

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, December 3, 2013 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Caisley; Members Rankin, McIntyre, Schafer, and Wollrab

Other County Board
Members Present: Member Soeldner

Staff Present: Mr. Bill Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; and Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present: Ms. Lori McCormick, Director, Court Services; Ms. Judy Brucker, Director, Children's Advocacy Center; Mr. Will Scanlon, Circuit Court Administrator; Mr. Jason Chambers, State's Attorney; Sheriff Mike Emery; Mr. Mark Jontry, Director, Regional Office of Education; Mr. Curt Hawk, Director, EMA

Others Present: Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Mr. Rusty Thomas, Chief Deputy Sheriff, Sheriff's Department; Ms. Elizabeth Barnhart, Project Coordinator, Domestic Violence, Multi-Disciplinary Team Program, Court Services; Mr. Mick Humer, Fire Chief, Town of Normal; Mr. Eric Vaughn, Deputy Fire Chief, City of Bloomington

Chairman Caisley called the meeting to order at 4:32 p.m.

Chairman Caisley presented the November 5, 2013 Justice Committee Minutes and the October 7, 2013 Special Meeting for Approval.

Motion by McIntyre/Schafer to Approve the Minutes of the November 5, 2013 Meeting and the October 7, 2013 Special Meeting.
Motion carried.

Ms. Lori McCormick, Director, Court Services, presented a request for approval of a revised sub-contract agreement with Chestnut Health Systems. She explained

that this Agreement is in conjunction with the Adult Treatment Court Collaborative Grant through Substance Abuse and Mental Health Services (SAMHSA).

Ms. McCormick indicated that Chestnut Health Systems will provide evidence based programming including both substance abuse and mental health services for participants with co-occurring mental health and substance abuse diagnoses. She stated that Court Services is adding a few additional responsibilities to the work load of Chestnut Health Systems with this grant that covers both Drug Court and Recovery Court.

Motion by Schafer/Rankin to Recommend Approval of a Revised Sub-Contract Agreement with Chestnut Health Systems.

Motion carried.

Ms. McCormick presented a request for approval of a 2014 Physician Contract Amendment between OSF Healthcare Systems and the McLean County Juvenile Detention Center. Ms. Cathy Waltz, Superintendent, Juvenile Detention Center, indicated that this contract amendment shows a 4% increase in compensation. She noted that last year there was no increase. Ms. Waltz indicated that, as stated in the contract, this is an amendment for compensation only. All other terms and conditions of the 3-year contract remain the same. She advised that this increase is consistent with the contract at the Adult Detention Center. Both facilities utilize the same physician.

Ms. Waltz indicated that OSF Healthcare Systems provided excellent services the past year in the form of medical services and she expressed confidence that this will hold true in 2014.

Motion by Wollrab/Rankin to Recommend Approval of a 2014 Physician Contract Amendment between OSF Healthcare Systems and the McLean County Juvenile Detention Center.

Motion carried.

Ms. Waltz presented a request for approval of a 2014 Mental Health Contract between Cathy Vogel and the McLean County Juvenile Detention Center for Counseling Services. She indicated that the contract is identical to last year's contract, with the exception of a 2% increase for services for 2014. Ms. Waltz added that Ms. Vogel received a 2% increase last year. She stated that there is a cap amount that Ms. Vogel can receive for the year.

There was a brief discussion on the hours that Ms. Vogel works and what happens if the hours go up. Ms. Waltz responded that Ms. Vogel has never had to go beyond the hours she can work, but there are some contingency funds available should that happen.

Motion by McIntyre/Wollrab to Recommend Approval of
a 2014 Contract between Cathy Vogel and the McLean
County Juvenile Detention Center.
Motion carried.

Ms. Wollrab referred to the section in the contract for Ms. Vogel that refers to Equal Employment Opportunity Clause and asked that it be broadened to include sexual orientation. Mr. Wasson replied that it will be changed.

Ms. McCormick presented her Monthly reports. She noted that the caseloads remain about the same.

Chairman Caisley asked if there were any questions or comments. Hearing none, he thanked Ms. McCormick.

Chairman Caisley presented the Coroner's October 2013 Monthly Report as submitted by Ms. Beth Kimmerling, Coroner. There were no questions on the report

Ms. Judy Brucker, Director, Children's Advocacy Center, reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She pointed out that the CAC statistics ended the month of November at 235 child victim interviews. Ms. Brucker noted that, as predicted, the CAC will surpass last year.

Ms. Brucker indicated that they don't yet have the volunteer hours for November, but, through October, donated hours were 7,530 hours.

Chairman Caisley asked if there were any questions or comments. Hearing none, he thanked Ms. Brucker.

Mr. Will Scanlon, Circuit Court Administrator, presented a request for approval of an Eleventh Judicial Circuit Family Violence Coordinating Council transfer of Fiscal Agent. He introduced Mr. Mark Jontry, Director, Regional Office of Education, should anyone had any questions regarding this issue.

Chairman Caisley asked who will be doing the bookkeeping. Mr. Scanlon replied that the Auditor's Office will do the bookkeeping, which will be similar to many other grant programs.

Mr. Scanlon advised that in early 1997, the Illinois Violence Prevention Authority (IVPA) proposed to the Conference of Chief Judges (CCJ) a grant program to provide domestic violence resources in each judicial circuit. The program was designed to fund staff who would work with the individual counties, circuit clerk offices, law enforcement agencies, state's attorneys and other offices and groups to educate each on the dynamics of domestic violence, and to begin work on the development and adoption of domestic violence protocols. Mr. Scanlon stated that this program would become to be known as Circuit Family Violence Coordinating Councils (FVCC), and the personnel supported would be known as FVCC Coordinators.

Mr. Scanlon noted that in 1997, Chief Judge Luther Dearborn accepted the grant and the Regional Office of Education became the fiscal agent, partly due to the unwillingness of the Court to act as the fiscal agent for grant programs. Over the past 17 years, the Circuit Court has become the recipient of many grants, including a multi-year grant regarding the collection of juvenile abuse and neglect court data, and the County Auditor is the fiscal agent for those grant projects.

Mr. Scanlon stated that the Regional Office of Education is proposing to transfer the fiscal control to the Circuit Court on January 1, 2014.

Mr. Jontry indicated that the ROE has had no problems acting as fiscal agent, but it was determined that the Circuit Court should act as fiscal agent to these grants.

Mr. Scanlon stated that the current Family Violence Coordinator, Gardenia Harris, has an office in the Circuit Court and reports to Judge Lawrence, but was paid through the ROE by a grant. He noted that, with the transfer of fiscal agent, Ms. Harris will be paid through Circuit Court under Contract Services. Mr. Scanlon added that a Budget Amendment will have to be submitted following approval of this transfer.

Motion by Rankin/McIntyre to Recommend Approval of
Eleventh Judicial Circuit Family Violence Coordinating
Council Transfer of Fiscal Agent.
Motion carried.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Mr. Scanlon.

Mr. Jason Chambers, State's Attorney, presented a request for approval of a Resolution approving McLean County's continued Participation with the State of Illinois Appellate Prosecutor's Office. He explained that this is the annual contribution. There is no change in the amount due this year.

Mr. Chambers reminded the Committee that once the criminal cases are completed at the trial level, and defendants wish to appeal their cases, the Appellate Prosecutor's Office handles the appeals at the first appeal level and also if they continue to the Supreme Court.

After a brief discussion, the Committee determined that this is a very positive relationship.

Motion by Rankin/Wollrab to Recommend Approval of a
Resolution Approving McLean County's Continued
Participation with the State of Illinois Appellate
Prosecutor's Office.
Motion carried.

Mr. Chambers reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report.

Chairman Caisley pointed out that the Auditor's memorandum for Approval of Bills for Payment shows that the State's Attorney's MDV Grant is at 118% of its appropriation. Mr. Wasson responded that we have not amended those budgets since the grants have been renewed. He advised that this is a year-end cleanup process, which is the case for a large number of Funds that are near or over budget. Mr. Wasson stated that this process is usually done in January or February.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Mr. Chambers.

Chairman Caisley presented the Public Defender's October Monthly Report as submitted by Ms. Kim Campbell, Public Defender. There were no questions on the report.

Chairman Caisley presented the Circuit Clerks October 2103 Statistical Reports as submitted by Mr. Don Everhart, Circuit Clerk. There were no questions on the reports.

Sheriff Mike Emery presented a request for approval for 2014 Squad Car bids to replace five (5) current vehicles. He indicated that the Sheriff's Office advertised and asked for bids to replace four (4) police squad cars. The bids were for full-size all-wheel drive sedans meeting certain specifications for patrol duties, an all-wheel drive SUV for the Sheriff's Office and an extended cargo van (wagon) for the McLean County Detention Facility. Sheriff Emery noted that the Sheriff's Office will be trading five (5) vehicles for the five replacements. He reviewed the cost of the vehicles as included in the packet. Sheriff Emery advised that Asset Forfeiture Funds will be used to reduce the amount of expenditure from the General Fund. He indicated that the cost to the General Fund will be \$54,381.60 and Asset Forfeiture Funds will pay \$36,254.40.

Sheriff Emery recommended that the following be purchased from Mangold Ford in Eureka:

- Three Ford Interceptor Sedans;
- One Ford Interceptor SUV; and,
- One Extended Ford E350 Cargo Van

Motion by McIntyre/Wollrab to Recommend Approval
for Squad Car Bids to Replace Five (5) Current
vehicles.

Motion carried.

Sheriff Emery presented a request for approval of a 2014 Contract between Heartland Community College and McLean County Sheriff's Office for GED Courses at the McLean County Detention Facility. He noted that there is a slight increase in the 2014 that has to do with the changing of the GED system throughout the State of Illinois to a computer-based system. Heartland Community College will absorb the expenses of all new materials and books involved with the GED Program.

Sheriff Emery stated that with the change of the GED system the McLean County Jail will have GED testing done on-site. Funds from the Inmate Commissary Fund will pay for computer stations that will be installed in the Jail and pay for the proctor to come in and administer the test.

There was discussion on the GED program and the number of inmates who complete their GED either while in Jail or once they are released from Jail. Sheriff Emery stated that in 2012, 859 male inmates started the GED program and 167 female inmates started the program for a total of 1,026 inmates. In 2013, 666 male inmates and 134 female inmates started the program, a total of 800 inmates.

Sheriff Emery reported that 54 inmates passed the GED in 2012 and 59 inmates have passed so far in 2013. He pointed out that while it appears that many more start the program than complete the program, many of those inmates who enrolled in the program may get transferred to DOC or are released from Jail and statistics are not available on whether or not they completed the program.

After additional discussion, the Committee asked the Sheriff to investigate finding out how many of those inmates may have completed the GED Program at the DOC or at Heartland Community College.

Motion by Wollrab/Rankin to Recommend Approval of a
2014 Contract between Heartland Community College
and McLean County Sheriff's Office for GED Courses at
the McLean County Detention Facility.
Motion carried.

Sheriff Emery presented a request for approval of Fiduciary Agency Agreement between the County of McLean and the Illinois State Police. He noted that Task Force 6, a state agency, is a multi-jurisdictional drug enforcement unit formed by agreement of the Illinois State Police, Bloomington Police Department, Illinois State University Police Department, Clinton Police, McLean County Sheriff's Office, and the DeWitt County Sheriff's Office. He indicated that this would be a pass-through grant such as the Edward Byrne Grant that he brought to the Committee last month.

Sheriff Emery advised that this Agreement has been worked on and negotiated with the Illinois State Police attorneys and the County's State's Attorney's Office, specifically Mr. Pablo Eves, over the last six months. He indicated that this is in reference to the Task Force 6 being a state agency. Sheriff Emery explained that this comes from a ruling from the Courts where a judge ruled that task forces are part of the Illinois State Police and cannot be sued. With that ruling, it made it a violation for the State to distribute the Task Force 6 monies, as the State cannot distribute monies from one state agency to another. Sheriff Emery noted that this ruling is what prompted this fiduciary agreement. He indicated that in this Agreement, the County is able to bill the Task Force for services that are rendered as far as the money being received in the Treasurer's Office and the money being dispensed by the Auditor. Sheriff Emery added that the Treasurer and Auditor were included in the negotiations and meetings.

Motion by Schafer/Rankin to Recommend Approval of a Fiduciary Agency agreement between the County of McLean and the Illinois State Police.
Motion carried.

Chairman Caisley pointed out that the Sheriff's Office MDV Grant is at 93% of its appropriation as per the Auditor's Report.

Sheriff Emery reviewed his November 2013 Detention Facility Population Report. He noted that at one point, the population count was below 209 inmates.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Sheriff Emery.

Mr. Wasson reminded the Committee that there was some discussion at the County Board meeting relating to a review of the EMA policies and procedures currently in place to sound the alarm sirens. He advised that it is his opinion that the actions of EMA were directly consistent with the County's policies and procedures. Mr. Wasson noted that he asked Mr. Hawk to put together a synopsis of those policies and procedures. He introduced Mr. Mick Humer, Fire Chief, Town of Normal and Mr. Eric Vaughn Deputy Fire Chief, City of Bloomington, who may assist Mr. Hawk in discussing the November 17th weather situation.

Mr. Curt Hawk, Director, EMA, advised that the City of Bloomington and the Town of Normal actually own the sirens in Bloomington and Normal. He indicated that EMA works from the County policies that have been agreed to by the City and the Town. Mr. Hawk advised that a meeting was held following the storm to see if the policies need to be adjusted, but it was the consensus of County and municipal agencies that the policy is the best method available to warn the public of an impending tornado.

Mr. Hawk noted that there are many methods for the public to receive warnings for various weather situations, including smart phones and local media. He stated that the use of the siren is the final warning for those people who are outdoors and away from other sources of information.

Mr. Hawk reviewed the protocol for determining when the sirens should go off during tornado weather. He explained how weather spotters are used when severe weather conditions arise. Mr. Hawk noted that it is important to understand that it is typical to get hundreds of reports of funnel clouds all over the community, but these reports have to be confirmed, as most of them turn out to be negative.

Mr. Hawk stated that if the sirens were activated for every report received, they would be sounding constantly, which would then make them ineffective.

Mr. Hawk advised that EMA, the City of Bloomington and the Town of Normal concur to continuing with the current policies and procedures to follow during weather situations. He noted that in regard to the recent storm, it was a judgment call whether or not to sound the siren, but there was no indication that McLean County was having a tornado. Mr. Hawk indicated that there was some damage from high winds, but the highest wind recorded was 58 miles per hour.

Mr. Humer stated that they all agree that it was a serious and dangerous storm with high winds and hail, but it was not a tornado. The siren is to be used to denote a tornado; it is a tornado warning siren.

Committee members expressed their concern and the concern of their constituents that the media and their smart phones were warning them to take cover from a tornado, but the sirens didn't go off. Mr. Hawk stated that once the media gets the message of severe weather, they follow that with a warning to take cover immediately. He noted that the National Weather Service is more strongly and precisely wording their warnings to seek shelter so that people will listen and not just depend on the sirens. Mr. Hawk pointed out that a smart phone will provide a warning wherever a person may be at the time of severe weather in that particular part of the country, and not a warning for your own specific area code.

Ms. Wollrab asked how people are being educated to know when to seek shelter. Mr. Vaughn replied that the Bloomington and Normal Fire Departments will be working with Mr. Hawk and EMA to provide more education to the public on understanding what severe weather is and what they need to do. He added that more public education and providing EMA with the best information possible are two very important aspects to be worked on in the future. Mr. Humer stated that they will all continue to work towards better solutions for educating and warning the public. Mr. Hawk advised that EMA goes out and educates the schools and businesses about weather safety.

Mr. Hawk advised that EMA and the local Fire Departments will continue to educate the public that they should follow any and all warnings in regard to severe weather and not just wait for the siren to go off.

Mr. Wasson stated that it is a challenge to ensure that people who are directly in the path of what we believe is a tornado are warned without creating a scenario where people do not pay attention to the warning system at all.

Mr. Wasson advised that the represented agencies have shown you that the community as a whole will continue to work and evaluate the system and expand upon what we learn every time we have this type of occurrence.

After additional discussion, Chairman Caisley asked that Mr. Hawk's report be included for information in the December County Board Packet.

Mr. Hawk provided a brief overview of the aid provided by EMA to tornado and storm damaged communities following that storm. Mr. Wasson noted that he received an e-mail from the Tazewell County Administrator thanking EMA for their valuable assistance. He stated that he will share that with County Board members.

Ms. Schafer asked Mr. Hawk to provide a written report on the aid provided by EMA following the storm and how fast the response was. Mr. Hawk replied that he will provide a more detailed report. He noted that EMA responded to Tazewell's request for assistance only after McLean County was deemed safe and secure.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Mr. Hawk.

Chairman Caisley presented the November 30, 2013 Justice Committee bills and transfers for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$323,055.60 and a Fund Total that is the same.

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Motion by Wollrab/Rankin to Recommend Approval of the Justice Committee Bills and transfers as of November 30, 2013 as transmitted by the County Auditor.
Motion carried.

Chairman Caisley asked if there was any other business or communication for the Justice Committee. Hearing none, he adjourned the meeting at 5:55 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary