

**JUSTICE COMMITTEE MEETING  
Macon County Office Building  
Macon County Board Room #514  
141 S. Main Street, Decatur, IL 62523**

**March 24, 2022 @ 3:00 P.M.**

**MEMBERS PRESENT**

Greg Mattingley – Chair  
Bill Oliver (@3:02 p.m.)  
Debra Kraft – Vice Chair.  
Lloyd Holman  
Kevin Greenfield

**MEMBERS ABSENT**

Jim Gresham  
Verzell Taylor

**COUNTY PERSONNEL PRESENT**

Scott Rueter, State’s Attorney  
Sheriff Root  
Jon Perona, DPBC  
Jessie Smalley, HR  
, Assistant State’s Attorney  
Michelle Sanders, Public Defender  
Pat Berter, Probation  
Judge Griffith, Circuit Court  
Tammy Schneider, EMA  
Jeannie Durham, County Board Office

Chair Mattingley called the meeting to order at 3 p.m.

**APPROVAL OF MINUTES OF PRIOR MEETING**

Ms. Kraft made a motion to approve the minutes from the 2/24/2022 meeting, seconded by Mr. Greenfield and the motion carried 4-0.

**CLAIMS**

Ms. Kraft made a motion to approve the claims, seconded by Chairman Greenfield and the motion carried 4-0.

*Mr. Oliver is now present.*

**REPORTS**

*Circuit Clerk –*

*Ms. Doty was unable to attend the meeting, but had no report.*

*Circuit Courts –*

Judge Griffith reported that they are in process of finishing another jury term. 91 jurors out of 150 summons showed up. That is about 60% which is not great, but is better than it has been. 5 trials were completed with another one just completed about an hour ago. Things are going reasonably well. There is no back log. He thanked Mr. Rueter and Ms. Sanders for their efforts.

Chairman Greenfield asked about what happens when jurors don’t show up. Judge Griffith explained that the ones that normally don’t show up are people that are not certain that they’ve been served. Those are personally served for the next month and they normally do show up.

There are also always a lot of people that have the COVID excuses. Hopefully, that is being worked through and things will get better.

***Coroner – no report***

***Court Services / Probation –***

Mr. Berter reported that they are on Phase III on the remodel of the department. The last phase starts next week. The Building Commission has done a phenomenal job and it looks very nice.

***Emergency Management Agency –***

***Macon County Board Resolution Approving Permission to Dispose of Surplus Equipment***

Ms. Schneider explained that over the years, things have collected. The items are miscellaneous items that don't work or are obsolete. She requested permission to get rid of it. Chairman Greenfield asked what she would be doing with it. She said it is largely electronics, so she would be utilizing the recycle center services.

Ms. Kraft made a motion to approve forwarding this on to the Finance Committee for consideration, seconded by Chairman Greenfield and the motion carried 5-0.

- Ms. Schneider went on to report that they recently hosted a Region 7 meeting.
- She and her assistant went to training in Woodford County to learn about EOCs and Incident Command Systems and how they work together.
- Two meetings with Forsyth have been held. One was today and turned into a 2 ½ hour meeting to discuss their emergency plan. They have put together a group of four of them that will work on it. Good headway was made. The group consists of Jill Applebee who is their Administrator, Kim Taylor who is their Administrative Assistant, Steven who is the Director of the Library, Josh from the Fire Department and Derrick with their Water system. She said she was very pleased with the results of the meeting and they will probably be meeting again
- Clinton Power Plant, off site meetings have been held
- Some Reception Drill Exercise Planning with IEMA have been done. Macon is a reception center support county for Clinton. If they have to evacuate people, they come here to Stephen Decatur. We are on a 8 year exercise cycle for that. That is being worked on. WE are required by FEMA to do this. Possible use of Progress City is being looked into. It will be figured out.

Storm Spotter Training was held last night for volunteers. It is virtual. There are still some sessions left.

**NWS Virtual Training Schedule:** <https://www.weather.gov/ilx/spotter>

No need to preregister.

- Dementia Friendly Community Training will be held on Monday, in person, at the Decatur Public Library. There is an aging population, none of us are getting any younger and we all know someone that has been touched by this. This initiative aims to make our communities a little more friendly for them so that they are not met with

- hostility because they are fumbling or agitated. It will help people recognize cognitive issues and be helpers to them as opposed to the way some people tend to treat them.
- Ms. Schneider will meet with the Regional Planning Commission on Monday to present a request for proposal for the update of the Hazard Mitigation Plan looking for a vendor. That plan has to be in place to qualify for FEMA funding. It is currently expired and has been since 2019. \$33,000 from FEMA has been received. There is a match of 25% which is \$11,000 for the County and \$2,500 additionally for the administration of the grant.
  - **Debris Management** Training on June 15, 2022

This is especially important for the County Board level. All municipalities and jurisdictions need to send 2 people to a class.

Debris management begins and ends locally. You own that debris. It is out in your roads. You own it. So, road commissioners, public works people are needed. You have to know exactly what to do with this debris. It cannot just be piled up and sent to the landfill. It does not work like that.

She asked for help in getting two people from each jurisdiction for the classes and said they would thank her if there is ever a need to clean up after a disaster.

- **Disaster Assessment Process Training** on June 29, 2022

This is damage assessment. Being able to go out and collect the data of what is damaged, how to collect, organize, report and analyze will be covered. That is how federal reimbursements or small business association loans are gotten.

The importance of having plans containing standard operating procedures for all aspects of debris management is emphasized. Various situations that debris cause are discussed and the consequent actions necessary to return a community to pre-disaster conditions are addressed.

These are two of the most valuable courses available for our municipal leaders and their staff to whom these responsibilities belong. I strongly encourage every jurisdiction within the county to send a representative. It is important that damage assessment information is properly captured and that disaster debris be properly managed so as to **protect human health, comply with regulations, conserve disposal capacity, reduce injuries, and minimize or prevent environmental impacts.**

#### *Decatur Public Building Commission – no report*

*Public Defender's Office –*  
Ms. Sanders had no report

#### *Sheriff's Department –*

Sheriff Root reported that according to their figures, the Illinois Department of Corrections, as a result of not taking inmates, owe us \$1,271,000. They have a reimbursement program where they have allocated \$25 million to go to counties for the purpose of reimbursing for the intake of

inmates that they did not take. That would be at a rate of less than half of what we charge. In addition to that, they are not willing to pay us for the parolees that they did not pick up. That is about \$49,000 that they are not willing to pay.

They are proposing for us to accept \$664,055. That is less than half of what they owe us. They are wanting to reimburse us at \$35 and we charge \$67. Sheriff Root said he is wanting to know what the Board's stance is on not accepting the money or fighting them on the amount for the inmates that are on parole that we were holding in our custody which amounts to about \$49,000. He said he understands that there would probably be a legal battle that would ensue as a result of that. But, he has to have a response back to them by the 31<sup>st</sup>.

Ms. Kraft asked if the \$49,000 is above everything else.

Sheriff Root explained that, according to their calculation, at the rate of \$67 per day, they owe \$1,271,191. They are only willing to reimburse at \$35 a day which would be \$664,055. They pulled out of that number, the inmates that were in our custody that were on parole hold. That is what they are saying they are not going to reimburse us for. That amounts to an additional \$49,000.

Chairman Greenfield asked, if we take the \$35, are we setting a precedent for ourselves for the future? Sheriff Root said that they are not saying that we couldn't go back and get that money. But, they are not going to allocate it at anything more than \$35 a day. That is their bottom line that they are going to use across the entire state. Sheriff Root said he would say yes, that would set a precedent that it would be \$35 a day from here on out, but it does not mean that we cannot take the COVID relief money if there was any left in that to be able to take the other \$32 to make up the \$67 for the full reimbursement of the general fund. All of this is general fund money. It would all go back into the general fund. It is not LEST. It is general fund money. Chairman Greenfield asked if they could take LEST money and offset it. Sheriff Root wondered why he would want to rob Peter to pay Paul. Sheriff Root said he was willing to accept the \$35, but the \$49,000 for inmates that they are not willing to reimburse is really what they owe us for those parolees that they refused to come pick up. Ms. Kraft stated that they need to do better than \$35 a day. Chair Mattingley asked where they came up with this. Sheriff Root did not know. Conversations have been held with the Illinois Sheriff's Association and this is not the only County Board that is pushing back on the amounts. But, since they set the amounts, they are saying that we could go back and get the rest. Chair Mattingley asked under what mechanism would that be done. Sheriff Root said there is no mechanism. But, it could be pushed to other relief money from COVID relief to be able to recoup that into the general fund. Mr. Oliver asked if there is past practice.

Sheriff Root said nothing has been signed except that we are interested in recovering the money. He said he had signed something that said that we are willing to recover the money, but it does not mean that we have to accept the money. He said he would agree that \$35 is better than nothing because you are not going to get money out of the state unless you sue them. Mr. Oliver asked if this has happened before that there were those conditions where people were holding – has it been done before, has it been paid before? Sheriff Root said not that he is aware of. They've always taken their inmates except for during COVID. The Governor's Executive Order prevented the

intake of inmates. For example, today, 25 inmates were shipped. This cutoff time was June 30, 2021. Since June 30, 2021 we have accumulated more money. In addition to that, we have from July 1, 2021 to today that we have been holding their inmates. So, there is additional money that is going to be owed to us. If we accept \$35, will we accept \$35 for this next year's cycle? Ms. Kraft said that is her concern.

Sheriff Root said it would go through the Court of Claims for the State of Illinois. That is where we can file for. We've filed before. But it takes time to get through it. Mr. Oliver asked if this is set up just for COVID 19 or open end? Sheriff Root explained that this is out of the CARES money, the \$25 million, the State allocated for the 2020 budget year but was backdated until the pandemic. It was cut off at the end of the budget of 2020 which was July 1, 2021. Anything after that is still owed to us at the full rate.

Chair Mattingley asked if accepting this, does that mean we could take the money and go into the Court of Claims for the balance? Sheriff Root said he believes so. Mr. Mattingley said he says, take the money. Ms. Kraft agreed, if we can do that. Mr. Rueter asked if the sheriff had spoken with Mr. Baggett about this. He said he had sent him the original document. We were only given about 3 days to sign it, so Sheriff Root said he signed it. During the meeting, they specifically said this does not bind you to accept the money. They also said it doesn't eliminate you from filing in the Court of Claims for the remaining amount. This is what they are willing to provide now. Sheriff Root said he would say that accepting the money but filing in the Court of Claims for the remainder of everything else should be done as soon as we accept what they are offering.

Mr. Mattingley said that if taking the money they are offering does not foreclose further action for the remaining amount we should be due. He said he does not see a problem with taking the money. They are not going to be stepping up and offering us any more. Sheriff Root said he will file his response with them explaining that they should be paying us for the parolees because that is part of what is within this window of what they are offering for money. Mr. Mattingley asked if the \$49,000 is based on the \$35 a day. Sheriff Root confirmed, saying yes. Otherwise, it would probably be close to \$70,000.

The inmate count today is down to 294 because 25 inmates were shipped to the Department of Corrections. Currently there are 62 feds.

***State's Attorney -***

Mr. Rueter introduced Sydney Niebrugge who is the new Assistant State's Attorney who will be doing traffic.

**CITIZEN REMARKS – PUBLIC COMMENT** – None

**New Business** - None

**Old Business** None

**Closed Session** – None needed

**NEXT MEETING** April 28, 2022

The meeting was adjourned by Chair Mattingley @ 3:25 p.m.

*Minutes submitted by Jeannie Durham, Macon County Board Office*