

JUSTICE COMMITTEE MEETING
July 27, 2017 @ 3:00 P.M.

MEMBERS PRESENT

Jay Dunn
Grant Noland
Jerry Potts
Greg Mattingley

MEMBERS ABSENT

Dave Drobisch
Jon Baxter
Bill Oliver

COUNTY PERSONNEL PRESENT

Jay Scott, State's Attorney
Mike Baggett, State's Attorney's Office
Dave Ellison, Public Defender
Lt. Jon Butts, Sheriff's Dept
Pat Berter, Probation
Jerry Lord, DPBC
Judge Webber
Carol Reed, Auditor
Lisa Wallace, Auditor's Office
Lt. Brown, Sheriff's Department
Lt. Root, EMA
Lois Durbin, Circuit Clerk
Jeannie Durham, County Board Office

Chairman Jay Dunn called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Potts made a motion to approve the minutes from the May 25, 2017 meeting, seconded by Mr. Mattingley, and the motion carried 4-0. Chair Dunn reminded that the June meeting had been cancelled due to lack of quorum.

CLAIMS

Mr. Potts made a motion to approve the claims, seconded by Mr. Mattingley and the motion carried 4-0.

REPORTS

Circuit Clerk –

Ms. Durbin reported that E-filing of E-Appeals had started as of July 1st and so far, they've done 3. She said they are still working with the vender on system issues. In the next few weeks, the Supreme Court will contact them about E-Filing criminal, traffic and juvenile cases.

FY18 Budget Presentation

Page 1 - Ms. Durbin explained that she had been asked to cut around \$64,000, and she had actually cut \$68,125. She said that she had a staff member leave and did not replace her. She was being paid out of another fund, so she switched some employees to other funds and was able to make the cut. Line 5455, Clerk Typist, reflects the cuts. Everything else on that page remains the same.

Page 2 – Jury Services Fund

Ms. Durbin explained that the parking has gone down due to a yearly contract at \$4,800 per year. Last year had an extra \$600 in it because of having to pay for December. Jury fees were reduced. \$8,000 was cut from this page.

Page 3 – Clerk Automation

This is where some of the clerk's (staff) pay was added. EDP was reduced along with the courts. There is a court technology administration salary that may be reduced later, depending on whether she retires or not.

Page 4 – Document Storage

Another salary was put in. The 2% raise from the union contract is included. EDP was reduced by \$15,000.

Page 5 – Restricted Cash

More employee salary was added.

Page 6 – Clerk's OP

Travel & training were raised due to the e-filing.

Page 7 – E-Citation

That is just coming in. Annual maintenance will be starting, but the amount is not known for sure, so \$3,000 was allotted.

Page 8 – Jury Agency Fund

This pretty much reflects prior pages.

Mr. Potts made a motion to approve forwarding the proposed budget to the Finance Committee with recommendation for approval, seconded by Mr. Mattingley, Chair Dunn thanked Ms. Durbin for a great job, and the motion carried 4-0.

Circuit Court –

Judge Webber reported that there is a new judge, Judge Rodney Forbes who is doing a very good job. Dave Ellison is the new acting Chief Public Defender.

FY18 Budget Presentation

Judge Webber reported that he had not been able to make the 6.2% cut. That would have amounted to \$35,000.00. The only way he could have made would be to cut out one of the judge's clerks. He explained that he could have zeroed out all discretionary spending such as phones, postage, training, office supplies & equipment, etc. and it would only have come to \$19,750. It was either shut off phones, mail nothing, tell staff to bring in their own supplies or tell a judge that he loses a clerk and has to do all of his own phone answering, docket entries, etc. He explained that he had reduced the few items he could. A lot of the budget is mandatory spending of which he has no control. He explained that after discussions with Chairman Dunn, he had, without layoff of staff, included a 2% raise for the staff. They received no raise last year. There is not a union contract for his judicial clerks. They operate under a step increase system that is in their handbook. The total figure for the staff is \$7,619 over the year, but will actually be less because the raises are given on anniversary dates. Anniversary dates of employment go from December through August of next year. The total will probably be between \$4,000 & \$5,000. Between the increase for raises and the rest of the decreases, the total reduction is \$4,819. If there would be no

increases for the staff for a second year, the budget would be down by a little less than 1% or about \$4,800.

Chair Dunn commented that he thought the committee, maybe Justice but for sure in Finance, had discussed this before. When the budget year was started, we knew there would be 3 or 4 departments that would not be able to make the 6.2% cut. Circuit Courts is definitely one of them. We had to work pretty hard last year to get what got then. The request was for 7% last year. Judge Webber stated that they had gotten to 4% last year. Chair Dunn continued that this is just the budget that has been cut, cut, cut for the last 10 years except one or two maybe where they were just zeroed out from the year before, but most of them have been some percentage of a cut. There were a couple of years that raises were not allowed, but in the whole scheme of the county's budget, general fund wise, raises are not that big of a factor in it, but for the people that work for us, it is a big factor. The Judge did not give increases last year. Chair Dunn said he had asked, knowing he would not be able to make the budget cut, to include the raises for this year. Those people in his office have been pretty loyal over the years and they should not be unduly punished.

Mr. Mattingley made a motion to approve forwarding the proposed budget to the Finance Committee with recommendation for approval, seconded by Mr. Noland, & the motion carried 4-0.

Coroner – No report

Court Services / Probation –

Chair Dunn said he had sat through the Coroner's jury the day before. There were five cases including homicide, suicide and other things. He said it was very interesting.

Macon County Board Resolution Amending the Juvenile Redeploy SFY17 Budget

Mr. Berter explained that this is just moving money from one line item to the program manager. She was the only one that actually did anything with the grant because no state funds were being received at that time.

Mr. Mattingley made a motion to approve forwarding the resolution to the Finance Committee with recommendation for approval, seconded by Mr. Potts, and the motion carried 4-0.

Macon County Board Resolution Approving Revenue in the Macon County Mental Health Court

Mr. Berter explained that this is the money they had received from the 708 Board. Their fiscal year begins July 1st and because it is not in line with the County fiscal year, this has to be done. This year, there was a 10% cut. That was taken out of the Probation Officer position and the hospitalization line was eliminated.

Mr. Noland made a motion to approve forwarding the resolution to the Finance Committee with recommendation for approval, seconded by Mr. Mattingley, and the motion carried 4-0.

Chair Dunn asked how many they had in Peoria. Mr. Berter responded saying there are 4 and there are none anywhere else. One of the 4 might go Friday to DOC.

EMA –

Lt. Root reported that they had recently gotten a new grant agreement for the emergency planning grant for Macon County. Originally, it was projected to be \$40,000, but it will be \$47,576 which would be a \$7,546 increase. A resolution will be done so the money can be spent at the next committee meeting. An increase in appropriations from the Illinois Plan for Radiological Accidents, which is a state grant for the nuclear power plant. They got some additional money and have been given a new plant agreement for \$31,751. The original appropriations were projected at \$7,500. That is an increase of \$24,251. For both grants the increase comes to \$31,327 which Lt. Root plans to request the appropriations be used to purchase new furniture for the Emergency Operations Center when it is completed. It is on schedule to be completed by the first of September. Additionally, Lt. Root said he is getting ready to submit an EOC Technology grant for up to \$25,000. There is \$500,000 available. It is a competitive grant so it is unsure whether we will receive anything, but Lt. Root said he is hopeful he will be able to get \$25,000 so the technology in the Emergency Operations Center can be upgraded.

Public Building Commission – Mr. Lord had no report

Public Defender –

Mr. Ellison informed the committee that he has just been appointed acting Public Defender. He explained that they are down one Public Defender at this time, but he said he has just made a job offer and hopes to fill the position. The receptionist is on maternity leave. Overall, the office is running smoothly.

Sheriff's Department –

Macon County Board Resolution Approving Donation from Howard G. Buffett Foundation to Fund Macon County Sheriff's Office School Resource Officer, Street Crime Detective, and Criminal Drug Interdiction Officer from 8/1/17 through 3/1/18

Lt. Butts explained that these are three positions that have been vacant for several months because of the budget shortfalls. They have a great opportunity to go out and do great things in our community for proactive law enforcement. All three positions, with them being vacant, have not been able to be done. These officers were assigned back to the patrol division because of vacancies. Currently, there are two deputy candidates in the Suburban Law Enforcement Academy in DuPage. They are in week 5 of 14 weeks. There is another deputy leaving in September and a second one not far after that. These positions would be based on staffing as to when they will be put into place, but this would allow the county to save some personnel salaries for a 7 month period. The donation is for \$193,407.69 and would cover salaries and benefits for the 3 positions.

Mr. Potts made a motion to approve forwarding the resolution to the Finance Committee with recommendation for approval, seconded by Mr. Mattingley. Mr. Mattingley asked if this was meant to plug the gap until the LEST tax comes in and covers some of this. Lt. Butts confirmed it is to cover the transition until the county starts receiving some of the LEST which would allow this sooner than later. Mr. Noland asked if those three positions will continue past the 7 months. Lt. Butts confirmed saying the long term goal is to get these people back into these positions earlier than they would be able to without the donation. He cautioned that the patrol division spots would still need to be filled prior to putting these officers back into their original positions. As soon as

the officers are trained, this will allow the transition back. He explained that the Law Enforcement Academy up north was picked because there were no other academies available closer at this time. The motion carried 4-0.

State's Attorney's Office-

Mr. Baggett that they have been in discussion with Milliken University for the last several months in preparation of beginning an agreement between the county and Milliken to take on the Teen Court Program as part of their operation and part of their desire to build the Criminal Justice curriculum. They currently have a criminal justice minor and they are hoping to develop that into a major. As part of that, we have worked together and they are going to enter into a contract with the County to take on the operational aspects of the Teen Court Program. Teen Court is a juvenile defender diversion program where youths who have been accused or possibly charged with criminal offenses, rather than going through the juvenile court system, go through a peer court system where they go before a jury of their peers. The jury is not in charge of telling them what to do, but they hear their stories and make recommendations as to sanctions which can involve everything from restitution to letters of apology, community service, anger management counseling, etc. with the goal of reducing recidivism, rebuilding relationships between children and their families and communities to help get them placed back on a path where they are not going to find themselves railroaded into a system that won't be terribly forgiving as they get older. Milliken has been extremely eager to become involved in this and build upon this program and make it something that the county does not have the resources or ability to do. They would have more staff manpower and people who would be geared toward learning how to do these things in new, innovative and hopefully more effective ways. The benefit to the county will be that we will take our Teen Court fees which come from the \$5 fee assessed in many criminal and traffic cases. Once it is assessed to defendants, it is put into this youth diversion program, the Teen Court Program. About \$21,000 is the average over the last 3 fiscal years. That will be given to Milliken. They will supplement that with additional grant dollars they've received from community partnerships as well as their own funding. We will not have any other operational costs. We will provide office space for the employees that are currently employed as well as interns that may be coming in through the Milliken Criminal Justice curriculum. Phones & postage will also be provided, but those costs will be taken off the top before we pay them our contractual amount. At the end of the day, it will hopefully make Teen Court a more effective program and create something that will surprise people across the state and across the country. Mr. Baggett said that he had just today received an email from Milliken's Provost agreeing to the proposed contract language. It was too late to get a resolution on the agenda, but Mr. Baggett said he would like to take it to Finance Committee on Monday, July 31 and bypass the Justice Committee with their permission. The anticipation is to start this program August 1. Milliken is on board with that and we can approve the contract effective retroactively. After the August 10 Board meeting and formal resolution, a check can be cut to Milliken and have them take on the operational costs of this program including all fringe benefits and salaries. There were no objections to having the resolution taken directly before the Finance Committee.

FY18 Budget Presentation

Page 1 – The request was to come in with a 6.2% cut, but was not quite able to get there. Currently, the difference between the bottom dollar amount is about \$24,858 less than what the request was.

Revenue lines –

- The 708 Board Deferred Prosecution amount was lowered due to the grant being reduced by 10%. That affected both the General Fund Budget as well as the separate grant fund budget for Mental Health Court Services.
- The State salary reimbursement stays the same. They reimburse 2/3 of the State's Attorney's salary.
- The Appellate Prosecution Drug Grant is an annual grant by the Appellate Prosecutor's Office that funds part of one of our Drug Prosecutor's salaries. It has remained consistent the last several years.
- The Victim Impact Panel was lowered a bit based on the current year's revenue to date. We are up to about 38% for the year, but those fees do not come in on a consistent basis.
- The fees from collections is not nearly what was projected for this year because we do not have a formal memorandum of understanding with the Circuit Clerk's Office in order for the fees arranged with the collection agency to be received by the State's Attorney. That is being rectified.
- There is no concern with collections not coming in as projected.
- Cellular phone sales was implemented last year with the Board's authorization. As a result of being a corporate partner with Verizon, cell phones are purchased annually and the IT person is able to sell the current phones for more than it costs to pay for them through Verizon. A profit is the result.
- The State's Attorney salary is a statutory amount and constitutionally cannot be lowered. It does include one extra day pay for FY18.
- The Assistant States Attorney line has been lowered by just under \$21,000.
- The Office Manager line has been lowered by a little less than \$1,400.
- The Investigator line had 4 investigators in it at the beginning of the year. It is currently at 2. One is a grant position. The Investigator union contract was just recently finalized and should be coming to the Board in August or September. It was lowered by \$55,103 to account for one full investigator in anticipation of filling one of the two current vacancies. That will bring it back to 3 which is where it has historically been for years.
- The Support Staff has an increase. Over the past several years, through attrition, various positions have been eliminated. The point where adjustments in the workload need to be made. The office has gone from 22 to 16 attorneys. There has to be someone there to pick up the paperwork and administrative responsibilities.
- Hospitalization was lowered by about \$25,000.

Page 2 – Commodities lines

The only increase across the board Over the past several years, these items have been cut to the bone, including travel & training which was zeroed out last year. That continues to be zeroed out. The library line had to be raised to pay for the contractual commitments for online research services. It is still about 1/3 of what was being paid several years ago.

Overall, \$81,326 was cut from last year's budget request which is not quite what the 6.2% requested cut was. It is a little less than \$25,000 less than the request.

Mr. Mattingley asked about the line on the investigator reductions and wanted to know if that was due to an expired grant position that would not be there any longer? Mr. Baggett explained that it is the elimination of one investigator and a little extra because they are now able to lock in contract amounts and now know exactly to the dollar how much is going to be needed.

Mr. Mattingley asked if the Assistant's Line reduction is because someone left and they were able to hire for a lower salary. Mr. Baggett confirmed saying they've had 2 attorneys who had between 4 and 6 years of experience leave in the past year that were replaced with entry level attorneys at anywhere between \$5,000 to \$10,000 less.

Page 3 – Child Support Division

This is considered part of the 001 General Fund, but is actually a grant fund.

Notification has been received from the state and the contract year has begun. They gave us the exact same amount as last year which was \$286,635. The Assistant State's Attorney line was reduced because there is now a new hire there. Support Staff reflects the current amount of staff, which is an increase. The reason is that the office was short staffed on attorneys for about a year. To make up for that, support staffers were hired. One was anticipated to become an attorney, but that has not happened yet. The increase also reflects a significant increase in health insurance because the department went from 2 attorneys, 3 full time support staff and one part time support staff to a total of 6 full time employees. If no changes were made, the grant is expected to exceed its budget by a little more than \$44,000.

Chair Dunn asked if there are any raises on either of the pages so far reviewed. He said they had talked about putting in 2%. Mr. Baggett explained that the general fund staff was looked at to see who had received a raise based on new responsibilities and promotions over the last year. There were several of those who had moved into different positions. If an employee was there as of 12/1/17 and hadn't received any type of raise, whether merit based or other, then 2.1% cost of living increase was allotted. It is not every employee. It is probably less than half. Chair Dunn said it is assumed that some of the merit raises were based on employees taking on more responsibilities because of reduction in staff. Mr. Baggett explained that all of the raises given out in the last year have all been a direct result of increased responsibilities due to taking on part of someone else's job due to consolidation.

Chair Dunn said the revenue line for the 4D looks like it went down \$5,800. Every year, they seem to lower the amount plus he asked if this was not the grant where they don't cover the health care costs. Mr. Baggett confirmed saying there are several employees that don't take the health insurance and if they don't take it, then there is no reimbursement for it from the state, even though the way the budget allocations work, we charge \$9,800 per year per employee. That cost, about \$19,000 for the entire unit, is the amount the state will not reimburse on health insurance. In addition, postage, phones, & supplies are subsidized by the department as well. That is almost \$25,000. Chair Dunn said it looks like in the 090 budget, they were supposed to get \$106,000 in cuts. You didn't make that. The 4D was supposed to get \$18,000 in cuts, but it has gone quite a bit over from last year. He said he has talked about doing away with this program for 3 or 4 years. The state has a program. We've been doing them a favor in many areas like Redeploy. This is just another example of us doing their work for them and they don't seem to appreciate it. He said he would like to see this budget presented at the Finance Budget Hearing reflecting doing away with

this program. He said he did not see how the office would get the 6.2% cut without looking at doing away with the program. Committee members did not express disagreement. Chair Dunn said he just knew that since there are some cases like the Judge's and Public Defender's where the cut will not be possible, but if there is any way at all to make the cut, especially in the State's Attorney's office which is not a \$500,000 budget, but a \$2 million budget. He said we've got to get there and he'd like to see something presented at Finance that will get it there. Mr. Baggett agreed that he would see what he could do. Eliminating this and taking account what it would save in general fund expenses, if it can be credited toward the 090, it may get it to the 6.2%.

The rest of the budget is mostly in & out stuff. There are non-allocated funds, defunct grants and in & out grant funds, and the Teen Court which has already been spoken about. The Judgement Fund is going up just a little bit due to some cost allocation shifting on fringes and health insurance. Mr. Baggett said he works with the Auditor's Office each year to come up with the numbers to establish a fund for liability protection. That is a work in progress until the end of the budget session.

Mr. Mattingley made a motion to approve forwarding the proposed budget with the caveat of seeing if we can cut 4D and get to the 6.2% cut to the Finance Committee, seconded by Mr. Noland, & the motion carried 4-0.

CITIZEN REMARKS – PUBLIC COMMENT – none

NEXT MEETING August 24, 2017

Chair Dunn asked members to let us know if they are not going to be able to attend meetings because we've been having issues getting a quorum.

ADJOURNMENT

Mr. Potts made a motion to adjourn, seconded by Mr. Mattingley, the motion carried 4-0 and the meeting was adjourned at 3:50 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office