

**JUSTICE COMMITTEE MEETING**

**August 27, 2015**

**3:00 P.M.**

**MEMBERS PRESENT**

Greg Mattingley  
Jon Baxter  
Jay Dunn  
Dave Drobisch

**MEMBERS ABSENT**

Grant Noland  
Matt Brown  
Bill Oliver

**COUNTY PERSONNEL PRESENT**

Lt. Jon Butts, Sheriff's Dept  
Jerry Lord, DPBC  
Jay Scott, State's Attorney  
Mike Baggett, State's Attorney's Office  
Carol Reed, Auditor  
Lt. Jim Root, EMA  
Rodney Forbes, Public Defender  
Pat Berter, Probation  
Judge Webber, Courts  
Sheriff Schneider – Sheriff's Dept  
Jeannie Durham, County Board Office

The meeting was called to order by Chair Greg Mattingley at the Macon County Office Building.

**APPROVAL OF MINUTES OF PRIOR MEETING**

Dave Drobisch made a motion to approve the minutes from the July 23, 2015 meeting, seconded by Jon Baxter and motion carried 4-0.

**CLAIMS**

Jay Dunn made a motion to approve the report of the claims as submitted, seconded by Dave Drobisch, and the motion carried 4-0.

**REPORTS**

*Circuit Clerk – no report*

*Circuit Court –*

Macon County Board Resolution Approving Increase in Appropriations in the Circuit Court's FY15 Budget for Expenses Fees in Certain Appeals

Judge Webber explained that this is a request for appropriations of \$2,045.48 for an appeal in a sexually dangerous persons case. These are the ones that are traditionally, by the Board's direction, handled on an ad hoc basis as opposed to having a budget line. This is a civil commitment following the completion of the criminal term so that neither the Public Defender here nor the Appellate Public Defender will take these cases. That has been proven many times over. This is one of those items for which the Statute says, "shall be paid by the County from its General Fund".

Mr. Dunn made a motion to approved forwarding the resolution on to the Finance Committee with recommendation for approval, seconded by Mr. Baxter, and the motion carried 4-0.

### ***Budget Presentation***

Judge Webber started by saying that he was not able to make the 3% cut. The health insurance line went up by \$16,776. He did not allow for any step increases for the court clerks. There is a handbook agreement with them. It is not a contract, but by scale, every 24 months they have an increase. There would have been 9 or 10 clerks set for step increases this year, but none will get any.

CASA, \$15,000 has been eliminated entirely. That was an annual contribution that the board would make to CASA which does do valuable work and Judge Webber said he is sorry to lose it.

All the discretionary lines (equipment, postage, training which is almost zero now that it is being reduced down from \$5,000 to \$1,000, contractual services – zero, dues – zero, office supplies – reduced) have been reduced to what he could get by with. Only the telephone was left level.

There are 6 lines which are State mandates which are the Judge's budget for convenience sake, legal advertising for indigents, transcripts, interpreters, appeals, contributions to judges salaries and the office of the Chief Judge. They are being maintained at the same level.

Library is up \$500 due to being a contractual matter.

The only increases were health insurance and the contractual obligation

That gives a total reduction of \$8,574. The target would have been \$17,834.

Law Library –

The only increase was in health insurance and a contractual bump in the electronic research fees. The Law Library is self-funding from the law library fees collected by the Circuit Clerk on filings, but never-the-less, the Judge said he showed no increase for the Law Library and self-help navigator and no increases to any line item.

Chair Dunn asked if the 3% cut would have been \$17,834 and you cut about half, so you have a 1 ½% cut. Judge Webber confirmed. Mr. Dunn asked how much had been taken out that would have normally been paid on step increases. Judge Webber said it would have been a little over \$7,000, probably \$7,500. Mr. Dunn said that if that had been allowed, the budget would be just a hair under last year.

Mr. Dunn made a motion to send the budget proposal on to the Finance Committee Budget Hearing, seconded by Mr. Baxter and the motion carried 4-0. Mr. Dunn cautioned the judge that currently, the finance committee is sending all budgets that don't make the 3% cut to a special meeting and that is probably what will happen at the budget hearing.

***Coroner – no report***

***Court Services / Probation –***

Macon County Board Resolution Approving Revenue in the Macon County Mental Health Court Grant

Mr. Berter explained that the Macon County Mental Health Board has had a change in their fiscal year from July 1<sup>st</sup> to June 30<sup>th</sup>. This resolution reflects the amount of money that would be needed from July 1<sup>st</sup> until November 30<sup>th</sup>. When the budget for the Mental Health Court is presented, the difference will be made up. This is a timing issue with the county. Mr. Dunn clarified that there are no additional funds, just working out the timing. Mr. Berter confirmed.

Jay Dunn made a motion to approve forwarding the resolution on to the finance committee with recommendation for approval, seconded by Dave Drobisch and motion carried 4-0.

***Budget Presentation -***

Mr. Berter said he has a 3.3% reduction in the budget. The reason is that the Probation fee expenditures were increased from last year to cover the difference. Not filling the Chief Probation Officer line as far as a supervisor created a reduction there. Everyone in the department that is not contractual has a proposed 2.75% increase except for Anita Bridge, who is the most senior supervisor. She will be capped out at a 1.5% bringing her up to \$75,000. The reason for that is the reimbursement that is received from AOIC. The supervisors are only reimbursed to \$68,000. Jim Taylor, who became a supervisor this year, after contract negotiations, received less than a 2.5% with his bump so a 3.5% increase is being proposed for him. Everyone else will be the 2.75% increase.

The overtime pay is being decreased by \$1,400 because the contractual obligations with Peoria County. There was a lot of overtime as far as for Juvenile On-Call. Mr. Berter said he worked out a deal with Peoria County which, because they are a 24 hour facility, agreed to handle all of Macon County's on-call.

The postage line had to be raised by \$500 because the cost of postage with the County's carrier is going up.

\$1,700 has been decreased or eliminated in the dues line. That is the membership with the IPCSA. If more money is received from the State of Illinois, Mr. Berter would like to put that back in. They are an advocate for Probation Services in the State of Illinois.

Otherwise, the line items that could be decreased, were.

The Offenders Services line was not decreased. Drug testing for Probation and specifically for Drug Court is costing a lot. Mr. Berter said they are looking at doing on site testing at the department. They met with an individual from Siemens who provides drug testing machines, all the equipment, and samples. They are waiting on the bid to see how much it will cost. Right now, it costs \$20 for every individual tested through Heritage. If we go with the machine, it will cost about \$6.50. More testing will be possible and there will be a bigger bang for the buck.

Chair Mattingley asked if with the proposed percentage increases to current staff, are you still slightly better than the requested 3% cut because of eliminating a position and the other cuts. Mr. Berter confirmed.

Mr. Dunn made a motion to send the proposed budget on to the finance committee budget hearing, seconded by Mr. Baxter and the motion carried 4-0.

Mr. Berter asked if the committee would like for him to go through the grants. He said they are money in / money out. Chair Mattingley asked if some of these are grants that are no longer there. Mr. Berter confirmed saying that he had not factored in a budget for the DUI Lap grant because he thinks it is going to go away. He said he was able to put that probation officer into his regular budget so no one would be laid off. There were not any other questions.

***EMA-***

Lt. Root said he did not make the 3% decrease as these are LEST funds. The increases are contractual.

The revenue lines were decreased a little on the grants because the amounts were not accurate with what will actually be brought in. There was a reduction of \$367 in the Nuclear Safety Block Grant and \$100 in the LEPC Grant.

Line 5001, EMA Coordinator is a contractual obligation.

Sick time buyout is an additional line which is also a contractual negotiation to buy out sick time at today's prices rather than waiting until the person retires. This line covers mostly Lt. Root's sick time that is going to have to be bought out in the next 3 years. He said he is proposing doing it over 3 years rather than all at one time. This year, some sick time buy-out was done and incorporated into some of the other lines that will have to be moved to cover it.

Administrative Assistant – contractual 3% increase

Part time help – one employee. This year some of that money was moved to help cover that buyout, but the projection is that this entire amount will be spent next year.

Holiday Pay – a contractual obligation

Overtime – stays the same

Hospitalization – an increase of \$2,796

SS & IMRF have been split out.

Line 7110- 7220 – everything is the same. No increases. These are items that are needed to run the office.

Line 7995 – There is a reduction in the Nuclear Safety Block Grant in the same amount that the revenue was reduced by

Line 8000- 8200 - everything is the same.

Line 9041 – Capital Improvements. Two radio repeaters went down this year. One was paid for with the credit with Barbick that was about \$8,800. The second went down about 3 weeks ago. There was money in another line that will be transferred in to the radio maintenance line to cover

that. Lt. Root said he would like to propose fixing and replacing the equipment in two other sites. There is one in Warrensburg and one in Macon. Neither have been upgraded in 20 years. With the 20 year old technology, parts are not made any longer. The equipment needs to be replaced. Lt. Root said he would like to have the ability to do that before it breaks because when it does break, it requires FCC license modification which can take up to 90 days for them to approve the new radio frequencies and for Barbeck to order the equipment and get it installed. The first one went down in May and took until July to get it back in service. These are radio frequencies that are used for storm spotters and back up for the Star Common in the event that the Sheriff would lose radio signals.

Mr. Drobisch made a motion to approve forwarding the proposed budget on to the Finance Committee budget hearing, seconded by Mr. Baxter and the motion carried 4-0.

### ***Public Building Commission – no report***

#### ***Public Defender –***

Mr. Forbes' monthly report showed that 307 cases were closed while 289 were opened. He said they are doing a good job of closing cases rather than opening them.

There were 53 Drug Court participants, 20 DUI Court participants, 21 Mental Health Court participants, 9 Juvenile Abuse / Neglect Shelter Care Hearings involving 21 attorneys and 10 detention hearings.

In addition, Mr. Forbes reviewed a report showing the number of defendants assigned to the Public Defender's Office. As of yesterday, there were 1,016 felony cases filed with 15% or 151 cases in which private counsel entered their appearance. That means all the other cases are either waiting for an attorney to be assigned or the Public Defender's Office has been assigned. Currently the PD's Office has been assigned in 749 of those cases. That is almost 74%. This does not include misdemeanors, traffic, juvenile delinquent cases, abuse / neglect cases, adoptions, Post-Convictions, Mental Health cases or Probation violations. It does include the new felony charges which require a lot of time and effort.

Mr. Forbes also provided the national standards for caseloads. They recommend that an attorney handle no more than 150 felony cases a year. Ours is probably 2 to 3 times that. The recommendation is 400 misdemeanors and we are easily over that. A snapshot of where the office is shows that there are approximately 150 to 200 misdemeanor cases pending right now, not how many are handled over the course of a year. 200 juvenile delinquencies per year is the standard and Mr. Tighe who handles them for this office has over 100 cases pending right now. That does not count the cases he has closed or will open through the rest of the year. We are way over the averages here.

Tomorrow, a new attorney, Victoria Kerr, will join the office. She will be replacing Randy Baker who was an attorney with the office. Randy Baker was one of the hold outs from the way we used to do business when the attorneys had private practice, but also worked a contract to do Public Defender work. Since we are no longer under that system, the new attorney will be hired full time. We will be able to get a little more work out of that position for a little less pay than Mr. Baker

was getting. Mr. Baker was doing Class X felony cases. Those cases have been spread around and reassigned. The new attorney will handle traffic and some abuse & neglect fathers, misdemeanors, conflicts, post-convictions, etc... The office space she will be using is outside in the lobby. There is one other attorney who is under the old system, Karen Root. Once that position ends, that position will be brought into the office full time as well. If that happens, we don't have space to put that person. Mr. Forbes said he just wanted to remind everybody of that short space issue. Mr. Forbes said he knows the budget is tight and the office may end up losing a person when it is all said and done, but in the meantime, they are hiring her and will have her for at least a couple of months depending on the outcome of the budgets. She is working under a fellowship that is ending in November. She was going to be losing her employment anyway, so she is happy to come here and work for us.

There is a contract for the investigator to be able to access the information concerning addresses, phone numbers, etc... if we need to get a subpoena served. The contract has been expired for some time and has been paid on a monthly basis at a rate of \$150 / month. They are threatening to shut it down if a new contract is not entered into. Mr. Forbes said he has been hesitant and has been putting them off as long as he can until budget results are in. They want a 3 year contract at \$150 with a 3% increases over the next 3 years. After some talk with the representative, he has provided an addendum to the contract which would allow cancellation in the event that the funds are not appropriated. Mr. Dunn said contracts are supposed to go through oversight and finance. Mr. Forbes said he could present it at the next committee meeting. This is the exact same contract entered into before but this one would have an addendum that we could cancel if the funds are not approved. Mr. Dunn said that definitely they would want the State's Attorney to look at it.

Mr. Dunn asked if the Public Defender's Office handles very many appeals. Mr. Forbes said they don't handle any. All appeals go to the Appellate Defender's Office. Mr. Dunn asked if there were very many. Mr. Forbes said he did not know. Juvenile Appeals are different. The County is on the hook for paying for some of those civil appeals, but the felony & misdemeanor appeals are all handled by the Appellate Defender's office.

Mr. Dunn asked if the newly hired person is just out of law school. Mr. Forbes said yes, she just graduated from the U of I and is working a fellowship in St. Clair County as a prosecutor in traffic. She has been doing traffic DUI trials there. She lives in Springfield where he dad is an attorney. She will be moving back to her home town of Springfield to work here in Decatur and seems to be exceptionally qualified and a very good candidate. There were a number of good candidates, but several of them didn't have their law license yet. Mr. Dunn asked what she would be started at. Mr. Forbes said \$46,300 which is exactly what the lowest paid attorney in the office who is doing traffic is paid. Mr. Baker was at \$52,000.

***Sheriff –***

Sheriff Schneider stated that the total obligation for the Sheriff's Office in FY15 was \$7,646,720.38. The projected FY16 general obligation is \$7,416,307.94. This shows a reduction of \$230,412.44. The requested 3% reduction comes to \$229,401.61. Therefore, the requested 3% has been met.

001-060 Account

Line 4332 – Training reimbursement - \$8,000

FTA Warrants - \$20,000

Line 4900 – Sheriff’s misc. revenue \$690,000. This is showing an increase in the projection of \$63,522.38. The purpose of that is due to the Blue Mound contract. That is new revenue coming in for the first year. That is also an expenditure on the line for the deputy.

Witness fees - \$200

Coming out of the 060 revenue account and going to the Sheriff’s:

Line 5001 - \$88,468.77

Line 5002 - \$11,016

Line 5130 - \$55,390

Line 5140 - \$33,239.58

Line 5305 – The Lieutenants line - \$565,100.03

Line 5310 – The Sergeants line - \$659,890.09

Line 5315 – The Deputy line - \$2,212,394.59

Line 5345 - \$22,800

Line 5470 – Confidential Secretary \$44,578.72

Line 5480 – Records Clerks \$147,425.66 showing a reduction from last year of \$97,139.88. This is in regards to laying off records clerks from the combination of the Communications Center / records contract with the City.

Line 5486 – Accounting Clerk - \$23,534.94

Line 5695 – Extra Help - \$2,000

Line 5700 – Courtroom Appearance - \$8,000

Line 5705 – Clothing Allowance - \$9,000

Line 5707 – Overtime - \$40,000

Most of the 7000 lines remain the same

Telephone - \$30,000

Travel - \$2,000

Legal Advertising - \$2,000

Postage - \$10,000

Training - \$26,000

Copy Machine - \$19,000

Line 7260 – Communications Dispatch Center - increases from last year because it was pro-rated to the \$350,000 that was already agreed to. This is a \$90,000 increase.

Line 7270 – Evidence Technician - \$9,000. This is a part time position.

Line 7280 – Merit Commission – the same @ \$200

Line 7290 – Investigation - \$1,000

Line 7500 – Youth Advocate - \$6,000

Line 7600 – Community Outreach - \$100,000

Line 8050 – K-9 Supply – the same - \$2,000

Line 8060 – Cars, gas, oil - \$160,000 which was \$150,000. This was moved out of LEST, but then reduced the LEST line by another \$95,000, so there was not more of an obligation on the LEST. Lines 9040 & 9060 – Vehicles & Equipment – reduced all the way down to \$44,000. This is how the Sheriff was able to make up the amount that needed to be cut because the cars will need to go an extra year. That will be an issue next year, but this year, he thinks he can get it done.

001-061 Account

Revenue:

Line 4330 – Sheriff Training - \$20,000

Line 4510 – Booking Fee – \$90,000

Line 4900 – Sheriff Jail Misc - \$39,388

Line 4950 – Sheriff’s Prisoners - \$780,000. This was reduced by \$20,000 to assure accuracy

Line 4951 – Prisoner Transport - \$100,000.

Expenditures:

Line 5310 – Corrections Officers Sergeant - \$179,032.36

Line 5330 – Correction Officers \$2,783,996.72

Line 5335 – Correction Officer Corporals - \$565,873.15

Line 5470 – Confidential Secretary - \$35,458.65

Line 5700 – Courtroom Appearance – same - \$1,000

Line 5706 – Holiday Pay - \$211,734.13

Line 5707 – Sheriff’s Jail Overtime - \$35,000

Line 5708 – Federal Prisoner Transport - \$55,000

All of the 7000 lines to include maintenance of equipment, travel, training, medical, testing, and prisoner transport, remain the same.

The 8000 & 9000 lines remained the same except for a very minimal increase or decrease.

002-060 The LEST Account

Revenue

Line 4410 – Police Vehicle - \$11,000

Line 4900 – misc - \$1,000

Expenditures:

Line 5695 – Extra help - \$120,000 (same)

Line 5701 - Deputy Buyout – increased by \$40,000 to \$120,000. There were some people who got bought out, but were able to retain that through the original budget and paid it out that way.

Line 5706 – Holiday – increases a little bit (\$305.08) to \$206,243.09

Line 7110 & 7111 – same

Line 7530 – dietary increases up to \$390,000

Line 8020 – Supplies remains the same

Clothes, gas & oil goes up to \$100,000 which was an increase previously discussed

Line 8080 – Operating Supply – remains the same

Line 8090- Uniforms shows a slight increase up to \$17,500.  
Line 9040 – Equipment – remains the same

The vehicles line was reduced by \$95,000 to make up the amount moved from the general over to the LEST

002-070 – Court Security

Revenue:

Line 4310 – reduced by \$10,000 in reference to potential revenues from the Circuit Clerk down to \$130,000

Line 4313 – Building Commission in reference to half of the Court Officer’s salary- \$19,994.3r

Expenditures:

Line 5360 – Court Security Officers - \$463,293.43

Line 5695 – Extra Help – slight increase (\$1,000)

The rest of the lines remain the same.

The grants are money in / money out.

Any Collective Bargaining Unit Agreements that have not been agreed to or have not been finalized yet are not in this budget proposal. These are projections based upon information given at the original part of the budget process.

Mr. Drobisch made a motion to forward the proposed budget on to the Finance Committee budget hearing, seconded by Mr. Dunn and the motion carried 4-0.

*State’s Attorney’s Office- no report*

**CITIZEN REMARKS – PUBLIC COMMENT** –None

**OLD BUSINESS - None**

**NEW BUSINESS** – None

**CLOSED SESSION** – None

**NEXT MEETING** – Thursday, September 24, 2015

**ADJOURNMENT**

Motion to adjourn made by Mr. Drobisch, seconded by Mr. Dunn, the motion carried 4-0, and meeting adjourned at 4 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office