

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Wednesday, September 1, 2004 at 5:00 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner, Members, Nuckolls, O'Connor, Owens, Harding and Rackauskas

Staff Present: Mr. John Zeunik, County Administrator, Mr. Terry Lindberg, Assistant County Administrator and Ms. Jude LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials

Present: Sheriff Dave Owens; Mr. Bill Gamblin, Director, 911 Administration; Mr. Ed Books, McLean County Rescue Squad; Ms. Beth Kimmerling, County Coroner

Others Present: Mr. Mike McKay, Rescue Squad Member

Chairman Renner called the meeting to order at 5:00 p.m.

Chairman Renner presented the August 2, 2004 minutes to the Committee for approval.

Motion by O'Connor/Owens to approve the Minutes of the August 2, 2004 Committee Meeting.
Motion carried.

Sheriff Owens presented two items for action. The first is the Resolution adopting the National Incident Management System (NIMS), wherein McLean County agrees to adopt and employ the NIMS concept of emergency planning and unified command for critical incidents. NIMS has been identified by the Federal Government as being the requisite Emergency Management System for all political subdivisions. Sheriff Owens further explained that failure to adopt NIMS as the requisite Emergency Management protocol may preclude reimbursement to the County for costs expended during and after a declared emergency or disaster and for training and preparation for such disasters or emergencies. Sheriff Owens noted that he has already instituted training for his command staff and supervisors, and has attended the training himself. There is also a training component for County Board Members, which is part of the requirement. The NIMS System must be adopted by October 1, 2004. Sheriff Owens indicated that he supports the program.

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Chairman Renner asked if there were any questions for Sheriff Owens. Mr. Owens indicated that NIMS was discussed at the NACo Conference. Ms. Rackauskas asked where the County is in terms of adapting to the program. Sheriff Owens indicated that the County did not need to change anything, but rather needed to adopt the system and complete the training.

Motion by Owens/Nuckolls to recommend approval of the Resolution adopting the National Incident Management System.
Motion carried.

Sheriff Owens then reported on the Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance for the new Homeland Security Fund. He indicated that this Emergency Appropriation Ordinance covers Homeland Security Region 11, which is McLean and Livingston counties. It is part of a threat assessment conducted for McLean and Livingston counties. When completed, each region within the State could apply for up to \$1 million in federal government funding to increase capacity to respond to a weapons of mass destruction incident. Equipment purchased with this grant will go to fire service or rescue service. The largest piece of equipment that the County will benefit from is a Mobile Command Post Vehicle, which is a \$200,000 unit. It is anticipated that there will be about ten units statewide.

Sheriff Owens explained that it is necessary to approve this budget amendment in order to begin allocating the funds received. He noted that they can only spend the money on approved items. There is over \$600,000 worth of equipment that has been approved by IEMA for the two counties. The proposed Ordinance allows the County to establish the budget line-item accounts necessary to spend the funds to buy the equipment. Sheriff Owens reported that the Illinois Terrorism Task Force and IEMA wanted to deal with just one unit of government in each Homeland Security region and he volunteered McLean County. He noted that McLean County will get protective barriers to protect the Law and Justice Center.

Mr. Owens inquired about the Homeland Security Region 11 designation. Sheriff Owens explained that McLean County is in Homeland Security Region 11 in Illinois, which includes McLean and Livingston counties. He noted that the

equipment purchased will be available and used by both counties or even outside of the counties. The deployment decision would be made by IEMA, much the same as ESDA. Sheriff Owens explained that there are several mutual aid situations in place in the State of Illinois to respond to weapons of mass destruction incidents. Further, the County is building its capabilities through the use of Homeland Security grant money in many different disciplines to improve the County's ability to respond to other disasters as well.

Motion by Nuckolls/O'Connor to approve the Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance for the Homeland Security Fund.
Motion carried.

Chairman Renner asked the Committee if they had any further comments or questions for Sheriff Owens. Hearing none, he thanked him for attending.

Mr. Bill Gamblin, Director, 911 Administration, presented his Monthly Statistical Reports. He reported on the Wireless 911 program, noting that two more cellular carriers are now in Phase II. There are two carriers, T-Mobile and AT&T, who are not at Phase II. Mr. Gamblin noted that the phone carriers were given a six-month period in which to comply with Phase II. He reported that he wrote a letter to the Federal Communications Commission to notify them of the situation and to ask the Commission to intercede to require T-Mobile and AT&T to comply immediately. When that project is completed, a new project, the Voice-over Internet protocol, will be implemented.

Chairman Renner asked if they had any comments or questions for Mr. Gamblin. Ms. Harding inquired as to how many carriers are involved. Mr. Gamblin noted that the carriers include: U.S. Cellular, Nextel, Sprint, Cingular, Verizon, AT&T and T-Mobile. He noted that the two largest carriers are Verizon and Cingular.

Mr. Gamblin reported that Woodford County is getting ready to go enhanced in order to allow a "router-to-router" transfer, so that there is direct communication between McLean County and Woodford County through the 911 system.

Chairman Renner referred to the monthly and statistical reports submitted by Ms. Sandra Parker, Circuit Clerk. Chairman Renner asked if anyone had any comments, observations or questions on the reports. There were none.

Chairman Renner presented the monthly caseload and general reports as submitted by Ms. Amy Davis, Public Defender. Chairman Renner asked if anyone had any comments, observations or questions on the reports. There were none.

Mr. Ed Books, Assistant Chief, Rescue Squad, introduced Mr. Mike McKay, Rescue Squad Member, and also noted that the Rescue Squad has a new member from State Farm who is in the 30's age range, which is a desirable age for a rescue worker. Mr. Books pointed out that, included in the agenda packet are two "thank you" letters for the Rescue Squad's response and assistance with the drownings at Comlara Park and Lake Evergreen.

Mr. Books reported that they are continuing talks with fire departments and conducting training exercises. He referred to pictures that were displayed for the Committee members, pointing out the various training methods, including training with boom poles.

Mr. Books reported that the McLean County Rescue Squad has been invited to join the Mutual Aid Box Alarm System (MABAS), which is the Fire Department's equivalent to the Sheriff Department's Illinois Law Enforcement Assistance System (ILEAS). He noted that he has asked for assistance from Mr. Zeunik to prepare the paperwork necessary to comply with the invitation. He explained that membership in MABAS would involve backing up other fire departments as well as sharing inventory. Mr. Books explained that it would also open up opportunities for grant monies, noting that their two trucks (1968 and 1983) have required extensive maintenance. Ms. Harding asked if the vehicle Sheriff Owens referred to could replace the Rescue Squad's old vehicles. Mr. Books explained that the Mobile Command Vehicle is strictly a command center, such as a mobile office. Ms. O'Connor asked what MABAS will provide to the County. Mr. Books replied that it would put the County Rescue Squad "in the loop" to provide assistance to each other when necessary.

Chairman Renner asked what type of paperwork is necessary to implement the membership to MABAS. Mr. Zeunik explained that the standard form supplied by MABAS was delivered to the Administrator's Office today by Mr. Books. Mr. Eric Ruud will review the standard form and adapt it into an Intergovernmental Agreement between the McLean County Rescue Squad and the Mutual Aid Box Alarm System (MABAS). Mr. Zeunik proposed to the Committee that the Agreement would be included in the Board Packet and could be approved at a Stand-up Meeting.

Chairman Renner asked if the Committee had any questions for Mr. Books. Members of the Committee discussed and concurred that the membership is a positive step for the Rescue Squad. Chairman Renner thanked Mr. Books for attending.

Ms. Beth C. Kimmerling, County Coroner, presented the July monthly report. She noted that July was a slower month for the Coroner's Office. Ms. Kimmerling pointed out that the year-to-date numbers show that more deaths were reported at the end of July 2004 than July 2003, but less autopsies were performed. However, there were significantly more out of County autopsies in July. She noted that, in terms of budget, the Coroner's Office has already met the revenue dollar figure that they budgeted in 2004. Ms. Kimmerling reported that there have been more deaths in August.

Chairman Renner asked if there were any questions or observations for Ms. Kimmerling. Hearing none, he thanked her for attending.

Chairman Renner presented, on behalf of Ms. Roxanne Castleman, Director, Court Services, the Court Services Adult/Juvenile Division Statistics for July 2004, McLean County Juvenile Detention Center Statistics, Out of County Statistics and the general report for Court Services. Chairman Renner asked if anyone had any comments, observations or questions on the reports. There were none.

Chairman Renner presented the Monthly Statistical and CASA reports as submitted by Ms. Billie Larkin, Director, Children's Advocacy Center. Chairman Renner asked if anyone had any comments, observations or questions on the reports. There were none.

Chairman Renner asked Mr. Zeunik to give an overview of the two Items for Action submitted by Mr. Bill Yoder, McLean County State's Attorney, in his absence. Mr. Zeunik reported that this is the renewal of a grant that was awarded by the Department of Children and Family Services when Mr. Reynard was State's Attorney. The grant amount, which has not changed from its initial amount of \$45,000, is to be used to provide a full-time Assistant State's Attorney to be stationed in the Children's Advocacy Center. It is a renewal of the contract between the Illinois Department of Children and Family Services and McLean County.

After some discussion by the Committee regarding the history of this contract, Mr. Terry Lindberg, Assistant County Administrator, explained that initially Mr. Reynard considered contracting the position, but was unsuccessful in finding someone at that level. Mr. Yoder identified a person on staff at a salary approximately 25% beyond the grant amount. They were then able to arrange with the Child Protection Network to fund the difference between the grant figure and the salary. Chairman Renner asked for clarification on the second action item. Mr. Zeunik explained that this item is the Intergovernmental Agreement between the County and the Department of Children and Family Services, which is part of the terms of the grant. There is the contract for the receipt of the grant funds and then the Intergovernmental Agreement which explains what we are going to do and the services we are going to provide and the agreement to provide those services at the Children's Advocacy Center.

Mr. Zeunik indicated that one of the conditions of the grant is that the \$45,000 provided by DCFS can only be used for direct salary expense or for direct contract expense and cannot be allocated for benefit or operational expenses. The Child Protection Network, a 501(c)(3) not-for-profit corporation, agreed to supplement the dollars needed for salary and other expenses. Because of the State budget problems, they are renewing the contract for the same dollar amount, which means Mr. Yoder has asked the Child Protection Network to once again assist in paying the additional salary and benefits. Chairman Renner noted that because Mr. Yoder is requesting assistance from CPN, it will not have any affect on the County budget.

Mr. Yoder arrived at the meeting and reported that the CPN is going to fund the balance of the position, equal to their commitment of last year, which would be for health insurance benefits. He noted that he believes he will get close to 100% of the cost of the position, and, if necessary, will make up the difference from within the State's Attorney's departmental budget. Ms. Rackauskas asked what the salary is for the position. Mr. Yoder replied that, after the first of the year, it will be approximately \$62,000. He indicated it may be 100% covered by outside sources. Mr. Yoder said that he was committed to the position and he would do whatever he needed with his budget to make sure it continues.

Motion by Nuckolls/Rackauskas to approve both action items, namely the contract between Illinois Department of Children and Family Services and McLean County for the Assistant State's Attorney assigned to the Children's Advocacy Center/Child Protection Network and the Intergovernmental Agreement Between the Department of Children and Family Services and McLean County to provide the Department of Children and Family Services an Assistant State's Attorney.
Motion carried.

Mr. Yoder presented the Case Load Report, noting that they have had approximately 1,100 felony cases this year. Through July, the year-to-date conviction rate is 77% on felonies, which is up from about 62% when he became State's Attorney. He noted that it should plateau at around 80%, which is an ideal percentage. The 1,100 cases noted are considered serious felony cases and are about 400 less than in 2002. There were 1,539 felonies filed in 2002. This year, the actual number of felony convictions is higher than when they were filing 1,500 felony cases.

Ms. Harding asked if the State's Attorney Office had received any calls regarding the recent bank robberies. Mr. Yoder replied that he has not had many phone calls. He noted that with the most recent bank robbery arrest, the Federal Prosecutors took the case. There was some discussion among the Committee members on the responsibility of the County in terms of the bank robberies. Mr. Yoder explained that the banks are most concerned for the safety of their employees and, generally, encourage the employees to cooperate with the robber, which is the correct approach, but it makes catching the robber more difficult.

Chairman Renner asked if there were any further questions or observations for Mr. Yoder. Hearing none, he thanked him for attending.

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Chairman Renner presented the August 31, 2004 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a pending total of \$39,150.99 a Prepaid total of \$1,502,460.10 for a fund total of \$1,541,611.09.

Motion by Owens/Nuckolls to approve the Justice Committee bills as of August 31, 2004 as presented to the Committee by the County Auditor.
Motion carried.

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Mr. Owens asked to speak on the bank robbery issue. Mr. Owens reported that there is technology available wherein banks can tie their cameras into a dispatch center and, with the touch of a button, the police can monitor the robbery. The police can dispatch officers with a description of the robber.

Mr. Owens expressed some concerns regarding a recent incident where the wrong fire department was dispatched to a fire and asked Mr. Zeunik if the County or MetCom could be liable. Mr. Zeunik indicated that today any government is vulnerable to litigation. He also noted that liability insurance is carried by MetCom and ETSB for these specific kinds of instances.

Mr. Owens asked about an article in The Pantagraph regarding the City of Bloomington branching off and having their own 911 dispatch center, but asking MetCom to be their backup. Mr. Owens wondered what Committee would be responsible to make that decision. Mr. Zeunik indicated that ETSB has the final say on Bloomington's request to be a separate public service answering point and have Bloomington's 911 calls routed to their dispatch center, and also whether they will meet all the ICC requirements to be a backup center to MetCom. MetCom would then serve as Bloomington's backup center. He noted that ETSB would make their decision at the September ETSB meeting later this month.

Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 6:08 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary