

## Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, March 3, 2015 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Vice Chairman Rankin; Members McIntyre, Rankin, Wendt, Schafer, and Metsker

Members Absent: Chairman Caisley; Members McIntyre and Cavallini

Other County Board  
Members Present: None

Staff Present: Ms. Hannah Eisner, Assistant County Administrator;  
Ms. Judith LaCasse, Assistant to the County Administrator;  
Mr. Don Knapp, First Civil Assistant State's Attorney

Department Heads/  
Elected Officials  
Present: Ms. Lori McCormick, Director, Court Services; Mr. Jason Chambers, State's Attorney; Ms. Kathy Davis, Coroner; Ms. Judy Brucker, Director, Children's Advocacy Center; Mr. Don Everhart, Circuit Clerk; Ms. Carla Barnes, Public Defender; Sheriff Jon Sandage; Mr. Will Scanlon, Court Administrator, Circuit Court; Ms. Jeanene Payne, Director, Correctional Health Services; Mr. Curt Hawk, Director, EMA

Others Present: Ms. Patricia Marton, Community Member; Mr. Greg Allen, Chief Deputy Sheriff, Sheriff's Department; Ms. Cathy Waltz, Superintendent of the Juvenile Detention Center; Mr. John Nafziger, Chief Deputy Coroner; Mr. Jim Tusek, Chief Deputy Public Defender

Vice Chairman Rankin called the meeting to order at 4:51 p.m.

Vice Chairman Rankin presented the Minutes of the February 3, 2015 Justice Committee Meeting and the January 20, 2015 Stand-up Meeting for approval.

Motion by Schafer/Metsker to Approve the Minutes of the February 3, 2015 Justice Committee Meeting and the January 20, 2015 stand-up Meeting.  
Motion carried.

Ms. Patricia Marton, Community Member, addressed the Committee regarding a proposal for a County-wide program of sensitivity training and pre-employment testing.

She stated that this could, hopefully, lessen any possibilities of difficult situations arising and damaging an organization and community. Ms. Marton indicated that she has spoken with City Manager David Hales and Alderman Scott Black about this and they were both interested in developing such a system. She noted that she contacted Mr. Wasson and, at his suggestion, has prepared this initial proposal.

Ms. Marton advised that an advisory committee, composed of County government members and citizens of various ages and backgrounds, such as psychologists, students and lawyers, could be organized to develop such a program that would include on-going, periodic training. She recommended that prospective employers, staff and administrators should be required to write an essay describing how they would deal with a difficult situation, preferably in a polite and unthreatening manner.

Ms. Marton stated that it is embarrassing and unsettling to watch grown men and women quarrel amongst themselves as she has seen at Trustee and Council meetings. She indicated that it is equally unsettling and destructive to individuals in the community when critical issues are not discussed but passed around haphazardly and inaccurately via the rumor mill, which she has also seen happen.

Ms. Marton advised that administrators should not be exempt from such testing. She quoted a passage from an article from *The Economist* in 2013, entitled "Going off the Rails," as follows: "A Chief Executive becomes likelier to succumb to these vanities the longer he stays on the job. One executive understood this and kept a painting of General Custer in his office as a warning against hubris."

Ms. Marton indicated that the ability to handle people with diverse cultures, personalities and ages is also important. The nature of the tests, whether written, visual, electronic or lectures that would be appropriate and fit budgetary considerations, should also be discussed. Ms. Marton noted that lectures can be more effective than synthetic substitutes because you can actually see and interact with them. She stated that there are several good lecturers in the community.

Ms. Marton advised that she would be willing to serve on a sensitivity training committee and to do additional research necessary. She thanked the Committee for its time and support.

Ms. Lori McCormick, Director, Court Services, reviewed her monthly reports, as well as her 2014 Court Services Statistical Report. She noted that they were busy last year and continue to be busy.

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

Ms. Schafer asked what the process is for getting into the Drug Court or the Recovery Court programs. Ms. McCormick replied that there is a referral process and eligibility requirements. She noted that Drug Court graduation is Thursday, March 5<sup>th</sup> at 4:00 p.m. in Courtroom 5A.

Mr. Jason Chambers, State's Attorney, reviewed the State's Attorney Monthly Caseload Report and Asset Forfeiture Fund Report. He stated that it is too early in the year to determine anything by the current statistics.

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

Ms. Kathy Davis, Coroner, presented her Monthly Report. She introduced Mr. John Nafziger, Chief Deputy Coroner. Ms. Davis indicated that Mr. Nafziger previously worked for the Coroner's Office under Mr. Dan Brady.

Mr. Wendt commented that Ms. Davis has been very busy.

Vice Chairman Rankin asked if there were any additional questions or comments. Hearing none, he thanked Ms. Davis.

Ms. Judy Brucker, Director, Children's Advocacy Center, presented the Children's Advocacy Center report and the CASA Report.

Ms. Brucker reported that the Blue Kids Benefit, held on Saturday, February 21<sup>st</sup>, was a success. She noted that 600 people attended the benefit and the net profit was \$104,000. Ms. Brucker announced that Mr. Don Knapp was the star table host, with three tables.

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

Mr. Don Everhart, Circuit Clerk, presented his Monthly Reports. He noted that there is nothing unusual in the reports.

Vice Chairman Rankin asked if there were any questions or comments. Hearing none, he thanked Mr. Everhart.

Ms. Carla Barnes, Public Defender, presented a request for approval of an amendment to the contract between Joshua P. Rinker, Special Public Defender and the Public Defender's Office.

Motion by Metsker/Schafer to Recommend Approval of an amendment to the contract between Joshua P. Rinker, Special Public Defender and the Public Defender's Office.

Mr. Wendt expressed concern that the Justice Committee is not provided with an opportunity to learn the reason why a contract is suspended or stopped. He recommended that *Executive Sessions* be held in the future to provide that type of information to determine that it is not a political or personal removal. Ms. Barnes replied that she cannot speak for the past, but sometimes there are no specific reasons other than different expectations, or different administrations.

Ms. Eisner advised that these contract attorneys are not employees of the County; rather, they are independent contractors and she doesn't believe there would be a basis to close a meeting to discuss the reason for ending a contract unless litigation may be associated with the removal. She added that a closed session could be required if they were County employees. Mr. Knapp added that, pursuant to the County's code, the Judges in the Circuit only have the authority to appoint the Public Defender and only the Public Defender has the authority to appoint Special Public Defenders. The Board's responsibility is to pay for these contracts.

Mr. Wendt stated that he believes that the Committee should have some authority to understand why a contract would be cancelled since the Committee approves the contract. Ms. Eisner noted that the reason the Committee approves the contract is so that the funding is approved. The statute gives the Public Defender the discretion to make these hiring decisions. Mr. Wendt asked that Mr. Knapp look at the possibility of having a closed session to discuss terminated contracts in the future even though they are not employees.

Ms. Schafer pointed out a typographical error on page two of the contract for Mr. Rinker, namely "...the contract entered into on December 16, 2015..." should be "...December 16, 2014."

Ms. Metsker asked if the monthly fee is based on the number of cases or volume of work they do. Ms. Barnes replied that the fee is based upon the number of cases and the classification of cases.

Vice Chairman Rankin asked if there were any further questions or comments, hearing none he asked for a vote on the motion.

Motion carried as amended to correct the date.

Ms. Barnes presented a request for approval of an amendment to the contract between John J. Bussan, Special Public Defender and the Public Defender's Office.

Motion by Wendt/Schafer to Recommend Approval of an amendment to the contract between John J. Bussan, Special Public Defender and the Public Defender's Office.

Motion carried.

Ms. Barnes reviewed her Monthly Caseload Report. Mr. Tusek stated that the statistics from January are a little low, and cautioned that the February numbers will be much higher. He noted that number of cases increased significantly in February.

Vice Chairman Rankin asked if there were any additional questions or comments. Hearing none, he thanked Ms. Barnes and Mr. Tusek.

Sheriff Jon Sandage reviewed the February 2015 Detention Facility Population Report. He advised that the Sheriff's Department has started housing inmates out-of-County in Piatt County. Sheriff Sandage indicated that on February 13<sup>th</sup>, ten inmates were moved to Piatt County; there were eight inmates out-of-County on the 19<sup>th</sup> and it increased to 14 inmates on the 20<sup>th</sup>. As of today's date, there are six inmates housed in Piatt County. Sheriff Sandage reported that \$8,500 has been spent on out-of-County housing to date. The average population for the month is currently 249 inmates, whereas last month the average was 240 inmates. Sheriff Sandage indicated that it is too early to tell if this is a trend.

Vice Chairman Rankin asked if there were any questions or comments. Hearing none, he thanked Sheriff Sandage.

Mr. Will Scanlon, Court Administrator, presented three Emergency Appropriation Ordinances. The first is a request for Approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2015 Combined Annual Appropriation and Budget Ordinance (Jury Commission Fund Transfer). Mr. Scanlon provided an explanation of these Emergency Appropriations as outlined in his memorandum in the packet.

Motion by Wendt/Schafer to Recommend Approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2015 Combined Annual Appropriation and Budget Ordinance (Jury Commission Fund Transfer);

Motion carried.

Mr. Scanlon presented the next two Emergency Appropriation Ordinances that were acted upon together. He noted that these are interfund transfers. They are, as follows:

- Request Approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2015 Combined Annual Appropriation and Budget Ordinance (Circuit Court Fund Transfer);
- Request Approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2015 Combined Annual Appropriation and Budget Ordinance (Circuit Court Fund Transfer)

Motion by Wendt/Metsker to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2015 Combined Annual Appropriation and Budget Ordinance (Circuit Court Fund Transfer) and to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2015 Combined Annual Appropriation and Budget Ordinance (Circuit Court Fund Transfer).

Motion carried.

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

Ms. Jeanene Payne, Director, Correctional Health Services, presented a request for approval of a 2015 Physician Contract amendment between OSF Healthcare Systems and McLean County Adult Detention Facility. She indicated that the request is to amend the date to the end of this year. Ms. Eisner explained that this is the contract the County has with OSF Healthcare for the physicians who attend to the inmates in the Jail. They direct or provide assistance and consultation to the County's nursing staff and provide clinical services.

Motion by Wendt/Metsker to Recommend Approval of a 2015 Physician Contract amendment between OSF Healthcare Systems and McLean County Adult Detention Facility.

Motion carried.

Vice Chairman Rankin asked if there were any questions or comments. Hearing none, he thanked Ms. Payne.

Ms. Hannah Eisner, Assistant County Administrator, distributed a Critical Hire Memorandum that included the addition of a position in the Sheriff's Department. The critical personnel position requests received by the County Administrator's Office through March 2, 2015 are listed below and are budgeted and funded through the end of FY'2015. These positions have been determined to be critical to the functioning of the departments making the request.

Court Services Department

- 1) Fill a 1.0 FTE Juvenile Detention Officer position

The resignation of a Juvenile Detention Officer effective February 28, 2015, leaves a vacated 1.0 FTE Juvenile Detention Officer position in the Court Services Department. In order to maintain the safety and security of the residents and staff at the Juvenile Detention Center, it is necessary to fill this this position as soon as possible from the eligibility list held by the Administrative Office of Illinois Courts.

Since 2008, there has been a reduction of three Juvenile Detention Officers. This has left the facility with 15 line officers available to maintain the required minimum staffing for all shifts. This position is funded in the 2016 budget.

Circuit Clerk's Office

- 1) Fill a 1.0 FTE Circuit Clerk OSSI Position

A 1.0 FTE Circuit Clerk OSSI Position has been vacated in the Traffic Division.

The vacated position primarily is responsible for - in brief, but not limited to: process traffic safety school registrations – proofing forms, assessing fees, receipting payments, sending notices to defendants; process returned mail, update case management system; process incoming mail; check batch receipts for errors; check dispositions, sentences, and fines for errors in both case files and case management system. Other duties as assigned.

Public Defender's Office

- 1) Fill a 1.0 FTE Assistant Public Defender I Position

The Public Defender's Office has a vacant Assistant Public Defender I position, effective February 6. The vacated position primarily represents indigent clients charged with DUI and Major Traffic offenses in McLean County. Current personnel cannot redistribute or assume these duties due to current caseloads. The high volume courtroom requires two attorneys. Approval to fill this vacancy effective immediately is necessary to maintain critical staffing levels.

Sheriff's Department

- 1) Request to fill 1.0 FTE Office Support Specialist I Position

The Sheriff has a vacant office support specialist I position. The person in this position serves as the window clerk in the booking area. Duties include monitoring the lobby, signing in visitors, taking bond money, scheduling visitation on electronic visiting

stations, logging, sorting and distributing mail. This is a very busy position and if it is not filled a booking correctional officer must also monitor the window in addition to his/her duties. This position must be filled to maintain the safety and security of the facility.

Motion by Schafer/Metsker to Recommend Approval of the Critical Personnel Hiring Requests.  
Motion carried.

Ms. Eisner presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance (Justice Departmental Budget Adjustments). She indicated that these are year-end cleanup of budgets for 2014.

Motion by Wendt/Schafer to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance (Justice Departmental Budget Adjustments).  
Motion carried.

Vice Chairman Rankin called for a motion to go into *Executive Session* to discuss a Personnel Matter with the Committee Members and Staff, Ms. Lori McCormick, Director, Court Services, and Ms. Cathy Waltz, Superintendent, Juvenile Detention Center.

Motion by Schafer/Metsker to Recommend the Justice Committee go into *Executive Session* at 5:23 p.m. to discuss Pending Litigation with the Committee Members and Staff as well as Ms. Lori McCormick, Director, Court Services, and Ms. Cathy Waltz, Superintendent, Juvenile Detention Center.  
Motion carried.

Motion by Metsker/Schafer to recommend the Justice Committee return to *Open Session* at 5:32 p.m.  
Motion carried.

Ms. Eisner presented a request for approval of an extended Leave of Absence for a Court Services employee.

Motion by Metsker/Wendt to Recommend Approval of an Extended Leave of Absence for a Court Services Employee  
Motion carried.

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Ms. Metsker suggested that the Committee receive a copy of the Extended Leave Policy sometime in the future.

Ms. Schafer asked when information on the Jail Project will be provided to the Justice Committee. Ms. Eisner replied that the Dewberry Jail Needs Assessment Report will be provided to the Executive Committee next Tuesday.

Vice Chairman Rankin asked if any part of the jail expansion will come through the Justice Committee. Ms. Eisner replied that it is expected that the Property Committee will do more of the bricks and mortar, and the Justice and Finance Committees would be involved in looking at costs and staffing issues.

Vice Chairman Rankin presented the February 28, 2015 Justice Committee bills and transfers for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$1,113,434.39 and a Fund Total that is the same.

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Motion by Wendt/Schafer to Recommend Approval of the Justice Committee Bills and transfers as of February 28, 2015 as transmitted by the County Auditor.

Motion carried.

Vice Chairman Rankin asked if there was any other business or communication for the Justice Committee. Hearing none, he adjourned the meeting at 5:39 p.m.

Respectfully submitted,

Judith A. LaCasse  
Recording Secretary