



KANE COUNTY
JUDICIAL/PUBLIC SAFETY COMMITTEE
THURSDAY, JANUARY 15, 2015

County Board Room

Minutes

9:00 AM

Kane County Government Center, 719 S. Batavia Ave., Bldg. A, Geneva, IL 60134

1. Call to Order

Chairman Castro called the meeting to order at 9:00 AM.

Attendee Name	Title	Status	Arrived
Theresa Barreiro	Board Member	Present	
Mark Davoust	Board Member	Absent	
Kurt R. Kojzarek	Board Member	Present	
John Martin	Board Member	Present	
Brian Pollock	Board Member	Present	
Monica Silva	Vice-Chair	Present	
Cristina Castro	Chairman	Present	

Also present: Co. Bd. Chairman Lauzen; Co. Bd. Atty. Hodge; Co. Bd. member Kenyon; Operations Staff Exec. Biggs; Finance staff Waggoner; Court Svcs. Dir. Aust; JJC Supt. Anselme; Juvenile Custody staff Tsang; ITD Exec. Dir. Fahnestock & staff Peters; Sheriff Kramer & staff Bumgarner, Lewis; Chief Judge Brawka & staff Naughton; KaneComm Dir. Sauer & staff Guthrie; Coroner Russell & staff; Circuit Clk. Hartwell; Public Defender Childress; State's Atty. McMahon; Auditor Hunt; Merit Commission staff Wennmacher; and members of the press & public.

2. Approval of Minutes: December 12, 2014

RESULT:	APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER:	Theresa Barreiro, Board Member
SECONDER:	Brian Pollock, Board Member
AYES:	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva

3. Public Comment

None

4. Monthly Financial Reports

Finance staff Waggoner reported overages had been reviewed and represent no areas of concern for FY15. She noted that the Coroner is projected to be approximately \$123,000 over budget for FY14. Auditor Hunt said he had been working with the Coroner over the past several months in coming to a projection that accurately reflects the 2014 expenditures and where they are compared to the budget. He noted that the Coroner and his staff had been very cooperative and he thinks they now have a good sense of where they stand. The \$123,000 overspend was calculated and is still subject to potential year-end adjustments. At this point they have reconciled the total number of autopsies that have been performed in 2014 as well as all the related expenses. Referencing several slides, Auditor Hunt discussed the Coroner's budget performance projection, including major budget overages by line item. Supporting detail for the exact overspend by category and line item was provided as a handout. State's Atty. McMahon explained that according to the Robert's Rules of Order, the supplemental budget resolution that was originally passed on to Finance and failed there due to lack of a second remains with the Finance Committee until action is taken. The Finance Committee can take it up at their next meeting or they could send it back to this committee for further debate. Chairman Castro asked if Russell would be opposed to her making a motion at the Finance Committee meeting to send the budget adjustment back to this committee. Russell felt that delay would impact vendors getting paid.

In response to a question from Ms. Barreiro, Auditor Hunt confirmed that payroll, benefits, autopsy expenses & DuPage fees are mandatory - other items are suspended from payment as the budget has been exceeded. Until the Board acts and provides a supplemental budget adjustment, these vendors can't be paid. The \$123,000 includes approximately \$17,000 of discretionary expenses. Barreiro suggested breaking this down and amending the 2015 budget going forward to the \$106,000 amount that is mandatory and then take the remaining \$17,000 from somewhere else in the Coroner's budget. Russell said he would discuss that with the Finance Committee. In response to Mr. Martin's questions regarding expenses for financial consulting services, Russell said he was not over budget when those expenses were incurred.

5. State's Attorney (J. McMahon)

State's Atty. McMahon shared some year-end statistic, noting that year-end filings were down about 3% from the previous year. They have seen a 28% decrease in misdemeanors, and abuse/neglect petitions have increase by 7%. Last year they collected \$24.3 million in unpaid child support, which is up significantly from last year. McMahon provided an update on training. He reported on bond forfeiture call, noting they had collected a total of \$226,000, which was done with a great deal of cooperation from the Circuit Clerk and Chief Judge's offices. An annual report will be made next month, but he anticipates that overall they will be about 10% under budget for 2014. He responded to several questions.

6. Sheriff (D. Kramer)

Sheriff Kramer reported budget wise they are within range, and are currently going through an audit of various accounts. They are looking to hire a Finance Director and hope to tighten up some of their financial accounting issues. He said they will be one or two officers down, but are doing pretty well in terms of operational efficiency. They are able to handle the call load they currently have as they have put the lieutenants back out on the street and increased the number of officers on the street.

7. Adult Corrections (D. Kramer)

Sheriff Kramer noted they are responsible for approximately 600 inmates at any given time. He reported staffing is down more than 10% - down seven officers, plus nine are out on Family Medical Leave (FMLA). He felt there are not enough officers to safely operate the facility given the number of inmates they have, so he made the decision to reduce the inmate population by 10%, which was accomplished by reducing the Federal Marshals count. A cell block was closed, and the maximum capacity of the jail was reduced to 576. A cushion of 5% is required so that they can move inmates around as needed. The operational capacity of the jail has been set at 547, and they currently have 549 inmates in the jail. Kramer emphasized that the agreement with the Federal Marshals has not been terminated, just the number of inmates reduced - 43 inmates were removed by the Federal Marshals this month.

Chairman Castro pointed out that the Federal Marshals program is a \$2.5 million revenue source. Finance Dir. Onzick discussed the significance of this revenue loss. Referencing several slides, he noted that the loss of 43 inmates equates to a loss of approximately \$1.4 million a year. He illustrated what that means to the county. That loss will cover the salaries/benefits for 13.6 Correctional officers, or the operating costs of one jail pod (64 prisoner capacity), and equates to 9.4% of the entire corrections budget or 5.3% of the entire Sheriff's total budget. Having had that revenue, the county was able to avoid a 4.2% property tax increase. Onzick said that the Sheriff will need to find a way to replace that lost revenue or \$1.4 million of expenditures will need to be cut as soon as possible as there is no other alternative.

Significant discussion followed. Sheriff Kramer said that the contract is a wonderful thing if they have the space to bring in some of their prisoners. There was never any guarantee of how many people will be brought in. He estimated that each cell block is worth about \$1 million, but they don't have the officers to

man those cell blocks. Kramer said it was a big safety issue resulting in liability issues. He noted haven't had a contract with their officers for five years, and that is mainly due to staffing. On a regular basis they mandate officers to work double shifts, resulting in a staff that is burned out; six officers have left this year. Castro asked if he had looked at other options such as an IGA with a sister county that has the space and the capacity. Kramer said that in the past, it has been standard practice to take county inmates elsewhere at a lower cost per day so that they could take on Federal prisoners at a profit. Upwards of 60 people per day were farmed out to other counties so that Federal prisoners could be brought in. Kramer said he felt obligated to serve Kane County defendants first.

Castro and other committee members questioned what the Sheriff planned to do to replace the \$2.5 million in lost revenue. Kramer said he was obligated to stay within budget, not to bring in revenue to the county. He pledged to operate within his approved 2015 budget, and said he would come in under budget. Kramer said his first priority is to provide a safe correctional facility and safe environment for his employees. Kojzarek asked if he was prepared to adjust figures accordingly to make up for the \$1.4 million loss, as the \$2.5 million in revenue is part of the Sheriff's budget. Kramer asked whether the \$2.5 million in revenue was dependent on him running the correctional facility, and questioned whether that money went into his budget or the General Fund. Dir. Onzick explained that the \$2.5 million revenue budget is within the Sheriff's Office budget. That revenue goes into the General Fund for the Sheriff's Office and expenditures come out of there as well. Onzick said this was a revenue figure provided to the county by the Sheriff's Office; it was not imposed upon the Sheriff's Office by the county. Kramer said he wanted to be clear that he wasn't the Sheriff that presented that as a revenue stream, and that there was no guarantee that there would be \$2.5 million in revenue coming in. Castro disagreed, saying that the \$2.5 million was presented by the Sheriff's Office as revenue based on conversations the former Sheriff had with the Federal Marshals. Kramer reiterated that there was never any guarantee that revenue flow would come in at that level.

Barreiro believed the contract with the Federal Marshals was implemented in 2009 by the County Board, and said she was shocked that the Sheriff would terminate it without any conversation with the Board. Kramer said he apologized to the Board for essentially terminating the contract, noting he later rescinded it after he was informed that technically an IGA has to be made by the Board. He felt it was vague on who could terminate a contract, but as Sheriff he said he does have authority to limit how many people he can have at the facility. He said he didn't come to the County Board to make this decision, but it wouldn't have made any difference regardless as this was a mandatory operational decision. Barreiro said she was also surprised to hear there was a huge safety concern at the jail, as the Board had never heard that from the former Sheriff. She felt the loss of \$1.4 million in revenue is a big problem going forward. Kramer assured her that he would live within his 2015 budget, and apologized for making the decision to terminate the contract without consulting with the Board. He said he was looking to fill the seven open officer positions, but that would take time. When those positions are filled and when those on leave come back, he said he would consider reopening the pod. Comment was made that the Finance Committee will want to know where he will make cuts to make up for the \$1.4 million in lost revenue. Kramer asked if he was being told his approved budget was being cut by that amount. Castro reiterated that he does have a budget and that budget includes a revenue line item. Based on the Sheriff's concerns about safety within the pods, Dr. Silva asked about injuries. Kramer was not aware if any injuries had actually occurred in the pods, but said he could get that information. Castro asked to see a history of workers comp and FMLA issues, and encouraged the Sheriff to work with HR to provide her with that information. Martin felt this was not the General Fund's issue, that it was an issue within the Sheriff's Department that needs to be addressed immediately. He said this was a huge percentage of the Sheriff's budget, and the General Fund would not bear the burden of this issue.

8. Judiciary & Courts (Chief Judge Brawka/D. Naughton)

Chief Judge Brawka reported they were working on issues that occurred since January 1st when new statutes went into effect. She referred to the law enacted in response to a domestic violence incident. GPS technology is used to track individuals out on bond. This program has now been expanded to more than a dozen new types of cases. Brawka said they are now looking at a 500% increase in costs to monitor the expanded program. Brawka said they do not anticipate increasing the program, but are struggling to comply. A decision has been made to not close down any other programs to divert assets to this one. Instead, they plan to target priorities in applying the new program.

Staff Naughton reported that as of June 1 pay for jurors will increase significantly and these costs were not budgeted. They have been talking about strategies to reduce costs, but Naughton said they would never be able to cut costs enough to absorb this additional expense. Judge Brawka said it would be helpful if a trailer bill came through to delay implementation until at least January 2016 so that budgets could be adjusted. They would then have time to work out alternatives. This bill was passed without warning. Pollock indicated this was on the agenda for discussion at the next Legislative Committee meeting.

A. **Resolution:** Supplemental Budget Request: Amending the 2014 Fiscal Year Budget Judiciary Department

A FY14 budget adjustment of \$72,892.30 is required due to higher expenses than budgeted.

RESULT:	MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]	Next: 1/28/2015 9:00 AM
TO:	Finance/Budget Committee	
MOVER:	Theresa Barreiro, Board Member	
SECONDER:	Monica Silva, Vice-Chair	
AYES:	Theresa Barreiro, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva	
ABSENT:	Mark Davoust	

9. Court Services Administration (L. Aust)

Court Svcs. Dir. Aust reported that the Juvenile Drug Court is over budget in several line items, but it's a special budget and has no impact on the General Fund. They have seen the number of participants increase over the last few years, and will have statistics on that at a future meeting. They were over budget in the Psychological/Psychiatric and Lab Services line items. They have more teenagers doing more kinds of drugs, which requires a higher level of service. Many of these kids have mental health issues. Fortunately, they were able to absorb these overages in-house. Some discussion followed. Dr. Silva said there is overwhelming evidence that there is a need for nurses to visit these homes so that problems can be identified. She suggested a task force be formed in the future to start tackling the issue.

10. Juvenile Justice Center (R. Anselme)

For the benefit of new committee members Supt. Anselme provided an overview of the JJC, noting they are an 80-bed facility and have about 1,300 admissions a year. The average length of stay is around two weeks. (Castro steps away @ 10:50 a.m.) He estimated that about 50% of the kids are on medication or should be. Kids are struggling, self-medicating, and not doing well in school. Some have undiagnosed mental illness. (Castro returns @ 10:52 a.m.) He said it takes time and money to help these kids.

11. Juvenile Custody (A. Tsang)

Dr. Tsang reported they currently have 27 juveniles in placement - 10 are at home and undergoing the MST program, and 17 are placed outside the home in residential treatment centers both in-state and out-of-state. Several will graduate in the next few months. Committee members were invited to visit the Diagnostic Center. Tsang responded to several questions.

12. KaneComm (B. Sauer)

A written report was provided.

13. Merit Commission (S. Wennmacher)

A written report was provided.

14. Circuit Clerk (T. Hartwell)

Written reports were provided. Circuit Clerk Hartwell reported that the Case Management System is millions of dollars under budget because they were all able to work together. Although the system will not be up and running for another year, they are ahead of schedule. Hartwell reported there is a reduction in case filings and they are monitoring that to assure they are spending within limits.

15. Public Defender (K. Childress)

Atty. Childress provided an overview of the Public Defender's Office. She talked about their internship program and the shredding project they were able to help with. She discussed the following resolution:

- A. **Resolution:** Amending the 2014 Fiscal Year Budget - Supplemental Budget Request (Public Defender)

Due to staffing changes and changing elections by office employees, the Healthcare Contributions line item needs to increase by \$21,207.44.

RESULT:	MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]	Next: 1/28/2015 9:00 AM
TO:	Finance/Budget Committee	
MOVER:	Kurt R. Kojzarek, Board Member	
SECONDER:	Theresa Barreiro, Board Member	
AYES:	Theresa Barreiro, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva	
ABSENT:	Mark Davoust	

16. Coroner (R. Russell)

Coroner Russell discussed his goals for 2015, which include reopening the morgue, solidifying the budget, and addressing the heroin issue. Operations Staff Exec. Biggs reported that the new freezer/cooler had been delivered, but they have experienced some installation problems. The installation process will begin again later next week. Payment to the manufacturer is on hold until the installation is done and the new installer is paid. In response to a question, Biggs said that the vendor used was excellent; the issue was with the installer.

Russell outlined plans to solidify the budget. He noted all options are open and they will do what they need to do. They are now in full compliance with the law and are doing autopsies when necessary. Russell said he was recently appointed to Senator Kirk's Heroin Task Force. Senator Kirk is looking for a resolution from the county asking the FDA to fast track the nasal application of Narcan as it is safer and easier to use. Castro thought the resolution would come through the Legislative Committee.

17. Executive Session (IF NEEDED)

None

18. Place Written Reports on File

RESULT:	PLACE WRITTEN REPORTS ON FILE [UNANIMOUS]
MOVER:	Kurt R. Kojzarek, Board Member
SECONDER:	Brian Pollock, Board Member
AYES:	Theresa Barreiro, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva
ABSENT:	Mark Davoust

19. Adjournment

RESULT:	ADJOURNED BY VOICE VOTE [UNANIMOUS]
MOVER:	Kurt R. Kojzarek, Board Member
SECONDER:	John Martin, Board Member
AYES:	Theresa Barreiro, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva
ABSENT:	Mark Davoust

This meeting was adjourned at 11:15 AM.

Ellyn McGrath
Recording Secretary