

**LAW AND JUSTICE COMMITTEE**  
**McHenry County Administration Building**  
**667 Ware Road**  
**Woodstock, IL 60098**

MINUTES OF MONDAY, JANUARY 3, 2005

Vice Chairman Merkel called the meeting to order at 8:32 a.m. The following Committee Members were present: Pete Merkel, Vice Chairman; Don Larson; Nick Provenzano and Dan Shea. Donald Brewer, Chairman arrived at 8:33a.m. Jim Heisler and John Jung were absent. Also in attendance: Rick Bernotas, County Administrator; John Labaj, Deputy County Administrator; Ralph Sarbaugh, Associate County Administrator-Finance; Undersheriff Lowery, Rich Weinhandl and Detective Zinke, Sheriff's Department; Chief Tom Svoboda, Corrections; Barry Valentine, Bob Ellsworth and Shirley Eicksteadt, ESDA; Lou Czarny, Court Administration; Lou Bianchi and Tom Carroll, States Attorney; and the press.

	Donald Brewer, Chairman	
Jim Heisler		John Jung, Jr.
Don Larson		Pete Merkel
Nick Provenzano		Dan Shea

MINUTES

Committee members reviewed the committee minutes of November 1, 2004 and November 4, 2004. Vice Chairman Merkel noted the wrong day posted for the November 4<sup>th</sup> meeting. After review, Mr. Shea made a motion, seconded by Mr. Provenzano, to approve the minutes of November 1, 2004 and November 5, 2004 as amended. The motion carried with all members present voting aye on a voice vote.

PUBLIC PARTICIPATION

None

Mr. Brewer arrived at 8:33a.m.

NEW BUSINESS

*ETSB Appointment:* Committee members reviewed the appointment of Mr. Dennis Harris, the Crystal Lake Representative to the McHenry County Emergency Telephone System Board. After review, Mr. Provenzano made a motion, seconded by Mr. Larson to recommend the appointment of Mr. Dennis Harris to the McHenry County Emergency Telephone System Board with an expiration date of 11/30/2007. The motion carried with all members present voting aye.

*Sheriff – Resolution authorizing a salary adjustment:* Committee members reviewed a Resolution authorizing a salary adjustment in the Sheriff's Department. Mr. Provenzano made a motion, seconded by Mr. Merkel to recommend approval of the above Resolution as presented. It was noted that the current Administrative Specialist III is currently being paid below the range and this would bring her in line with the other three Administrative Specialists III within the department. Mr. Sarbaugh noted that the Resolution needs to be amended to include the dollar amounts that will be changed. Mr. Provenzano amended his motion and Mr. Merkel agreed to amend his second to include the salary adjustments within the Resolution. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Shea, Larson, Brewer)

*Sheriff – Resolution authorizing acceptance of a Juvenile Accountability Incentive Block Grant (JAIBG) and authorizing an emergency appropriation and budget line item transfer in the Sheriff's FY04/05 budget:* Committee members reviewed a Resolution authorizing acceptance of a Juvenile Accountability Incentive Block Grant (JAIBG) and authorizing an emergency appropriation and budget line item transfer in the Sheriff's FY04/05 budget. These grant funds will be used to purchase equipment for the Detectives Unit. Mr. Shea made a motion, seconded by Mr. Larson to recommend the approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Shea, Larson, Brewer)

*Ordinance to increase the Law Library fee:* Committee members reviewed an ordinance amending the County Code to allow for an increase in the Law Library fee. Mr. Czarny noted this increase has been needed for a long time and has recently been increased. This ordinance will be placed on 30 day review and the increase will be in effect on March 1, 2005. Mr. Shea made a motion, seconded by Mr. Larson to recommend approval of the above Ordinance as presented. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Shea, Larson, Brewer)

*Resolution authorizing an increase in the annual hours of position #041-220-035-99 and an emergency appropriation in the Court Document Storage Fund FY04/05 budget:* Committee members reviewed a Resolution authorizing an increase in the annual hours of position #041-220-035-00 and an emergency appropriation in the Court Document Storage Fund FY04/05 budget. This employee has been training in researching and applying for grant funding for the Courts, States Attorney, Public Defender and Court Services. The Presiding Judge wants to utilize this person's training in obtaining future grant dollars for the judicial system. Mr. Shea made a motion, seconded by Mr. Merkel to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Shea, Larson, Brewer)

*ESDA – Resolution authorizing the acceptance of State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning Grant Program Grant Agreement:* Committee members reviewed a Resolution approving

acceptance of the State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Grant Program Agreement. The program objective is to develop, implement, and improve hazardous chemical emergency plans under the federal and state Emergency Planning and Community Right-to-Know Acts. After review, Mr. Shea made a motion, seconded by Mr. Provenzano to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Larson, Shea, Brewer)

*ESDA – Resolution authorizing a garage lease agreement:* Committee members reviewed a Resolution authorizing a garage lease agreement between McHenry County and James Bryan, Jr. Mr. Shea made a motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. Committee members questioned whether lease agreements were reviewed on a yearly basis. Chairman Brewer noted that as long as the language of the agreements remain the same there should not be a problem. The State's Attorney noted that their office would review current lease agreements that the county holds. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Larson, Shea, Brewer)

*ESDA - Resolution authorizing approval of the McHenry Count Emergency Operations Plan:* Committee members reviewed a Resolution approving the McHenry County Emergency Operations Plan. Mr. Valentine noted that the changes are mostly cosmetic but includes the mutual aid plan with the collar counties. After review, Mr. Provenzano made a motion, seconded by Mr. Merkel to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye.

*ESDA – Resolution authorizing acceptance of a local emergency planning grant and an emergency appropriation in the Emergency Services and Disaster Agency's FY04/05 budget:* Committee members reviewed a Resolution authorizing acceptance of a local emergency planning grant and an emergency appropriation in the Emergency Services and Disaster Agency's FY04/05 budget. It was noted that the State tried to refuse this grant that was approved by the Federal Department of Justice. The State was told they must comply and ESDA did a great job in fighting for the monies owed to them. Mr. Shea made a motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Larson, Shea, Brewer)

*ESDA – Resolution authorizing a budget line item transfer in Emergency Services & Disaster Agency FY03/04 budget:* Committee members reviewed a Resolution authorizing a budget line item transfer in the Emergency Services & Disaster Agency FY03/04 budget. Mr. Sarbaugh noted that this information was titled wrong on the agenda and is only a budget line item transfer and not an emergency appropriation. After review, Mr. Shea made motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Merkel, Provenzano, Larson, Shea, Brewer)

#### OLD BUSINESS

Committee members questioned Chief Svoboda on the Jail Build-out project. He noted that they have had a couple of preliminary meetings with the building team and project directors. The secured parking area will be used for the construction area. A list of do's and don'ts were compiled for construction workers which will require signatures from workers prior to work on the jail. Some of the Sheriff's Staff will be transferred to other offices within the Government Center as soon as construction begins. Mr. Bernotas noted he is working with the Sheriff and staff regarding the use of some of the vacated offices in the Government Center.

*2005 State's Attorney Budget:* Committee members were provided an update regarding the State's Attorney's 2005 budget. Mr. Bernotas stated that he is working with the State's Attorney regarding the crowded conditions within their office. Mr. Bianchi noted that there is a need to expand the State's Attorney's offices to handle the expansion of the Civil Division. The State's Attorney will be using some of the space within the vacated Recorder's offices. Mr. Bernotas noted that they do not want to expend too much money for this expansion because of future remodeling of the Government Center. Mr. Bernotas noted that administration has been working with the State's Attorney's office to bring the policies of the department in line with those of the County. The Building Operations staff has been working to bring additional heat to the Grand Jury room. It is hopeful that they will be able to boost the temperature of the area. Mr. Bianchi noted that the line item for training and education may need additional funding as he hopes to have more cases prosecutions in house instead of farming these cases out to special state's attorneys. It was noted that a report is being prepared regarding updates in the State's Attorneys office. Mr. Bernotas requested this issue remain on the Law & Justice Committee's agenda for future discussion.

Chairman Brewer informed committee members that the by-laws for the E911 Board may not come to this committee for review until the Crystal Lake dispatch center is completed.

#### FUTURE MEETING ISSUES

None

#### EXECUTIVE SESSION

None

Mr. Sarbaugh informed committee members that there may some budget transfers for FY03/04 on the County Board Agenda that have been placed on new and unfinished business. It is the end of the County's Fiscal Year and some of the budgets have run out of money. He noted if he waited for committee approval, these requests wouldn't go before the board until February and we need to close out the FY04 books.

ADJOURNMENT

Mr. Shea made a motion, seconded by Mr. Larson, to adjourn the meeting at 9:12a.m. The motion carried with a unanimous voice vote.

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**RECOMMENDED FOR BOARD ACTION:**

- Recommend appointment of Dennis Harris to the ETSB
- Recommend approval of Resolution approving the adjustment of the salary of an Administrative Specialist III in the Sheriff's Department
- Recommend approval of Resolution authorizing acceptance of Juvenile Accountability Incentive Block Grant from the Illinois Criminal Justice Information Authority and authorizing an emergency appropriation and budget line item transfer in the Sheriff's FY04/05 budget
- Recommend approval of Ordinance amending the County Code to allow for an increase in the Law Library Fee
- Recommend approval of Resolution authorizing to increase the annual hours of position #041-110-035-99 and an emergency appropriation in the Court Document Storage Fund Fy04/05 budget
- Recommend approval for acceptance of State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning grant program grant agreement
- Recommend approval of Resolution authorizing a garage lease agreement between McHenry County and James Bryan, Jr.
- Recommend approval of the McHenry County Emergency Operations Plan
- Recommend approval of Resolution for Authorization of acceptance of a Local Emergency Planning Grant and an Emergency Appropriation in the Emergency Services & Disaster Agency's FY04/05 budget
- Recommend approval of Resolution authorizing a budget line item transfer in Emergency Services and Disaster Agency FY03/04 budget