

Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, July 10, 2018 at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman John McIntyre, Members Jim Soeldner, Paul Segobiano, George Gordon, Chuck Erickson, Susan Schafer and David Selzer

Members Absent: Members Erik Rankin and William Caisley

Other Board Members Present: Members Don Cavallini, Scott Murphy, Carlo Robustelli, Laurie Wollrab, Ryan Scritchlow

Staff Present: Mr. Bill Wasson, County Administrator, Samantha Walley, Assistant State's Attorney – Civil Division; Mr. Eric Schmitt, Administrative Services Director

Department Heads/
Elected Officials Present: Jason Chambers, State's Attorney; Carla Barnes, Public Defender; Kathy Davis, Coroner, Jon Sandage, Sheriff

Others Present:

Chairman McIntyre called to order a meeting of the Executive Committee at 4:30 p.m. and declared a quorum.

Chairman McIntyre presented the minutes from the June 19, 2018 special meeting and July 10, 2018 regular meeting of the Executive Committee for approval.

Motion by Segobiano/Soeldner to approve the minutes from the June 19, 2018 special meeting and July 10, 2018 regular meeting of the Executive Committee.

Motion Carried

Chairman McIntyre confirmed there were no appearances by members of the public.

Chairman McIntyre presented the appointments and reappointments for approval and indicated there were no appointments for approval.

Motion by Segobiano/Schafer to recommend approval of the reappointments.

Motion Carried.

Chairman McIntyre stated that the Committee would next hear from the applicants for the State's Attorney vacancy. He indicated that one of the candidates, Mr. Gramm had previous travel plans that could not be altered and would not be in attendance. He stated that numbers had been drawn before the meeting to determine the order, each would be given 10 minutes to speak, with questions from Committee members first and then questions from other board members present. He stated he would interview each candidate on Thursday or Friday of this week.

Mr. McIntyre welcomed Mr. Messman and reminded him that he would have ten minutes to speak to the Committee. Mr. Mark Messman presented his experience as a prosecutor, leader and mentor. He said he believes experience is important and invited Board members to call people and asked them what is important to be State's Attorney and whether he has the experience to be States Attorney. He also provided his background in administration working with the County Board and gaining knowledge of the budget. He finished by stating that the States Attorney's office is looking for leadership that he can provide. Mr. McIntyre asked if there were Committee members with questions.

Ms. Schafer asked him what he felt the most important part of the State's Attorney's job was and why. He stated it was to be a leader. Mr. Erickson stated he had asked a Civil State's Attorney a legal question and received the Attorney's political opinion instead. He stated he then asked Mr. Chambers, Mr. Wasson and Mr. Sorensen to please ask the Attorney to provide legal information to his client. He then read a statement and asked Mr. Messman how he felt about it, "Unless it has to do with your office or it is purely a legal question, or our policy could place the County in legal jeopardy, then the States Attorney's Office should keep the policy making role of the County Board with the County Board." Mr. Messman stated he felt those could overlap and went on to provide an example. Mr. Erickson asked Mr. Messman if he felt he could instruct Assistant States Attorneys on when it was appropriate for a legal opinion and a political opinion. Mr. Messman said he could. Mr. Gordon asked his general outlook on alternatives to jail, such as the safe passage program, drug, recovery and veterans courts. Mr. Messman stated that at first he had felt it was all about prosecution, but over time had changed his opinion and believes those programs are crucial to keep people out of the system. He said we still need prosecutors, but felt we would see the biggest gains in making improvements to this community through those programs.

Mr. Selzer thanked him for his service and asked him to discuss how he was prepared for the administrative side of the State Attorney's position including budgets and personnel. Mr. Messman said he is familiar with the budget process and has ideas on how we can work within budget restraints. He said he felt he had been a leader and would continue to be a leader to personnel. Mr. McIntyre opened it to other members of the Board. Ms. Wollrab asked if he felt diversity was important in the office and how he might achieve greater diversity. Mr. Messman said he felt the office currently was diverse, but that you need to continually work to maintain diversity, as you need make sure the office represents the community. He said he would continue to work to make sure office staff was diverse. Mr. McIntyre thanked Mr. Messman for his time.

Mr. McIntyre welcomed Ms. Jane Foster and reminded her that she would have ten minutes to speak to the Committee. Ms. Foster presented her personal history to the Committee. She then provided her work history. She stated she worked her way up in the States Attorney's office from prosecuting traffic tickets to murder cases and has many hours of trial experience. Ms. Foster indicated that trial experience is vital to the position for training and mentoring those in the office. She said she ran for States Attorney and while she did not win, she gained a lot of good experience. She then worked in private practice before returning to prosecuting work in the Macon County States Attorney's Office. Ms. Foster stated that she had held administrative and supervisory positions in the McLean County States Attorney's Office that

allowed her to mentor attorneys and deal with budget and personnel matters. She said she also worked closely with other departments including the Sheriff, Coroner and Clerk's offices and has been active in the community. She said she feels current violence levels are unacceptable and that we need to take fight to the small group of individuals causing these issues. She said her relationships with the community will help as we need to bring the community together to solve these issues. She said she wants to serve others and work to continue to make this a great place to raise families. Chairman McIntyre opened it up for questions from Committee members.

Mr. Erickson stated he told Mr. Chambers he appreciated the job he had done and that he appreciated that he allowed the County Board to set the policy. Mr. Erickson related a story where a Civil States Attorney provided a political opinion on how he should vote on something when he had asked for a legal answer. He stated that he asked Mr. Wasson, Mr. Chambers and Mr. Sorenson to talk to the Assistant State's Attorney and let them know that they should not give political advice. He read a statement to Ms. Foster and asked her how she felt about it, "Unless it has to do with your office or it is purely a legal question, or our policy could place the County in legal jeopardy then the States Attorney's Office should keep out of the policy making role of the County Board." Ms. Foster said that she did not believe the States Attorney needed to be involved in policy making by the County Board, however, there are situations where the States Attorney needs to advice and direct. Mr. Erickson agreed that if they are asked for advice that would be different than asking for a legal opinion. He said that he hoped that she would be able to advise them to keep that distinction. He said that the County Board should be treated like a client and the Board member should be the one to answer to the public.

Ms. Schafer asked her, as the department head and leader of the States Attorney's Office, what she believed the most important job as a States Attorney would be. Ms. Foster said the most important job is to prosecute crime and how you do that will influence how you train and mentor staff and institute policies and strategies in the department. Mr. Cavallini thanked her and stated that by the time situations get to the States Attorney's office there is a major issue. He asked her for ways they could prevent matters from getting to her office. Ms. Foster provided an example of teen court that had been utilized in Macon County. She stated that there are already great programs in place with the Mental Health, Drug, Recovery and Veterans Courts and that she fully supports those. She said she would look at ways to enhance those programs but would also look for new programs. Mr. Selzer asked her about being a department head and her experience with regard to handling budgets and personnel. Ms. Foster said as a supervisor and first assistant she was involved in the hiring of new staff and mentoring and evaluating current staff. She said they had budget difficulties when she was in the States Attorney's Office before and provided an example where she instituted in-house training that was approved for credit to cut down on cost.

Mr. McIntyre opened it up for questions from the other Board members. Ms. Wollrab asked her if she saw the value in diversity in the office and if so, why and then how would she maintain or increase diversity in the office. Ms. Foster said diversity is important because staff should reflect the community. She said you have to work to maintain diversity and provided examples of reaching out to groups at universities and hiring interns from diverse groups to help maintain diversity. Mr. McIntyre thanked her for her time and service.

Mr. McIntyre welcomed Ms. Woods and reminded her that she would have ten minutes to speak to the Committee. Ms. Jessica Woods provided her personal history. She then provided her work history. She stated she had worked in the criminal division of the States Attorney's Office and covered almost every position in that division as she worked her way up. She stated she also worked closely with law officers when she was the screening and intake attorney for a couple of years and felt that experience and those relationships were invaluable. She said she moved in 2014 to the civil division for a couple of years then went to the Town of Normal for a year and half, but when Jason approached to come back for the First Civil Assistant Position she was excited as that is the work she enjoys. She said she is the only candidate with experience in both civil and criminal and has gained the respect of attorneys, support staff, judges and law enforcement, which is vital to the success of the office. She said that she felt with her experience and abilities she would be the best candidate for the job.

Mr. Erickson stated he told Mr. Chambers he appreciated the job he had done and that he appreciated that he allowed the County Board to set the policy. Mr. Erickson related a story where a civil state's attorney had been asked a legal question and instead of providing a legal answer, they provided a political opinion. He stated he addressed that with Mr. Wasson, Mr. Chambers and Mr. Sorenson and asked them to talk to the Assistant State's Attorney about not be giving political advice. He read a statement to her and asked her how she felt about it, "Unless it has to do with your office or it is purely a legal question, or our policy could place the County in legal jeopardy then the States Attorney's Office should keep out of the policy making role of the County Board." Ms. Woods stated she agreed with the statement. She said that as the attorney for the County Board it is not our job to form the policies or influence them; it is to give legal opinions to protect the County Board and the County and assist in any way. She said that the States Attorney's Office should take a back seat to the County Board as they have been elected to set the policies not the States Attorney's Office. Mr. Erickson said he appreciated the answer. He said we have to respect role of policy makers and felt he had made it clear to all applicants that he is not going to support an applicant who will not respect the County Board.

Ms. Schafer asked her, as the leader of the department, what the most important part of the States Attorney was job and why. Ms. Woods stated that most important part is working together with all members of community. She stated the States Attorney's Office does not work in a vacuum, the office has to work together with law enforcement, community members, victims and witnesses because the ultimate goal is to keep community safe and make sure laws are abided by. Mr. Cavallini thanked her and asked her what the States Attorney's Office can do to help prevent situations from reaching that office. Ms. Woods stated there are multiple ways the States Attorney's Office can prevent crimes including sending a message to the community by seeking harsh sentences, charging crimes that community has said they wanted charged and removing offenders from our community by sending them to prison. She said there is also a large portion of the office that works to help offenders through rehab and supervision through probation and specialty courts including drug, veterans, and recovery courts. She stated that there are also programs such as the new safe passage program that are not a State Attorney program but are supported by the States Attorney's Office. She said it is also important to work together with the community including schools, churches, law

enforcement and other service providers because ultimately the States Attorney's job is to help people and do what is best for our community. Mr. Gordon asked her to confirm she would support programs like drug, recovery and mental health courts. She said absolutely.

Mr. Selzer thanked her and asked her about experience as Department Head including budget and personnel. Ms. Woods said she has experience with budget as she has part of the budget now through the civil division. She stated that while she does not have experience managing 25 attorneys and 15 support staff, she but did not think many States Attorneys had that experience before they became States Attorney. She said she does have the ability to lead people, enjoys working with people and feels they enjoy working with her. She said she has a respect for employees of the office, that she knows what they are doing and will be able to lead from the start because she has their respect. Mr. McIntyre opened it up for other members of the County Board. Ms. Wollrab asked her if she saw the value of diversity in the office and if so, why and how would she maintain or increase diversity. Ms. Woods said diversity is important because they deal with a variety of people in the States Attorney's Office, so they have to be sensitive to all backgrounds. She said it is challenging from an attorney stand point because there are not a lot of diverse applicants. She said she would be interested in exploring different job fairs and welcomes other suggestions of places to reach out to. Mr. McIntyre thanked her.

Mr. McIntyre welcomed Mr. Knapp and reminded him that he would have ten minutes to speak to the Committee. Mr. Don Knapp stated that a question that had stuck out to him was when a member asked him why he wanted to be State's Attorney. He stated that the thought that he could continue his father's work of protecting this community was an opportunity he could not pass up. He said that people do stupid things, and occasionally people do evil things and we should seek to punish evil things significantly different than we seek to punish stupid things and he provided an example. He then provided examples of the time, money and people involved in helping the States Attorney make the determinations of who is a threat to community and who just did a stupid thing. He said that he hoped his knowledge of the States Attorney's Office and where it fits in the criminal justice system as a whole will help him execute sound and reasonable judgement when making decisions. He also discussed tools that are being created to help the States Attorney Office do their job. Mr. Knapp then referenced words from Ron Dozier when asked what he planned to do while in office and Mr. Dozier replied that the States Attorney's Office has grown over the years and he would primarily be an administrator to make sure the office lives up to its model of seeking justice. Mr. Knapp also quoted the Professional Rules of Conduct 3.8 that states prosecutors are mandated to seek justice not just secure convictions. He said that the mandate to seek justice, and not just to secure convictions, meshes well with his thought that we have to acknowledge that people do stupid things and every once in a while people do evil things. Mr. Knapp stated that he would be here to punish those who do evil things and while he would not ignore those who do stupid things, he would handle those differently. Mr. Knapp discussed his work background at State Farm and the Illinois Appellate Court and how those experiences taught him a lot about people. He said that overseeing the civil division at the States Attorney's office taught him how fulfilling it is to use his skills and experience to try to solve some of the biggest problems facing this community. He said he would like to continue to do that in the position of States Attorney.

Mr. Erickson said he met with Jason Chambers and told him he appreciated the job he was doing. He said that no matter which party comes in and asks a question it should be based on the law. Mr. Erickson clarified that he understood that drug court is a part of the States Attorney Office in the sense they want sufficient prosecution and hopefully the correction of drug abuse, and I know the States Attorney has right to protect its turf. He read a statement and asked Mr. Knapp's opinion on it. "Unless it has to do with your office, or it is purely a legal question or our policy could place the County in legal jeopardy then the States Attorney's Office should keep out of the policy making role of the County Board." Mr. Knapp said he agreed that the States Attorney's Office is there to advice, sometimes clients accept advice, and sometimes they ignore advice. He said that in the County Administrations office you try to advise as best as you can and provided examples. Mr. Erickson explained the reason he was asking that question was because he was not going to vote for any candidate that he felt would disrespect the County Board. He said he is also weighing experience, temperament and philosophy and all other things, but this was the only opportunity he was going to have to politely ask that whomever gets the position respect the County Board.

Ms. Schafer asked him, as the department head, what the most important job of the States Attorney's Office was and why. Mr. Knapp said he felt great States Attorneys provide their office with the tools necessary to complete their tasks and then move aside and let them do their job. He said that another important thing was to ensure they do their job in an ethical manner.

Mr. Cavallini asked him for his ideas on how we can prevent things from happening because by the time they get to the States Attorney's office we have a serious situation on our hands that would probably fall in Mr. Knapp's category of evil things. Mr. Knapp provided an example of identifying people who want to solve disputes with armed violence and get them out of the community by locking them up. He said there are other things we can do and provided example from 1991 in response to crack epidemic where the Illinois legislature passed a civil law to try to limit gang activity. He stated that worked well in other counties such as Will County but was not sure how well it would work here. He said there are things we could do, but did not feel he wanted to put all of those ideas out in the public.

Mr. Gordon thanked him for his service and asked him if he would fully support alternatives we already in place such as drug court, recovery court, recovery court, safe passage if named State's Attorney. Mr. Knapp said he is a supporter of diversionary programs. He said that he and Sheriff Sandage had conversations about practical realities of the safe passage program and provided an example. He said he had seen the good work that can come from drug court. Mr. Selzer asked Mr. Knapp to discuss experience he had regarding the budget and administrative side of the job. Mr. Knapp went over the number of FTEs in the office as well as the budget numbers for the States Attorney's Office. He said he has a good understanding of the budget and acknowledged there are some challenges on how to fund the office to provide the staff and attorneys the tools they need to do the their job. Mr. McIntyre asked if there were any questions from other Board members.

Ms. Wollrab thanked him and asked him if he saw the value of diversity in the office, if so why and how would he maintain or increase diversity of staff. Mr. Knapp stated that he sees the

value in diversity and provided an example of a mentor he had when he worked at State Farm. He said there is a debate as to whether diversity means more than just skin color but diversity of thought. He said his thought processes, as a person who grew up on a farm, are different from a person who grew up in the inner city. He said he understands the value of having a working unit that mirrors the population that it provides services to. He provided example of first office he worked in for State Farm in Cottage Grove that was put there to serve a population that was underserved. He also provided an example of report he currently helps to provide to the Federal Government regarding diversity and strategies to increase diversity in our work force. Mr. McIntyre thanked him.

Mr. George Gordon, Chairman of the Justice Committee presented for action to request to approve Violent Crime Victims Assistance Act Grant with the State of Illinois' Office of the Attorney General and McLean County, State's Attorney Office.

Motion by Gordon/Cavallini to recommend approval of a Violent Crime Victims Assistance Act Grant with the State of Illinois' Office of the Attorney General and McLean County, State's Attorney Office.
Motion Carried.

Mr. Gordon presented for action a request to approve an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2018 Combined Annual Appropriation and Budget Ordinance General Fund, Court Services Department.

Motion by Gordon/Schafer to recommend approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2018 Combined Annual Appropriation and Budget Ordinance General Fund, Court Services Department
Motion Carried.

Mr. Gordon presented for action a request to approve an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2018 Combined Annual Appropriation and Budget Ordinance Circuit Clerk Department.

Motion by Gordon/Selzer to recommend approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2018 Combined Annual Appropriation and Budget Ordinance Circuit Clerk Department
Motion Carried.

Mr. Gordon presented for action a request to approve a Violent Crime Victims Assistance Program Grant Agreement between State of Illinois, Office of the Attorney General and County of McLean for the Court Appointed Special Advocate, CASA Program.

Motion by Gordon/Segobiano to recommend approval of Violent Crime Victims Assistance Program Grant Agreement between State of Illinois, Office of the

Attorney General and County of McLean for the Court Appointed Special Advocate, CASA, Program
Motion Carried.

Mr. Gordon presented for action a request to approve a Victims of Crime Act Grant Agreement between Illinois Criminal Justice Information Authority and County of McLean for the Children's Advocacy Center.

Motion by Gordon/Schafer to recommend approval of a Victims of Crime Act Grant Agreement between Illinois Criminal Justice Information Authority and County of McLean for the Children's Advocacy Center.
Motion Carried.

Mr. Gordon indicated they had nothing further for the Committee today but would have one additional item for the Board next week. Chairman McIntyre asked if there were any questions for Mr. Gordon and the Justice Committee, hearing none, he thanked him.

Mr. Dave Selzer, Chairman of the Finance Committee presented for action a request to approve an Ordinance by the McLean County Board amending Chapter 116 Purchasing and Contracting Article II in the McLean County Code.

Motion by Selzer/Cavallini to recommend approval of an Ordinance by the McLean County Board amending Chapter 116 Purchasing and Contracting Article II in the McLean County Code.
Motion carried.

Mr. Selzer presented for action a request to approve an Ordinance by the McLean County Board amending Chapter 108 Personnel Policies and Procedures, Article VII. Miscellaneous Benefits and Entitlements, Section 65 Travel and Business Expense Reimbursement in the McLean County Code.

Motion by Selzer/Gordon to recommend approval of an Ordinance by the McLean County Board amending Chapter 108 Personnel Policies and Procedures, Article VII. Miscellaneous Benefits and Entitlements, Section 65 Travel and Business Expense Reimbursement in the McLean County Code.
Motion Carried.

Mr. Selzer presented for action a request to approve an Emergency Appropriation Ordinance of the McLean County Board amending the McLean County Fiscal Year 2018 Combined Annual Appropriation and Budget Ordinance for the Auditor's Office.

Motion by Selzer/Soeldner to recommend approval of an Emergency Appropriation Ordinance of the McLean County Board amending the McLean County Fiscal Year 2018 Combined Annual Appropriation and Budget Ordinance for the Auditor's Office.
Motion Carried.

Mr. Selzer indicated he had no other items for action for the Executive Committee but would have a couple of items for the Board next week. Chairman McIntyre asked if the Committee had any questions for Mr. Selzer or the Finance Committee; hearing none, he thanked Mr. Selzer.

Ms. Susan Schafer, Chairman of the Health Committee indicated they had no items for the Committee today nor would they have any for the Board next week. Chairman McIntyre asked if there were any questions for Chairman Schafer or the Health Committee; hearing none, he thanked Ms. Schafer.

Mr. Chuck Erickson, Chairman of the Land Use and Development Committee presented for action a request to approve a County Watersheds Management Program Intergovernmental Agreement with the City of Bloomington, the Town of Normal and the McLean County Soil and Water Conservation District.

Motion by Erickson/Gordon to recommend approval of a County Watersheds Management Program Intergovernmental Agreement with the City of Bloomington, the Town of Normal and the McLean County Soil and Water Conservation District.

Motion Carried.

Mr. Erickson indicated they had no further items for the Committee today but would have one other items for the Board next week. Chairman McIntyre asked the Committee if they had any questions for Mr. Erickson; hearing none, he thanked Mr. Erickson.

Mr. Don Cavallini, Senior Member of the Transportation Committee indicated they had no items for the Committee today but would have items for the Board next week. Chairman McIntyre asked the Committee if they had any question for Mr. Cavallini; hearing none, he thanked Mr. Cavallini.

Mr. Paul Segobiano, Chairman of the Property Committee indicated they had no items for the Committee today. Chairman McIntyre asked if there were any questions for Mr. Segobiano and the Property Committee; hearing none, he thanked him.

Mr. Wasson presented for action a request to approve an RFP regarding comprehensive fee study. He said we are statutorily required to do a cost study before we can bring a recommendation to the Committee to increase fees. Mr. Selzer asked how much we have paid for fee studies in the past. Mr. Wasson said they have ranged between \$15,000 to \$20,000. Mr. Wasson said that Maximus use to do them and we are not sure if they have started doing them again which is another reason we would recommend doing an RFP because we do not have a current provider. Mr. Selzer asked if the RFP and study would be done so that information could be used for the 2019 budget. Mr. Wasson said he did not feel the fee study would be done before a recommended budget but they should have information prior to approval of a final budget. Ms. Schafer said that some of the Health Department fees are set by the Board of Health and asked if those fees would also be looked at in this study.

Mr. Wasson said that generally they do not include those fees because those can be changed without doing a fee study. Mr. Wasson stated there are specific fees charged in other departments that require we do the study before we can change and we would only recommend doing the study when we are required to because of the cost.

Motion by Cavallini/Selzer to recommend approval of an RFP regarding comprehensive fee study.
Motion Carried.

Chairman McIntyre asked for a motion to go into Closed Session pursuant to 5 ILCS 120/2(c)(21) to discuss of minutes of meetings lawfully closed under this Act, whether or purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Motion by Segobiano to go into Closed Session pursuant to 5 ILCS 120/2(c)(21) to discuss of minutes of meetings lawfully closed under this Act, whether or purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.
Motion Carried.

The Executive Committee entered into closed session at 6:24 p.m.

The Executive Committee entered into open session at 6:31 p.m.

Mr. Wasson presented for action a request to open minutes from Closed Sessions as recommended by Administrative Staff.

Motion by Selzer/Segobiano to table this item until a stand up of the Executive Committee on August 21st.
Motion Carried.

Under other business, Mr. Segobiano stated he felt he had learned about the candidates. He said that he felt McLean County was blessed with many programs that protect the citizens of McLean County and hoped the County Board continued to individuals in positions such at the States Attorney so that they could continue to put programs in place that help the community.

Chairman McIntyre presented for approval bills as forwarded by the Auditor in the amount of \$244,345.48.

MCLEAN COUNTY BOARD COMMITTEE REPORT

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AS OF 7/31/2018

EXPENDITURE SUMMARY BY FUND

Executive Committee


FUND	FUND TITLE	PENDING TOTAL	PREPAID TOTAL	FUND TOTAL
0001	GENERAL FUND		\$214,633.89	\$214,633.89
0136	VETERANS ASSISTANCE COMM.		\$4,004.09	\$4,004.09
0159	WASTE MANAGEMENT FUND		\$25,707.50	\$25,707.50
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			\$244,345.48	\$244,345.48


COMMITTEE CHAIRMAN

Motion by Cavallini/Selzer to recommend approval of the Executive Committee bills as presented to the Committee by the County Auditor for \$244,345.48.
Motion carried.

Chairman McIntyre stated there was no other business to come before the Committee and adjourned the Executive Committee Meeting at 6:35 p.m.

Respectfully Submitted,



Julie Morlock
Recording Secretary