

**JUSTICE COMMITTEE MEETING
MAY 31, 2012
3:00 P.M.**

MEMBERS PRESENT

Vice Chair Tim Dudley
Dave Drobisch
Merv Jacobs
Mark Wicklund
Bill Oliver

MEMBERS ABSENT

Chair Jon Baxter
Keith Ashby

COUNTY PERSONNEL PRESENT

Rodney Forbes, Public Defender
Jack Ahola, State's Attorney
Randy Waks, Asst. State's Attorney
Lois Durbin, Circuit Clerk
Jim Root, EMA
Mike Day, Coroner
Judge A. G. Webber, IV
Lori Long, Probation
Sheriff Tom Schneider, Sheriff's Office
Amy Stockwell, Auditor
Jerry Lord, PBC
Angie Sarver, Planning and Zoning Dept

This meeting was called to order by Vice Chair Dudley at the Macon County Office Building.

APPROVAL OF MINUTES

Motion to approve the minutes of prior meeting made by Bill Oliver, seconded by Mark Wicklund, and motion carried 5-0.

CLAIMS

Motion to approve the claims made by Dave Drobisch, seconded by Bill Oliver, and motion carried 5-0.

REPORTS

Circuit Clerk

Lois Durbin had no report.

Circuit Court

Judge A.E. Webber, IV had no report.

Coroner

Resolution Authorizing Execution of Mutual Aid Agreement With the IL Coroners & Medical Examiners Association

Mike Day distributed a copy of the resolution. This resolution has been written to approve and authorize the mutual aid agreement between Macon County and the IL Coroner & Medical Examiners Association. Mr. Day stated Randy Waks, Asst State Attorney reviewed this resolution and has found this resolution appears to be in good operating order. Mr. Day stated this resolution has been designed in case an event of a tragic mass disaster would occur in Macon County; or any of the other 102 counties of the State, that the association in conjunction with the other federal agencies, such as IEMA or FEMA has an organizational framework in place. The coroner could readily access the assistance services and resources of the counties in Illinois. With this

organizational framework in place this would eliminate any problems that could slow up the response time in case of a mass disaster throughout all the counties.

Mr. Day stated it does not obligate the County unduly. This only provides the framework. If a County is unable to respond, there is no penalty or legal coercion.

Mr. Day stated if there was a natural disaster, multiple counties could be affected, and if Macon County was handling their own problems and not able to help other surrounding neighbors, then other counties in the State could intercede.

Mr. Day stated this is similar to the Fire Mutual Aid agreements that are in place around the State.

Mr. Day asked if there were any questions.

Dave Drobisch asked if there is any cost to it. Mr. Day responded no. He said if Macon County would incur any cost in assisting, the federal or state agency would reimburse the coroner of the county that requested the assistance. Then coroner of that county would disperse the money amongst the counties that did respond.

Mark Wicklund asked if this was the first time Macon County has entered into this agreement. Mike Day stated yes and it is a first for the entire State. What they are hoping to do is to enlist all of the 102 counties.

Bill Oliver asked if any drills or test would be done implemented to see how it would work in case of a disaster. Mr. Day stated basically right now it is ad hoc gentlemen agreement. For instance if one of the surrounding counties would experience a disaster right now, Macon County could and would respond, but there is no framework in place for reimbursement. There is no discussion about any type of potential legal liabilities that is address in this mutual aid agreement. So basically right now, if a county needs help, Macon County will try and help the best they can, but nothing is officially in place to govern or help facilitate this at this point.

Bill Oliver clarified his questions. He asked if they would be anything done prior to that to facilitate a situation that happens, such as telephone number swap, how to get a hold of each other. He asked what would be the first thing they would do. Mr. Day stated that these things are basically already in place. Many times they work closely with EMA and the Sheriff Dept and other County agencies. This is the first step in formulating a general statewide plan. What they want to do is to find out if everyone is willing to participate, whether it is a regional situation where a few counties would be involved or whether they could expand it to involve the entire state if need be. They are in the process of working on this. With the execution of this document, these decisions will be made by the Coroners Assn. Governing Board, IEMA, FEMA and whoever else that might need to be involved. This will be a consolidated agreement and Mr. Day will not have to bring something back to the County Board, if they would put this into motion at the planning level.

Jim Root asked if he could clarify a little on Mr. Day's statement. He stated in the past how it usually works with mutual aid agreements, is that someone would request help through IEMA and

IEMA will send out information to the Coroner Assn. to see who would be available to assist any County that is experiencing a mass disaster with casualties. He agreed with Mr. Day that they are not bound to anything if they cannot respond. What usually happens is one county will take 4 or 5 victims and another county will take 5 or 6, and before you know it they do not have to bring in refrigeration trucks, because they are transporting them to other counties to deal with the process of making notifications and stuff like that.

Mr. Day stated one of the down side when you have a disaster, and you don't have an agreement like this in place, and you would have to immediately access federal authorities; this would create a jurisdictional situation, in which this would create difficulties in determining who is in control of the disaster. Would it be the County coroner, because it is occurring in the County, or would it be the FEMA team to cease control of the situation? It becomes a major hassle. This has happened in a couple of places in the State where they did not have any abilities to readily access the assistance from each other. They immediately went the federal avenue, and found out that things moved from the epic center of Macon County to Quantico Virginia. This created additional sets of issues. Also, with this agreement in place, and you only needed the assistance from your neighbors you would create a lot less red tape and just access them and move forward.

Jack Ahola asked if a major disaster occurs, such as the tornado in Southern Illinois and there are casualties, do the coroners have to be involved in every case whether it is accidental or an act of God? Mr. Day said that is correct. If there are one fatality or 1000 fatalities, the coroner of jurisdiction is responsible for that person's remains; their personal property; for the identification; determining the cause of death; safeguarding their remains and identifying their next of kin. There are multiple, multiple functions. One death is a very involved circumstance; multiply that by 50, 75 or 100 and that could be a very, very involved issue. The great thing about this is all the coroners in Illinois are on the same page. The only different framework we had, if we ever had to access and work with Cook County. Cook County is cooperative up there and they will help us. He stated he has access Cook County a couple of time with technical matters. It is just kind of learning the ropes up there a little bit. He stated it could be a very, very tragic and involved situation and you could very easily be overwhelmed even in a County of the size of Macon, Sangamon or Champaign; all it takes is either a natural disaster or a man-made occurrence. If you would have 60 occurrences immediately you got 60 individualize problems. He feels this will help them move things toward a more secure circumstance in this day and age. He hopes here in Macon County that we will never have to execute and never need the benefits from this agreement.

Dave Drobisch made the motion to accept the resolution; seconded by Mark Wicklund. Motion Carried 5-0.

Court Services/Probation

Lori Long

Lori Long stated she believes that most of the committee is aware of the collective bargaining agreement between the IL Fraternity Order of Police and Chief Judge Shonkwiler. This agreement had expired at the end of November, and they entered into negotiation. She wanted to thank the negotiation committee; Mr. Oliver, Mr. Wicklund and Mr. Dunn for assisting them at the negotiation table. A special thanks to Ed Flynn who basically spearheaded their efforts. The contract was signed earlier this week. She has prepared a resolution to present to the Finance

Committee at next week's meeting. It is going to be presented at the Finance Committee, because the wage schedule in this new collective bargaining agreement has resulted into some additional expenditure for salary increase for FOP represented staff. She has been informed that the Justice committee was not required to vote on this, since the contract is between the Chief Judge and FOP, but if they would like to review a copy of the resolution, she had copies available. No one requested a copy.

Ms. Long asked if there were any questions. No questions were noted.

EMA

Jim Root gave an update on the progress of the Mitigation Plan. He said they have been receiving information back from the municipalities, information requested by the contractor. They are anticipating holding their next meeting in July.

Chair Dudley asked how far along were they in the process? Jim Root stated they are little behind. The reason for being behind is because some of the jurisdictions are dragging their feet in getting their information back to the contractor. He stated they are approximately 1 ½ months behind.

Chair Dudley asked if it will be completed by the end of the year. Mr. Root said, yes, possibly by the end of the year.

Public Building Commission

Jerry Lord had no report.

Public Defender

Rodney Forbes had no report.

Sheriff

Sherriff Schneider reported the jail population for May was 313. There have been approximately 30 federal prisoners housed at this time.

State's Attorney

Jack Ahola stated they have a Mental Health Court where the second series of grants are funded. The third series has been postponed for at least a year, because of political development in Washington. He stated this is expiring in October of this year, so they are trying to get it funded locally to continue through this fiscal year and for the next budget's year. Attorney Ahola stated they have met with Auditor Stockwell, Chairman Dunn, Denny Crawley and Judge McCarthy on how to do this and will have some plans to present later.

Chair Dudley asked when it expired. Atty. Ahola stated it expires at the end of September, so the beginning of October. There are approximately 14 or 15 individuals in Mental Health Court at the present time. Mr. Ahola stated there is a statewide conference to be held in the month of September to show our new court system. So hopefully, they continue to run it after that month.

CITIZEN REMARKS– PUBLIC COMMENT

None

OLD BUSINESS

None

NEW BUSINESS

None

Chair Dudley thanked Mike Day and Sheriff Schneider for helping the World War II veteran that collapsed during the Memorial Day ceremony. They did a great job in assisting.

Jack Ahola asked for an update on Mr. Baxter's condition.

Amy Stockwell reported that Chairman Dunn had an extensive conversation with Mr. Baxter within the past week. She stated Mr. Baxter is looking forward coming back, but possibly on a reduced schedule. She said Chairman Dunn could give a more current update on him. Chair Dudley stated Chairman Dunn will be present at the Building Sub-Committee which will be held later today, and they will get back to Atty. Ahola with an update on Mr. Baxter.

NEXT MEETING

June 28th, 2012

ADJOURNMENT

Motion to adjourn made by Mark Wicklund, seconded by Dave Drobisch, motion carried -0, and meeting adjourned at 3:20 p.m.

Minutes submitted by Angie Sarver, Macon County Planning and Zoning Dept