

**JUSTICE COMMITTEE MEETING**  
**June 28, 2018 @ 3:00 P.M.**

**MEMBERS PRESENT**

Jay Dunn  
Jerry Potts  
Grant Noland (arrived @ 3:03)  
Debra Kraft  
Bill Oliver (arrived @ 3:04)  
Greg Mattingley

**MEMBERS ABSENT**

Dave Drobisch

**COUNTY PERSONNEL PRESENT**

Dave Ellison, Public Defender  
Mike Day, Coroner  
Lois Durbin, Circuit Clerk  
Lt. Kris Thompson, Sheriff's Dept - jail  
Pat Berter, Probation  
Jon Perona, PBC  
Lt. Jim Root, EMA  
Judge Webber  
Sheriff Howard Buffett  
Lt. Kris Thompson, Jail  
Mike Baggett, State's Attorney's Office  
Tracy Sumpter, County Board Office

Chairman 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 24, 2018 meeting, seconded by Ms. Kraft, and the motion carried 6-0.

**CLAIMS**

Ms Kraft made a motion to approve the claims, seconded by Mr. Potts and the motion carried 6-0.

**REPORTS**

***Circuit Court –***

***Macon County Board Resolution Modifying the Court Services Fee***

Judge Webber explained that this would be to increase the Court Security Fee from \$25 to \$65. That is a large jump and it has a number of reasons why. The principal reason is to be able to fund a new bomb detection dog at the courthouse. We had one, unfortunately, Kid, the Bomb Dog passed away last year. We have not had one since then. Presently there is no explosives canine in Macon County. If we have need in either the County, the City, or the outlying villages to have an explosive detection dog, must be called from Champagne or Springfield. It is useful. From time to time, we do get, up to now, hoax calls, at the courthouse. We have been able to handle those because we had the dog before. So, this would be to fund the canine handler. The Buffett Foundation has generously agreed to obtain a new dog for us and pay for the training of the animal and the handler. This resolution would be to pay for a Sheriff's deputy to be the handler. In the past, we have used a Court Security Officer as the handler. After discussion with the sheriff, we have agreed it would be best if there would be a deputy sheriff assigned because court security officers, although they are police officers with full arrest powers, they are limited to the courthouse and the County Office Building. A Deputy Sheriff would have jurisdiction within the County, and statutorily statewide. That would certainly expand the usefulness of the canine to be handled by a Deputy Sheriff. This resolution would be to fund the cost of the Deputy Sheriff, as well as the

incidental costs for the canine such as veterinary bills and food for some time. Also, it would address, in part, some shortfalls we are experiencing in the Court Security Fund. The Court Security assessment does not in any way fully pay for court security. It contributes to it, but it is also supported, mostly from the general fund through the Public Building Commission. This will address those shortfalls we've been experiencing and essentially move that burden from the general fund to the courthouse through this increase in fee. Judge Webber distributed information collected by the Circuit Clerk that shows what fees each county in the state is assessing for court security. Of the 102 counties, 22 of them charge more than \$25. The range is from \$35 to \$81. This would not make Macon County out of line by any means. A second handout showed annual filings by case type. It shows the number of cases filed where this fee was collected and what the fee has collected. We would be on par for this year to collect about \$177,000. This would increase the revenue if passed to about \$447,000 a year. That would again pay for the deputy handler and remove some burden from the general fund for court security.

Mr. Potts asked if there is a hurry to do this. Judge Webber said he would like to get it done as soon as possible because, number 1, we have been without an explosive canine for sometime. In consultation with the sheriff, dogs and handlers are not always immediately available. We need to identify the appropriate handler. Not anyone can be a canine handler. The sheriff is looking for a commitment of 7 or 8 years on this which would be the working life of the dog. There is a limited number of dogs available. The sheriff indicates, and the judge said he agrees, that we need to get the best canine we can. The judge said he would be happy to take advantage of the generosity of the Sheriff's Foundation to do that. Both of those indicate to us that it is better to do this sooner than later because the handler and / or the canine may not be available in the future. Mr. Potts said he was a little concerned about the increase of \$61.17. That seems quite a chunk. Judge Webber agreed that it would be a \$40 increase over the present. \$25 is charged now. Again, yes, it is a large increase, but looking at the comparison to other counties, you can see that the costs are in line. Chair Dunn commented that the Bellweather Study had said that we can charge up to \$75. We are still below the break even point. Ms. Kraft commented that we are long overdue in raising the fee. Judge Webber added that he wanted to point out that another reason for acting soon was mentioned to him by Mr. Baggett. There was a bill passed by general assembly which is on the Governor's desk which would restrict the ability of county boards to raise fees to cover costs. He said his feeling was to get this done because it is not known what the governor may do. He may veto, sign or amend. We don't know, but the argument is that if this gets done before that bill is signed into law, if it is, hopefully it will be prospective and not retrospective because we might not have the ability to do this after that. The Governor may do this tomorrow, next month, next fall. We don't know. Mr. Mattingley asked about what cases the fee would pertain to. Judge Webber said civil.

Motion to approve forwarding the resolution on to the full board with recommendation to approve was made by Ms. Kraft, seconded by Mr. Potts and the motion carried 6-0.

#### ***Circuit Clerk –***

Ms. Durbin commented that the House Bill Judge Webber was talking about is HB4594 and is called the Criminal and Traffic Assessments. It is 321 pages. The Supreme Court has wanted – if you get a speeding ticket, you pay X amount of dollars plus the fines / fees. If you're in Cook County, you pay another fee. This bill says that no matter where you get the ticket, you will pay

the same price. There are 13 different schedules. Schedule 1 is for generic felony offenses. It says the Clerk of the Circuit Court shall collect \$549 and remit as follows: \$354 to the County Treasurer. That gets spread down as follows: It goes \$20 to Court Automation, \$20 to Court Document Storage, \$5 goes to the Circuit Clerk Operation & Admin, \$255 to the County General Fund, \$10 to Child Advocacy Center, \$2 to State's Attorney's Records Automation, \$2 to the Public Defender's Records Automation, \$20 to County Jail medical cost fund, \$20 to Probation Court Service Fund. That would be how the \$354 is broken down. The remaining, \$195 goes to the state. That is broken down so \$50 goes to State Police Operation Assistance Fund, \$100 to Crime Victim Assistance Fund, \$10 to State Police Merit Board, \$35 to Traffic and Criminal Conviction Surcharge. There are 12 other schedules like that. Some are for DUI's; Some are for misdemeanor DUI's, some are for minor traffic. The big thing here is right now, we are charging \$25 for automation and we are charging \$25 for document storage. If the judge signs this, as is, we will lose \$5 and will go down to \$20 on each of these funds. Instead of being at max right now, which is \$25, it will go down to \$20. That means a little less revenue. With that being said, this is what happens a lot. Criminal and Traffic cases we send to Collections to collect because they don't pay, and we have a lot of fines that are not paid. If they haven't been paying all along, we haven't missed out on anything. But, if we are playing it, we will lose the \$5 on each. She said it's just an FYI to see what the Governor will do.

Chairman Dunn said that the State has mandated the courts to go to e-filing. We're looking at about \$2 million for the software package to operate that with a \$250,000 yearly maintenance, and now they want to cut her fees.

***Coroner –***

Mr. Day had no report.

Chairman Dunn asked if they are paying our autopsies. Mr. Day said that basically, we are pretty much where we normally are at the time given. We have had one autopsy under the narcotic related special fund in cooperation with the Sheriff's Office. There is nothing unusual or problematic.

***Court Services / Probation –***

Mr. Berter reported that he had a conversation with Christine Boyd yesterday. She is the Field Coordinator from AOIC. At that time, she stated that the Probation Departments in the State of Illinois would be cut up to 13%, maybe a little more which would be about \$130,000 that we will lose from the state. Today, Mr. Berter said he had received a memo from the Assistant Director stating that we will be cut a minimum of 15% which is about \$150,000. We have been fortunate that we have not filled 3 positions. That will not cover the amount, so the budget will have to be gone through for FY19. It will be very tight. He said every department will be cut by that amount or more. He said they've been trying to do a good job as far as watching what they spend. He said he should have the allocation letter from them by next week or the week after which will give the exact amount of the cut. He said he would be going to Finance to report to them as well.

***EMA –***

***Macon County Board Resolution Approving Agreement between the Macon County Public Safety Training Foundation and the County of Macon for the Use of Grant Farm Law Enforcement Training Center and Elwin Range***

Lt. Root explained that the Board had previously signed a resolution which entered into a lease agreement with the Iroquois for the use of Grant Farm. This is the training facility on Heritage Road. That agreement is no longer available to us. Control of the Grant Farm has been changed to a private foundation. We need to enter into an agreement to be able to use it. With that, it gives us the ability to use the Elwin Range. The only thing they are asking of us is in Article Four, the County agrees to assume liability on loss, costs, claims, demands, damage and / or expense arising out of any damage and claims. It is just basically an indemnification for the Sheriff's Office to use that. As a result, we would take responsibility for our own employees.

Sheriff Buffett explained that the language is identical to the language that was passed about 4 years ago. All they're doing is changing who is controlling the Training Facility. Chairman Dunn asked if the Elwin Range is the one that is on the Conservation District property. Sheriff Buffett said no. The Elwin Range is on Craycroft Road.

Motion to approve forwarding the resolution on to the full board with recommendation to approve was made by Mr. Potts, seconded by Ms. Kraft and the motion carried 6-0.

***Public Building Commission –***  
No report

***Public Defender's Office –***  
***Macon County Board Resolution Amending the Public Defender's FY2018 Budget for the Payment of an Expert Psychiatric Report in a Pending Court Matter***

Mr. Ellison explained that an expert was required to do an examination on a juvenile. The cost is not built into the budget and is normally paid out of the general fund.

Motion to approve forwarding the resolution on to the full board with recommendation to approve was made by Mr. Mattingley, seconded by Mr. Noland and the motion carried 6-0.

Mr. Ellison went on to report that ever so often, in the office, they do what is called the jail snapshot where they look at all the people that are in the jail and try to get information on what charges they are facing, how long they've been in jail, who the attorneys are, etc. to help the Public Defender's office manage better.

***Sheriff's Department –***  
***Macon County Board Resolution Increasing Salary Lines for FY18***

Lt. Thompson explained that this is to account for contractual increases for the Correctional Division and an internal early retirement incentive, and a full time jail MIS position. The Corrections Division signed a contract with the County which was ratified at the last County Board meeting. This will compensate for that. The early retirement settlement comes after negotiations with six higher paid, less productive employees. They will be kept on the books for a certain amount of time and then replace them with six eager, hard-working lower paid employees. Next year alone, this deal will save the County \$157,000 and it will compound every year thereafter.

The last portion compensates a full time position in the jail for information systems. He explained that they had previously had a part time position in the patrol division for an MIS staff member. That young man was offered a full time position in the jail. The jail has more computers, more technology and requires more attention from the MIS Division. Having that saves time and in the long run, money.

Motion to approve forwarding the resolution on to the full board with recommendation to approve was made by Mr. Potts, seconded by Ms. Kraft. Mr. Potts asked how they could hire someone for \$27, 000. Lt. Thompson explained that that is the remainder of this year. \$45,000 is his salary. The motion carried 6-0.

***Macon County Board Resolution Approving and In-Kind Donation from the Howard G. Buffett Foundation***

Lt. Thompson explained that this is for the purchase of and donation of a secure pass full body screening system. He said that he had toured St. Clair County's jail this morning and viewed this in person. It is very similar to what is seen at the airports TSA. He said he had stood through it and it identified everything that was in his pockets. The importance of this is that there are more and more people trying to smuggle illegal contraband into the jail. In Bloomington, McLean County, they had a female smuggle in in one of her cavities a 380 caliber firearm. About 8 weeks ago, we had an inmate smuggle in 7 different narcotics including fentanyl and heroine. Four inmates were sent to the emergency room. Norcan was dispersed on two of them. This will save lives and money. It is a \$160,000 piece of equipment we would otherwise not have the opportunity to get. This is not the be all / end all on this stuff, it is just another piece of equipment we can use.

Motion to approve forwarding the resolution on to the full board with recommendation to approve was made by Mr. Mattingley, seconded by Mr. Oliver and the motion carried 6-0.

***State's Attorney's Office-***

Mr. Baggett had no report.

**CITIZEN REMARKS – PUBLIC COMMENT** – None

**OLD BUSINESS** - None

**NEW BUSINESS** – None

**CLOSED SESSION** – None needed

**NEXT MEETING** Thursday, July 26, 2018

**ADJOURNMENT**

Mr. Potts made a motion to adjourn, seconded by Mr. Oliver, the motion carried 6-0 and the meeting was adjourned at 3:24 p.m.

Minutes submitted by Tracy Sumpter & Jeannie Durham, Macon County Board Office