



**KANE COUNTY**  
**JUDICIAL/PUBLIC SAFETY COMMITTEE**  
**THURSDAY, AUGUST 13, 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 9:02 AM.

Attendee Name	Title	Status	Arrived
Theresa Barreiro	Board Member	Present	
Mark Davoust	Board Member	Present	
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. staff Nagel; Bldg. Mgmt. Exec. Dir. Biggs; Finance Dir. Onzick & staff Waggoner, Calamia, Dobersztyn; Court Svcs. Dir. Aust; JJC staff Sierra; Diagnostic Center Dir. Tsang; ITD staff Peters; Sheriff Kramer & staff Lewis; Auditor Hunt & staff Rich; Chief Judge Brawka & staff Naughton; KaneComm Dir. Farris & staff Guthrie; Coroner Russell & staff; Circuit Clk. staff Herwick; Law Library Dir. Cox; Public Defender Childress; State's Atty. McMahon; and members of the press & public.

**2. Approval of Minutes: July 17, 2015**

<b>RESULT:</b>	<b>APPROVED WITH VOICE VOTE [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Silva, Vice-Chair
<b>SECONDER:</b>	Brian Pollock, Board Member
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva, Cristina Castro

**3. Public Comment**

None

**4. Monthly Financial Reports**

Written financial reports were included in the agenda packet.

Finance Dir. Onzick provided an update on 2015 budget performance, noting that as of July 31st the Coroner's Office is trending about 1% over budget. In working with the Coroner, Onzick said that the revised projection indicates the overage will increase to \$55,498 over the annual budget based on reclassifying an employee from part-time to full-time, increasing toxicology expenses, and separating out the cost of the DuPage County facility rental from autopsy expense without reducing the projected cost of autopsies. A budget adjustment of \$56,065 to the autopsy line item has been submitted for consideration today.

Dir. Onzick reported that according to the July 31st standard report, the Sheriff's Office is operating within the YTD expense budget for the General Fund. For a more accurate picture, a custom YTD budget report was prepared that takes into consideration the timing of revenues and expenditures. The custom report shows total revenues are \$440,338 (20%) under the YTD budget, and expenditures are \$127,567 (1%)

over YTD budget, resulting in a total net YTD variance of an unfavorable \$567,905. He noted that if Chancery Foreclosure Fees, Eviction Fees, and Adult Prisoner Board & Care are excluded the remaining variance is an unfavorable \$99,000, which is roughly the same as last month. The major contributing factor to the unfavorable variance is overtime. There were spikes in overtime in March, April, and June, but otherwise overtime in terms of hours is trending about 6.5% below last year's hours. Onzick said they continue to encourage the Sheriff to continue to make an effort to control overtime. If that as well as other cost cutting measures are continued, Onzick was optimistic that it is possible for the Sheriff to come in within budget for those line items.

Onzick discussed Court Security Revenue noting it is still trending approximately \$280,000 below what was originally budgeted. He thought this would probably require an additional subsidy before yearend since it is a Special Revenue Fund which is not allowed to overspend its available cash. Onzick reported that actual juror expense through July is \$111,000. There is not yet an obvious increase from month to month as a result of the mandated increase in juror fees, but they will continue to monitor closely.

Lastly, Onzick provided an update on the FY16 budget. In an effort to close the \$3.2 million budget gap, Onzick said he reached out to everyone, making a general plea to make voluntary budget cuts, and specifically to the State's Attorney, the Sheriff, and the Coroner with recommendations for cutting their budgets. They have responded to his request and have contributed budget cuts from each of the offices which have now brought the budget gap from \$3.2 million down to \$1 million. Each of them will provide specifics later on in the agenda. While there is still a ways to go, Onzick thought progress was being made and was grateful for the spirit of cooperation exhibited.

Onzick responded to questions, confirming we had a received a \$3,700 credit from the contract due to the delay in installing the freezer/refrigerator at the morgue. That credit was applied to the rental line item within the Coroner's Office budget, and is reflected in his projection.

#### **5. State's Attorney (J. McMahon)**

State's Attorney McMahon recalled that last month his FY16 budget request included five new positions to support the new Court Case Management System and a bi-lingual investigator. He said as they work through the Case Management System it looks like it will go live sometime between the first and second quarter next year. They are now looking to phase in those five additional positions. The budget for 2016 has been adjusted to reflect the addition of one Assistant State's Attorney and two support staff. They will see how that goes as they go live with the new system in 2016. McMahon thought that in 2017 they would need an additional Assistant State's Attorney and support staff person. The request for another bi-lingual investigator has been eliminated. McMahon said his 2016 budget has been reduced accordingly. County Board Chairman Lauzen appreciated McMahon's efforts to reduce his budget.

#### **6. Sheriff/Adult Corrections (D. Kramer)**

Referencing several spreadsheets, Sheriff Kramer discussed changes that had been made to their FY16 budget since last month. He said he felt he could run the jail without the five additional officers they requested as long as there is no need to open an additional cell block. Adult Room & Board will be removed completely from the General Fund. Medical/dental expenses will be reduced approximately \$290,000. In return for agreeing to renew their contract with their medical provider (Wexford) for the next two years, Wexford will forego the 2.7% CPI that was in the contract. Because of the reduced number of inmates, they were able to reduce their food budget by \$109,000. The request for five additional deputies was reduced down to three, resulting in a \$148,000 reduction. They are requesting that 11 vehicles be replaced at a cost of \$300,000. He said he looked at every line item to determine where costs could be reduced, taking all non-mandated line items down to zero. Their current recommended budget including all the reductions is \$11,475,000, which is a slight increase (\$150,000) over the 2015 adopted budget. In total, the amount they are actually requesting for 2016 for expenses is \$290,687 less than 2015. He felt this was a very frugal budget, and that they were doing their best to try and hold the line.

Kramer discussed Court Security which is trending \$300,000 over budget. While he will work with Finance, he said he anticipates a budget adjustment will be needed to cover costs through the end of the year. Kramer discussed some of the changes made at the jail and the courthouse. Video cameras will need to be replaced with newer technology at an estimated cost of \$100,000. He suggested creating a capital account to cover that cost. He discussed specific challenges to keeping overtime down. Some discussion followed. Kramer said new officers would be assigned to a dedicated traffic unit, which would improve response time, allow them to respond to non-emergency calls, and increase traffic fine revenue. Dir. Onzick responded to a question noting that revenue for 2016 is unfortunately flat. Where they are expecting increases (sales tax, income tax), they are also seeing reductions in other fee revenue (foreclosures, etc.) Only about \$17,000 more in revenue is expected next year in total for the General Fund. Expenses, however, are increasing dramatically. Onzick said a \$1 million gap still needs to be closed. Progress has been made, but Onzick felt remaining cuts would be very difficult to identify and accept. Kramer confirmed that for the last eight years they have had no one specifically assigned to a traffic unit, and officers did not have time to do traffic enforcement now. A dedicated traffic unit would be able to identify problem areas and focus their attention there.

Co. Bd. Chairman Lauzen thanked the Sheriff for the spirit of cooperation and open communication. He echoed Onzick's earlier comment that the final cuts will be the most difficult to make, requiring sacrifice and commitment to live with what's agreed upon. He appreciated the proposals the Sheriff has made in many areas. Castro thought it was a good idea to invest in the cameras proposed by the Sheriff as it will improve safety. If capital fund money is available, she felt it would be a worthy investment.

A. **Resolution:** Authorizing a Contract for Food, Laundry, and Commissary Service at the Kane County Adult Justice Center

This authorizes a two-year extension of the current contract term with Aramark Correctional Services, LLC to commence on September 1, 2015 thru August 31, 2017. Board member Pollock suggested the AJC and JJC coordinate efforts to see if there was a way to save money.

<b>RESULT:</b>	<b>MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]</b>	<b>Next: 9/2/2015 9:00 AM</b>
<b>TO:</b>	County Board	
<b>MOVER:</b>	Mark Davoust, Board Member	
<b>SECONDER:</b>	Monica Silva, Vice-Chair	
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva, Cristina Castro	

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

Chief Judge Brawka noted that it was difficult to make cuts to their budget as so many of their costs are mandated which allows them little discretion. She thought there were some adjustments that could be made in the Jury Line Item given that HB2641 is not yet dead in the legislature. This bill allows some leeway in instituting the new fee entirely for jury service. They have talked with the State's Attorney about the number of grand jurors and what can be done with Contingency funds if things don't work out.

Brawka reported they have been invited by the IL Supreme Court to be one of three pilot programs (McClain, Cook, Kane) in the state to utilize a new risk management program for the release of prisoners and are waiting on the final agreement to participate. She noted that the objective is to have only those individuals in jail pre-trial who are high risk to the public or at risk of fleeing. She anticipated that the jail population would go down, and hopefully the Sheriff would not need to open up another cell block. In trying to free up the appropriate staff time for Court Services to be able to provide pretrial services (monitor, evaluate & administer), in 2016 they are asking to change a position that had been budgeted in

In the past in Judiciary and move it to Court Services. Authorizing a Program Manager position in Court Services will be of great assistance in keeping their overall numbers down as well. Brawka said she wanted to make sure the committee understood how all of these things fit together.

A. **Ordinance:** Amending Chapter 13, Sec. 13-2 of the Kane County Code Surcharge on Court Cases (Increasing Law Library Fee)

This would authorize an increase of the Law Library & Self Help Legal Center special fund civil filing fee from the current \$19 to the maximum statutory limit \$21. Chief Judge Brawka asked that any action on this be tabled until there is a more comprehensive recommendation from the Judiciary side. Law Library Dir. Cox indicated she would table her presentation until next month as well.

<b>RESULT:</b>	<b>TABLED</b>
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B. **Resolution:** Authorizing Judicial Center Expansion Planning Proposal

Chief Judge Brawka noted this resolution was placed on the agenda in error and asked that the item be pulled.

<b>RESULT:</b>	<b>PULLED FROM AGENDA</b>
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C. **Resolution:** Authorizing Program Manager Position

This authorizes monies set aside for the jail management position to be transferred (salary/benefits) to Court Services for a Program Manager. Judiciary staff Naughton noted that the Supreme Court has offered to provide line staff to do the work, but are not willing to provide the supervisors and managers needed to oversee the work. They are looking to transfer this position from Judiciary over to Probation for the remainder of FY2015 and for all of FY2016. Naughton asked for the committee's support.

<b>RESULT:</b>	<b>MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]</b>	<b>Next: 8/26/2015 9:00 AM</b>
<b>TO:</b>	Finance and Budget Committee	
<b>MOVER:</b>	Brian Pollock, Board Member	
<b>SECONDER:</b>	Theresa Barreiro, Board Member	
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva, Cristina Castro	

8. **Court Services Administration (L. Aust)**

Court Services Dir. Aust reported they are increasing revenue for the youth home, which is the only change to their 2016 budget from what was presented last month. The net increase in revenue of \$111,000 will go back to the General Fund. Aust said they've tried hard to bring in more grant dollars. They anticipate \$1.4 million in grant revenue; however, there is a corresponding increase in expenses as well. Judge Brawka commented that they've identified an employee to receive grant training beginning in September who would be utilized in Court Services and other judiciary offices as well. Aust said that they were not prepared for the amount of time and expense related to grant administration, and will need to restructure internally to determine how much time to devote to it.

Aust discussed the pretrial program, reporting they were currently in the middle of contract negotiations. They will be funded for seven positions to run the program. The grant from the Supreme Court, however, only pays for salaries. Aust said she would wait until after the contract is finalized to bring forward a resolution for authorization to hire people, using the grant money for their salaries. She would, however, need to make up the cost of their benefits. She reported that revenue collections for the year are very high, and anticipated over \$700,000 more in revenue than expected. The majority of that money is

coming from the State to the Supreme Court to reimburse salaries for probation officers, and that goes straight into the General Fund. If the contract goes through, she planned to do a presentation to the committee on the pre-trial program. She hoped to use this surplus revenue to pay for benefits for this year, and had some ideas to share on how to pay for those benefits going forward. She mentioned that there was no end date to this grant. Aust said that with the implementation of this grant Court Services will have ten probation officers who are solely grant funded (10% of their probation officers). For the first time ever they will need to develop policies on how to downsize when/if they lose grant funding.

Aust reported that the state intends to cut its corrections population by 25% in the next few years with most of those released going on to parole or other community corrections. This will save money for the state, but it will cost the county money. She expressed concern that the State can't fund this adequately and that there would be a lack of adequate heroin treatment beds, etc. If the State can't fund these resources, parole will not have the resources they need and parole and probation will be in conflict.

She discussed the following resolutions:

A. **Resolution:** Authorizing Contract Extension with One Hope United for Assessment, Education and Treatment of Sex Offenders

This authorizes a contract extension, inclusive of the rate modifications, with One Hope United for the continued provision of Sex Offender assessment, education, and treatment from September 1, 2015 to August 31, 2016. Aust said she would be correcting a scrivener's error prior to this going to the Executive Committee.

<b>RESULT:</b>	<b>MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]</b>	<b>Next: 9/2/2015 9:00 AM</b>
<b>TO:</b>	Executive Committee	
<b>MOVER:</b>	Kurt R. Kojzarek, Board Member	
<b>SECONDER:</b>	John Martin, Board Member	
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva, Cristina Castro	

B. **Resolution:** Authorizing Contract Extension for Global Positioning Systems (GPS)

This authorizes a contract extension with 3M Electronic Monitoring Systems for the provision of Global Positioning System and Monitoring for a one-year contract renewal period of July 31, 2015 through July 31, 2016, and an additional one year after that if mutually agreed.

<b>RESULT:</b>	<b>MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]</b>	<b>Next: 9/2/2015 9:00 AM</b>
<b>TO:</b>	Executive Committee	
<b>MOVER:</b>	Theresa Barreiro, Board Member	
<b>SECONDER:</b>	Kurt R. Kojzarek, Board Member	
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva, Cristina Castro	

C. **Resolution:** Authorizing Intergovernmental Agreement with DeKalb County for the Provisions of Multi-Systemic Therapy to Juveniles and their Families

This authorizes an intergovernmental agreement with DeKalb County for the provision of multi-systemic therapy services to juveniles and their families as ordered by the Courts.

<b>RESULT:</b>	<b>MOVED FORWARD WITH VOICE VOTE [UNANIMOUS]</b>	<b>Next: 9/2/2015 9:00 AM</b>
<b>TO:</b>	Executive Committee	
<b>MOVER:</b>	Theresa Barreiro, Board Member	
<b>SECONDER:</b>	Brian Pollock, Board Member	
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Kurt R. Kojzarek, John Martin, Brian Pollock, Monica Silva, Cristina Castro	

Chairman Castro and County Board Chairman Lauzen commended the whole court system on how they have looked at different ways to fund projects. As to why the state doesn't fund mental health and other programs, Lauzen reminded the committee that the state's pension obligation used to be 5-6% of their budget, but is now 25%, which squeezes out education, mental health partners funding, etc.

Lauzen asked about probation officers being certified to dispense Narcan. Chief Judge Brawka said they have investigated this and probation officers in the Drug Rehabilitation Court were enthused about the possibility of being trained. She explained that the Good Samaritan law allows individuals in certain categories to administer Narcan and not be guilty of the illegal practice of medicine without a license. However, while their probation officers may have criminal immunity, it is her understanding that they would not have civil immunity, which is a big concern. Brawka said she is waiting for confirmation from the State's Attorney's office about exposure to civil suit risks. Legislative Committee Chair Pollock said that Health Department staff had been added to the Good Samaritan law so they are protected from civil liability, and offered to look into whether or not probation officers could be added as well. Brawka said she would follow up with him.

#### **9. Juvenile Justice Center (R. Anselme)**

The monthly report was included in the agenda packet.

#### **10. Juvenile Custody (A. Tsang)**

Dr. Tsang reported numbers remain steady with 16 children in the MST program and 13 placed in residential treatment centers (6 in Illinois and 7 out-of-state). She provided an update on construction of the new Diagnostic Center at the Circuit Clerk's building, noting that everything was going smoothly and was even ahead of schedule.

#### **11. KaneComm (D. Farris)**

Written reports were included in the packet.

#### **12. Merit Commission (S. Wennmacher)**

A written report was included in the agenda packet.

#### **13. Circuit Clerk (T. Hartwell)**

Circuit Clerk staff Herwick reported they are working with a collection agency and are hoping to start receiving payment of unpaid fines and other costs. Next month they plan to bring a resolution to establish an additional fee for alternate jurors to be paid by civil litigants. They will be recommending a \$35 increase per additional juror, based on the highest jury demand fee that's allowable. To clarify, Brawka explained that theoretically all civil cases filed after June 1st have a right only to a 6-person jury. If a party demands an alternate, they would need to pay a fee per alternate. It is up to the county to set the appropriate fee. Some counties across the state have set fees between \$25 and \$35, while others have set fees up to \$212.50 which is the same cost for a 6-person jury. Brawka thought the suggested \$35 fee was reasonable. Brawka responded to several questions.

**14. Public Defender (K. Childress)**

Public Defender Childress mentioned that she had recently been appointed to the State of Illinois Grand Jury Review Task Force and was excited about the work they would be doing.

**15. Coroner (R. Russell)**

Coroner Russell provided an update on his FY16 budget noting that by eliminating the Compliance Manager position, as suggested by Finance Dir. Onzick, they were able to come within budget (approximately \$870,000). There were no questions.

Russell said he believed he honored FY15 budget agreement, but autopsies were an unforeseen expense. He noted that in 2015, only \$112,000 was budgeted for autopsies. He felt that if 150 autopsies were funded for 2015, they would be able to close out the year.

**A. *Resolution:* Providing Autopsy Expense Contingency Budget (Coroner) FY2015 Budget**

Finance Dir. Onzick explained that he helped draft this resolution to address the Coroner's budget overage as it relates to autopsies. It establishes a line item specifically for autopsy expense based on 150 autopsies and would only be drawn upon as the need arose. When the autopsy line exceeds the annual budget amount an amount from the contingency line item could be transferred over to the Coroner's Office to cover the overage. If not needed, it would remain in contingency and would not be part of the Coroner's budget. This would also allow Finance to make transfers as needed until the limit of \$56,000 is reached; after which nothing more would be available to transfer.

Significant discussion followed. Chairman Castro and others expressed concern about doing a budget adjustment like this so early in the year, as it is inconsistent with the county's policy/practice and sets a precedent. She felt there was still time left in the year for an office/department to find money in their budgets to cover overages like this. Russell pointed out that 97% of his budget is mandated, so he only has 3% to work with. He asked if the Board had a better solution.

Castro questioned the Coroner's hiring of a website designer when he was over budget. Russell responded that the county's IT Department didn't have the capabilities to do it. The cost was less than \$5,000 and comes from a Special Fund, not the General Fund. Kojzarek reminded the Coroner that his office already had a website, and wondered why a button couldn't just be added to link his website to the Health Department's site. It was his understanding that it was the Health Department's mission to promote a healthy community and prevent death, not the Coroner's. Kojzarek questioned the Coroner expanding the mission of his office outside of what is required by the state statute, particularly when he is over budget and would be duplicating efforts. Russell disagreed that this would be duplicating efforts, and felt that based on feedback from his advocacy group that this is something the public wanted from his office.

Barreiro commented that the press is reporting that the Coroner is looking at taking on additional non-mandated work by investigating cold cases. She asked why he would take on additional work when he is already over budget. Barreiro said she felt the Coroner should follow the same rules other offices/departments are required follow. Russell responded that he was out in the community doing what the things people wanted from his office.

Castro felt the Coroner had not established trust with the committee, and that they have to read in the paper what is going on in the Coroner's Office. She said it was unacceptable that he hadn't answered the committee's questions or prepared his staff to answer questions when he was not in attendance at meetings. Russell said he didn't understand what questions haven't been answered and mentioned the binder that had been distributed earlier in the meeting. He reiterated that he had honored his

agreement to keep within his budget of \$843,000. He reminded the committee that the agreement allows for unforeseen statutes and union increases. Motion was made by Davoust to move this forward for further discussion.

**RESULT: FAILED DUE TO LACK OF SECOND**

**16. Executive Session (IF NEEDED)**

None

**17. Place Written Reports on File**

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

**18. Adjournment**

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

This meeting was adjourned at 9:55 AM.

Ellyn McGrath  
Recording Secretary