defenders in the office. The new hire will be paid slightly less.

The investigator and support staff lines show no change. They will not get raises, but they are not being decreased either.

The Hospitalization line, 6010, stays the same.

The phone line is being increased by \$500 to keep up with the current year's trend.

No change to postage

Line 7180, electronic data processing, is being increased due to an infection to a computer work station. The Court Technology Administrator's suggestion was to add some anti-virus software at a cost of about \$350. The office's portion of the EDP should be covered by the \$3,500 budgeted amount.

Line 7200 – Contractual has 2 contracts in it. One is Westlaw, the computer research engine and the Conflict Attorney. The Conflict Attorney currently makes \$32,000. No increase is being sought. The Westlaw contract comes up at the end of this month with a 1% increase over the next 3 years. He explained that he would need to submit the contract quickly if he is able to keep the service. He requested permission to bring that to the next Finance Committee meeting so it could be signed.

Transcripts were cut drastically last year.

Investigations shows no changed.

Mental Health Exams show no change.

Witness Expense Line 7380 is over this year by over \$4,000. Experts have had to be hired for “not guilty by reason of insanity” defenses. He didn't think it would be necessary to bring a resolution to amend the budget because there should be enough money in the budget by the end of the year to do a clean up resolution and absorb it. That is a big change from the past. He was asked what this line is for. He explained that it is the witness expense where experts have to be hired to evaluate to see if people are insane. These are offenses that were committed while they were in-patients at St. Marys.

The publications line shows no change.

No change to the supplies and equipment line.

The copier contract with the capital fund ends next month. One of the module in a 4 year old copier is going out, so a new one will be purchased through the Capital Fund.

The car was purchased 4 years ago and has one more year to pay. It has only 14,000 miles

Mr. Dunn asked about the contract with Westlaw and whether the State's Attorney's Office and Courts also contract with them. Mr. Forbes explained that he thought that the State's Attorney's Office contract with Lexus Nexus. The Law Library does have Westlaw, but he was not certain about the courts. Judge Little said he has it at his desk. Mr. Dunn wondered if all three groups going together might be a cost savings. Chair Mattingley said he had looked at it when he was in the office and since the courts have a larger database, it was not a cost savings. Mr. Forbes said he had not looked at it, but thought it might be something to look into again in the future.

Mr. Dunn asked how many county cars the office had. Mr. Forbes said one for the investigator. Mr. Dunn asked if it is driven home. Mr. Forbes said not any longer since the Sheriff had given them a parking space on the east side of the building.

Mr. Dunn asked if the investigator carries a fire arm. Mr. Forbes said no. Mr. Dunn asked if he was allowed. Mr. Forbes was not sure, but he thought not and added that it was not something he wanted to start. Mr. Dunn agreed and said he was just asking.

Mr. Dunn made a motion to forward the proposed budget to the Finance Committee Budget Hearing with recommendation for approval, seconded by Mr. Brown and the motion carried 6-0.

Sheriff –Budget Presentation

Sheriff Schneider commented that they had been requested to make a \$338,862 for the 060 account and \$325,902 for the 061 jail account. The reductions they arrived at came up to \$588,665. Obviously that is about \$80,000 short of the request. He said that he has negotiated a contract that may give a lump sum of \$80,000 to \$100,000 or more that will be coming to fruition prior to the end of the budget process. He asked the members to take that into consideration along with the fact that the 7% cut request did not include any of the step or contractual increases. In essence, it is not 7% being cut, but closer to 9% to 10%. With that in consideration, the expectations have been met.

Lt. Brown began the presentation commenting that on the 060 account, instead of the 7%, they had actually gone over with \$409,971 in cuts. The 061 account was reduced as well and is at \$258,694.

He went through the budget line by line stating what was budgeted for each line.

060 Account:

4332 - \$10,000

4510 – FTA Warrants - \$20,000

Sheriff Misc Revenue - \$50,000

Witness Fee / Jury - \$200

5001 – Sheriff - \$91,122.83

Public Safety Officer - \$11,016

MIS Officer - \$57,061.90 Chair Mattingley said there is a slight increase over last year and asked if this would be contractual. Sheriff Schneider said it is not contractual, but is in line with the contractual raises.

Records Clerk Coordinator - \$34,236.79

Lieutenants for six - \$581,349.66

Sergeants for eight - \$679,938.36

Deputies for 33 - \$2,168,925.34

Process Server - \$22,800

Confidential Secretary - \$45,915.75

Records Clerks - \$133,102.44

Accounting Clerk - \$24,240.99

Extra Help - \$2,000
Courtroom Appearance - \$8,000
Clothing Allowance - \$9,000
5707 – Overtime - \$40,000
Forensic Lead - \$9,000

7115 – telephone - \$30,000
7120 - \$2,000
Legal Advertising - \$2,000
Postage - \$10,000
Training - \$26,000
7230 - \$19,000
7260 - \$350,000
7270 – Evidence Technician - \$9,000
Merit Commission - \$200
Investigation - \$1,000
Community Outreach - \$1,000

8050 – supplies - \$2,000
8060 - \$60,000

9060 – Vehicles - \$1,000

Total Expenditures are \$4,430,910.06

Account 061 (jail)
Training - \$25,000
Booking Fee - \$65,000
4950 – Federal Prisoner - \$650,000
Federal Prisoner Transport - \$60,000

5330 – Correction Officers for 58 - \$2,908,799.71
5335 – Correction Officer Corporels for 10 - \$622,172.26
Confidential Secretary - \$36,522.73
Courtroom Appearance - \$1,000
Holiday Pay - \$211,858.32
Jail Overtime - \$40,000
Federal Prisoner Transport - \$55,000

Maintenance of Equipment - \$2,000
7120 Travel - \$300
7195 Training - \$15,000
7330 Testing - \$1,500
7340 Medical - \$350,000
7610 – Prisoner Transport to Prison - \$20,000

8020 – Supplies - \$2,000
8050 – Supplies – Laundry - \$900
8070 – Supplies – Photo - \$10,000
8080 – Law - \$5,000
8090 – Uniforms - \$15,000

9041 – Technology - \$100,000

Total Expenditures - \$4,397,053.02

Sheriff Schneider asked if there were any questions regarding the general funding.

Mr. Oliver asked about line 7260 on page 2 of 17. Lt. Brown said that is out of the Sheriff's budget in reference to the dispatch. The City has taken over the total dispatch and the \$350,000 is what the county pays for County fire, etc. . . Sheriff Schneider said it is negotiated with the city in a contract that has 2 years remaining. It will be the same amount for the next two years. When the City moved their records division to their new facility and we laid off several of the records personnel because we no longer do city records so they negotiated the dispatching fees with us. Mr. Oliver said he was asking about the dispatch center. Sheriff Schneider said that the initial information coming back from the analysis that was done, it was indicated that it is not cost effective to move forward. The amount to build a joint facility would be about \$20 million. At this point in time, we cannot move forward with that project. Mr. Oliver asked if dispatch was still at the same place. Sheriff Schneider explained that dispatching is less for the County than it is for the City, but collectively, that is how they came up with the formula for the County to pay the amount that was come up with. Lt. Brown explained that the City's Police Department moved but the Dispatch Center stayed at the Law Enforcement Center. There is just one dispatch center that actually provides services for the Sheriff's Office as well as the Decatur Police Department, County Fire Departments and other small agencies throughout the County. Sheriff Schneider continued, saying that this is exactly the same type of dispatching as has been done for a long time, but now they are charging the County for it, but it is at the same location.

LEST –

4410 – vehicles - \$5,000
4420 – ecitation / Circuit Clerk - \$500

5695 – extra help - \$120,000
5701 – Deputy Buy out - \$50,000
5706 – Holiday Pay - \$205,812.80
6010 – Hospitalization - \$1,392,168

7110 – Services & Supplies - \$3,500
7111 – Maintenance of the radios - \$5,000
7112 – Radio Fees - \$40,000
7530 – Dietary for the jail - \$400,000. This includes the increase as far as the CPI.

8020 – supplies - \$10,000

8060 – gas / oil / tires - \$100,000
8080 – operating supply - \$9,000
8090 – uniform clothing - \$17,500

9040 – Equipment - \$20,000

Total Expenditures - \$2,372,980.80

Page 6 of 17 – LEST Court Security

4310 – fee from the Circuit Clerk - \$130,000
4313 – from the Building Commission \$20,594.17

5360 – Court Security Inspectors – 12 of them - \$ 484,615.85
5695 – Extra Help - \$25,000
5700 – Courtroom Appearance - \$500
5707 – Overtime - \$2,000

7120 – Travel - \$500
7650 – Special Studies - \$5,000
8020 – supplies - \$4,000
8080 – supply – for law enforcement (like ammo for court officers) - \$2,000
8090 – uniforms - \$2,500

Total Expenditure - \$526,115.85

Several budgets have non-appropriated funds.

Mr. Oliver asked about line 5705 to Millikin and Lt. Brown explained that at one time, before Millikin had their own police department, they contracted services through the Sheriff's Office. Sheriff Schneider said that once Millikin had put their new police department together, they no longer needed the services except sometimes they do. No funds are being appropriated. Lt. Brown explained that since they are in the city, like with any law enforcement agency if backup is needed and they are the closest available, we would probably request their services if need be.

Mr. Dunn commented that he thought they had done a good job on the Sheriff's & Jail budgets, but in looking at the LEST budget, it looks like it is being projected to spend a half million dollars more than is normally brought in. Sheriff Schneider asked for an explanation. Mr. Dunn said that if you add up the LEST two different budgets, it is about \$2.9 in expenses. Sheriff Schneider said he had been looking at those figures too and said it could be an issue. He said they would need to ask for reclassification because of the request for the reduction in their general. He said he could see where it could be problematic and while he would love to say that he hopes to estimate more coming into the LEST, but the reality is, they both know better. He asked for the opportunity to explore other avenues and / or some reclassification. Mr. Dunn said he did not mind passing the budget on to the Finance Committee Budget Hearing, but by the time they appear on 9/20, some cuts need to be made or some additional revenue needs to be found between the LEST, the two general budgets and EMA to the tune of \$500,000. Sheriff Schneider agreed based on the

conversations over the budget time and knowing what the LEST revenues coming in are it is something that will have to be looked at.

Mr. Oliver made a motion to forward the proposed budget to the Finance Committee Budget Hearing with recommendation for approval, seconded by Mr. Baxter and the motion carried 6-0.

State's Attorney's Office- No report

CITIZEN REMARKS – PUBLIC COMMENT –None

OLD BUSINESS - None

NEW BUSINESS – None

CLOSED SESSION – None

NEXT MEETING – Thursday, Sept 22, 2016

ADJOURNMENT

Motion to adjourn made by Mr. Oliver, seconded by Mr. Noland, and Chair Mattingley adjourned the meeting at 4:10 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office