

## **Minutes of the Justice Committee**

The Justice Committee of the McLean County Board met on Tuesday, April 4, 2017 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman George Gordon, Members George Wendt, Randall Martin, Scott Murphy, Dave Selzer and Susan Schafer

Members Absent: Member Carlo Robustelli

Other County Board  
Members Present Member Jacob Beard

Staff Present: Mr. William Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; Mr. Don Knapp, First Civil Assistant State's Attorney; Mr. Eric Schmitt, Administrative Services Director, and Ms. Julie Morlock, Recording Secretary;

Department Heads/  
Elected Officials Present: Cassy Taylor, Director, Court Services; Ms. Carla Barnes, Public Defender Office; Ms. Judy Brucker, Director, Children's Advocacy Center, Jon Sandage, Sheriff; Kathy Davis, Coroner; Don Everhart, Circuit Clerk; Jason Chambers, State's Attorney; Will Scanlan, Circuit Court

Others Present: Greg Allen, Chief Deputy Sheriff; Michelle Welch, Adult Detention Medical, Cathy Waltz, Juvenile Detention Center

Chairman Gordon called the meeting to order at 4:30 p.m. and declared a quorum.

Chairman Gordon stated that unless there was an objection the Chairman's approval of the minutes of the March 7, 2017 regular meeting will stand as approved; hearing no objection, he declared them approved.

Chairman Gordon confirmed with Mr. Wasson there were no appearances by members of the public.

Ms. Brucker presented her monthly reports for the Children's Advocacy Center and CASA. Chairman Gordon asked if there were any questions or comments; hearing none, he thanked her.

Mr. Don Everhart, McLean County Circuit Clerk presented for action a request approval of an Addendum to the Merchant Application/ Agreement between McLean County and Chase Paymentech. Mr. Everhart stated this would allow users of electronic filing to pay the court fees by credit card.

Motion by Wendt/Martin to recommend approval of an Addendum to the Merchant Application/ Agreement between McLean County and Chase Paymentech  
Motion Carried.

Mr. Everhart presented for action a request to approve an Intergovernmental Agreement between Illinois Department of Healthcare and Family Services and the McLean County Circuit Clerk. He stated this continues an agreement that has been in place since 1999. Mr. Gordon asked if there had been any issues with this contract. Mr. Everhart indicated that the amount of the funding continues to decrease, but they are current.

Motion by Martin/Schafer to recommend approval of an Intergovernmental Agreement between Illinois Department of Healthcare and Family Services and McLean County Circuit Clerk.  
Motion Carried.

Mr. Everhart presented for action a request to approve an Emergency Appropriation Ordinance Amending the McLean County Fiscal year 2017 Combined Annual Appropriation and Budget Ordinance Fund 0140 Circuit Clerk Automation Fund, Circuit Clerk Department 0015. Mr. Wasson stated this is in follow-up to the approval of the contract with Tyler Technologies last month for electronic filing.

Motion by Selzer/Wendt to recommend approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal year 2017 Combined Annual Appropriation and Budget Ordinance Fund 0140 Circuit Clerk Automation Fund, Circuit Clerk Department 0015.  
Motion Carried.

Mr. Everhart presented his monthly reports. Chairman Gordon asked if there were any questions for Mr. Everhart; hearing none, he thanked Mr. Everhart.

Ms. Carla Barnes, Public Defender's office presented her monthly report. Mr. Selzer asked if there is a correction between the felony numbers being up and the misdemeanor numbers being down. Ms. Barnes indicated that there could be some correlation because of up graded charges and provided examples. Mr. Selzer asked if more people are relying on the public defender than in the past. Ms. Barnes indicated that she felt so, but utilizing a lot of resources and so attorneys are able to maintain caseload. Chairman Gordon asked if there were any further questions or comments; hearing none, he thanked Ms. Barnes.

Mr. Jon Sandage, Sheriff presented for action a request to approve an Intergovernmental Agreement by and between the County of McLean, the McLean County Sheriff and the Bloomington-Normal Airport Authority – Sheriff. Mr. Sandage indicated it is a continuation of an agreement for two deputies to provide security at the Central Illinois Regional Airport. Mr. Gordon asked how long this agreement has been in place. Mr. Sandage indicated it has been in effect since June 21, 2005.

Motion by Martin/Murphy to recommend approval of Intergovernmental Agreement by and between the County of McLean, the McLean County Sheriff and the Bloomington-Normal Airport Authority – Sheriff

Motion Carried.

Chair Voted

Mr. Sandage presented for action a request to approve an Ordinance Setting Reimbursement for the Cost of Medical and Hospital Services Provided to Prisoners in the Custody of the McLean County Sheriff at the Illinois Department of Public Aid's Rates for Medical Assistance. Mr. Wasson stated that they identified they did not have a Resolution on file allowing for this provision. He indicated that OSF previously provided the physician and medical services but terminated that agreement. Mr. Wasson stated that this Resolution is commonly passed by Counties across the State of Illinois under the Sheriff's statutory authority. Mr. Wendt asked if the hospitals had to accept what we pay them. Mr. Sandage indicated that with this they would have to accept Medicaid rate. Mr. Wasson stated that the Resolution refers to situations where the hospital charges more than the Medicaid rate, which they commonly do and with adoption of this Resolution, we would pay the Medicaid rate, consistent with the fact that the majority of detainees are Medicaid eligible.

Mr. Selzer asked if the hospitals are aware that we will no longer be paying the rate we have been paying. Mr. Wasson indicated they have not been contacted as of yet. Mr. Selzer asked if this will be a Medicaid billing or would hospitals be writing off balances and have inmates responsible for the difference. Mr. Sandage indicated that inmates would not be responsible for the difference. Mr. Selzer asked if hospitals are contractually or legally bound to accept this rate. Mr. Knapp stated that the Federal government has the authority to set a Medicaid rate and through this statute in the Code of Corrections, it gives Counties through the Sheriff's department the ability to pay this rate if hospitals accept our patients. He stated that through contact with other Associations we were made aware that Sheriff's departments throughout the State have been doing this and we thought it wise to do the same. Mr. Selzer indicated that clarified it for him but asked if we would be notifying hospitals of this change. Mr. Wasson indicated that we would notify hospitals. Mr. Wendt stated that to keep their exemption from Property tax they have to have charity equal to what the property tax would be. Mr. Sandage stated that he felt most of the individuals they would take to the hospitals are Medicaid rate individuals.

Ms. Schafer stated that she understands that the Sheriff is responsible for this. She asked the Committee to recognize that the reimbursement of expenses actually come out of the Tort Judgement Fund that the Health Committee has oversight over. She asked if this should go before the Health Committee as well. Mr. Gordon indicated that he was ok with coordinated review and sign off. He stated that there was overlap in members of both Committees for these situations. Mr. Wasson stated there is no time sensitive nature to this, so if Committee wants to refer this to Health Committee next month that would be ok. He stated that he felt it might be good to do outreach to hospitals and bring any communication back from them. Mr. Wendt indicated that he would like responses back from the hospitals. Mr. Wendt asked if we could get a contract with either of the hospitals. Mr. Wasson stated that they have declined to engage and provide medical services to us as they did in the past. Ms. Schafer asked the

Sheriff to confirm that when someone goes to the hospitals today they pay what they are billed. Mr. Sandage confirmed. Ms. Schafer indicated it is more time sensitive because the longer we wait to put this in place the more we are paying for services. Mr. Selzer said that he could not see the hospitals accepting a rate lower than the Medicaid/Public Aid rate, which they are contractually obligated to take if individual is signed up for Medicaid. Mr. Selzer said that this is an Illinois Statute that does give the County Board the authority to set the rate in this case. Mr. Wendt indicated that is why he felt the hospitals should be involved because we can set the rate lower than what they can charge private insurance companies and maybe they would come up with an agreement with us for a better rate than they normally charge. Mr. Gordon stated probably best to hold this over to the May Health Committee meeting. Mr. Wendt stated that when they take less money for their services then the balance of their operating is passed on to the private sector and by forcing them to take a lower rate, you are increasing the cost to the private people getting treatment. He reiterated that he would like to negotiate with them about a rate. Mr. Selzer asked how to explain to constituents that we are paying more for inmates than anyone else in the State is because rate is set by statute. Mr. Wendt indicated that we are raising the cost to the other citizens that use that service. Mr. Sandage indicated that a majority of those who go to the hospitals would be on Medicaid if they went out to hospitals if they were not in the jail.

Mr. Murphy indicated that he understood someone has to make up the difference and people come from all over central Illinois to our hospitals but felt a fiduciary duty to cut down what his constituents have to pay. Ms. Schafer asked about process to move to Health Committee. Mr. Knapp indicated that they needed to withdraw motion and then make a new motion.

Motion by Murphy/Wendt to recommend approval of An Ordinance Setting Reimbursement for the Cost of Medical and Hospital Services Provided to Prisoners in the Custody of the McLean County Sheriff at the Illinois Department of Public Aid's Rates for Medical Assistance.

Motion was withdrawn by Murphy/Wendt

Motion by Schafer/Wendt to refer this item as written to the Health Committee for review and consideration at their May 1, 2017 regular meeting.

Motion Carried.

Member Martin Abstained

Chair Voted.

Mr. Sandage presented his monthly reports. Chairman Gordon asked if there were any questions regarding the Sheriff's reports; hearing none, he thanked Mr. Sandage.

Mr. Knapp presented on behalf of Mr. Jason Chambers, the State's Attorney monthly reports. Mr. Knapp pointed out that misdemeanors are down and indicated that Mr. Chambers felt that new marijuana laws and municipalities issuing more ordinance violations might be contributing to that. Mr. Knapp stated that workload has not been reduced because those cases do not take up a majority of their time. Mr. Martin asked if felonies are up. Mr. Knapp indicated that felonies are about the same as last year. Mr. Selzer asked if we could get numbers from the municipalities regarding ordinance violations to see if there is a correlation.

Minutes of the Justice Committee

April 4, 2017

Page 5 of 6

Mr. Knapp indicated they would ask. Chairman Gordon asked the Committee if they had any additional questions for the State's Attorney; hearing none, he thanked Mr. Chambers.

Ms. Cassy Taylor, Director of Court Services presented her monthly reports and stated it was a standard month. Chairman Gordon asked the Committee if they had any questions for Ms. Taylor; hearing none, he thanked her.

Ms. Kathy Davis, Coroner presented her monthly and annual reports. Ms. Davis indicated that more Counties are coming to McLean County for services. Ms. Schafer asked if some counties had left but are now coming back. Ms. Davis indicated that counties have returned to McLean County. Chairman Gordon asked if there were any questions from the Committee; hearing none, he thanked Ms. Davis.

Mr. Wasson presented his monthly report on staffing. Chairman Gordon asked if there were any questions or comments on this report; hearing none, he thanked Mr. Wasson.

Chairman Gordon asked if there was anything under other business; hearing none, he moved on to the payment of the Bills.

Chairman Gordon presented the Justice Committee bills for review and approval as transmitted by the County Auditor. Mr. Selzer asked for clarification on Auditor letter and if they were voting on departments that were over budget. Mr. Gordon indicated that was an information item letting the Committee know that amendments had been submitted.

Motion by Robustelli/Schafer to approve the Justice Committee Bills as transmitted by the County Auditor with a prepaid total in the amount of \$696,499.48.

Motion carried.

Chair Voted

MCLEAN COUNTY BOARD COMMITTEE REPORT

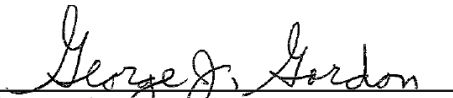
PAGE 1 OF 34

AS OF 3/31/2017

EXPENDITURE SUMMARY BY FUND

Justice Committee

FUND	FUND TITLE	PENDING TOTAL	PREPAID TOTAL	FUND TOTAL
0001	GENERAL FUND		\$273,300.36	\$273,300.36
0129	CHILDREN'S ADVOCACY CNTR		\$17,441.04	\$17,441.04
0138	CIRCUIT CLK/OPER & ADMIN		\$2,043.47	\$2,043.47
0140	CIRCUIT CLERK AUTOMATION		\$4,600.69	\$4,600.69
0141	COURT SECURITY		\$12,335.38	\$12,335.38
0142	COURT DOCUMENT STORAGE		\$2,321.25	\$2,321.25
0143	CHILD SUPPORT COLLECTION		\$1,321.53	\$1,321.53
0146	ADULT PROBATION SERVICES		\$10,205.58	\$10,205.58
0150	FEDERAL ASSET FORFEITURE SHERIFF		\$26,800.00	\$26,800.00
0152	ASSET FORFEITURE-SAO		\$4,636.07	\$4,636.07
0155	ASSET FORFEITURE-SHERIFF		\$10,323.34	\$10,323.34
0156	IDPA IV-D PROJECT		\$23,424.92	\$23,424.92
0170	NEUTRAL SITE CUSTODY EXCH		\$4,167.00	\$4,167.00
0171	CHILDREN'S WAITING ROOM		\$6,624.99	\$6,624.99
0450	ETSB SURCHARGE FUND/E-911		\$118,118.94	\$118,118.94
0452	METRO COMMUNICATIONS CTR		\$177,228.70	\$177,228.70
0506	LAW LIBRARY		\$1,606.22	\$1,606.22
			<hr/>	
			\$696,499.48	\$696,499.48

  
COMMITTEE CHAIRMAN

Chairman Gordon asked if there was any other business or communication for the Justice Committee; hearing none, he adjourned the meeting at 5:16 p.m.

Respectfully submitted,



Julie Morlock  
Recording Secretary