

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

MINUTES OF MONDAY, MAY 5, 2008

Chairman Provenzano called the meeting to order at 8:15 a.m. The following Committee Members were present: Nick Provenzano; Randy Donley; Sue Draffkorn; Jim Heisler; James Kennedy; Yvonne M. Barnes and Dan Shea. Also in attendance: Peter Austin, County Administrator; John Labaj, Deputy County Administrator; Nick Carroccia, Integration Project; Lou Czarny, Court Administrator; Judge Michael Sullivan; Undersheriff Gene Lowery, Captain Dave Shepherd, Rich Weinhandl, Sheriff's Department; Bill Kays, Circuit Clerk; Barry Valentine, Emergency Management Agency; and Tiki Carlson, E-911.

Nick Provenzano, Chairman	
Yvonne M. Barnes	Randy Donley
Sue Draffkorn	Jim Heisler
James P. Kennedy	Dan Shea

MINUTES

Mr. Heisler made a motion, seconded by Ms. Draffkorn, to approve the minutes of April 7, 2008 as presented. The motion carried with all members present voting aye.

PUBLIC COMMENT

None

PRESENTATION

None

NEW BUSINESS

Resolution authorizing entering into an intergovernmental agreement with the Fox Waterway Agency: Mr. Shea made a motion, seconded by Mr. Kennedy, to recommend the County Board approve a Resolution authorizing entering into an intergovernmental agreement with the Fox Waterway Agency. Committee members were informed that there has been a slight increase in the fees charged in the agreement. Undersheriff Lowery noted that enforcement for the coming years may change as the Sheriff's Department is encouraging the Fox Waterway Agency to develop their own code enforcement people to handle issues on the waterway. The Sheriff's Department is very concerned with the speed of some of the boats on the waterway. They believe if the allowable speed was reduced it would reduce the noise from the boats, which is a main concern for the Fox Waterway Agency. There are multiple agencies that currently patrol the waterways including the Coast Guard, the Department of Natural Resources and the Sheriff's Department. After discussion, the motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing a lease agreement to install, maintain and operate communications equipment on the property of Crown Castle and American Tower: Ms. Barnes made a motion, seconded by Mr. Heisler, to recommend the County Board approve a Resolution authorizing a lease agreement to install, maintain and operate communications equipment on the property of Crown Castle and American Tower. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano) Committee members were informed that the funds for this project have been budgeted for.

Resolution authorizing participation in the Prairie Shield Grant award and an emergency appropriation to establish the grant and local match: Mr. Shea made a motion, seconded by Mr. Kennedy, to recommend the County Board approve a participation in the Prairie Shield Grant award and an emergency appropriation to establish the grant and local match. McHenry County is the lead organization for this project. After discussion, the motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing an agreement with Motorola to plan and implement the reconfiguration for the 800 MHz frequencies for which the County of McHenry holds licenses: Mr. Shea made a motion, seconded by Mr. Kennedy, to recommend the County Board approve a Resolution authorizing an agreement with Motorola to plan and implement the reconfiguration for the 800 MHz frequencies for which the County of McHenry holds licenses. These frequencies are subject to reconfiguration, also referred to as rebanding. The cost of this

reconfiguration will be borne by Sprint/Nextel, subject to the granting of a waiver by the FCC. The motion carried with all members present voting aye on a voice vote.

Resolution authorizing the creation of a temporary CALEA position within the Sheriff's departmental roster and an emergency appropriation and budget line item transfer within the Sheriff's FY 08 budget: Ms. Barnes made a motion, seconded by Mr. Shea, to recommend the County Board approve a Resolution authorizing the creation of a temporary CALEA position within the Sheriff's departmental roster and an emergency appropriation and budget line item transfer within the Sheriff's FY 08 budget. The Sheriff's Office desires to hire a temporary employee to help with managing and completing the CALEA (Commission for the Accreditation of Law Enforcement Agencies) accreditation process. The funding for the temporary position will come from the Sheriff's Work Release program funds and the State Criminal Alien Assistance Program (SCAAP). Undersheriff Lowery noted that there are only a few County Sheriff's Departments with this accreditation. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing an emergency appropriation to the Court Automation Fund FY 08 budget: Mr. Heisler made a motion, seconded by Mr. Kennedy, to recommend the County Board approve a Resolution authorizing an emergency appropriation to the Court Automation Fund FY 08 budget. This Resolution allows the Circuit Clerk to pursue an upgrade of the hardware and software used in conjunction with the integration of the Circuit Clerk and law enforcement agencies in the County. This will allow the law enforcement personnel to do their own data entry, which will reduce personnel costs. Audits have been built into the system to account for any inaccuracies. After a lengthy discussion, the motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing entering into a contract with Integrated Software Specialist for Phase II of Software Development and an emergency appropriation in the Non-Departmental FY 08 budget: Mr. Shea made a motion, seconded by Mr. Heisler, to recommend the County Board approve a Resolution authorizing entering into a contract with Integrated Software Specialist for Phase II of Software Development and an emergency appropriation in the Non-Departmental FY 08 budget. Committee members were informed that this is the Resolution seen by committee members last month with the inclusion of the funding for the project. The payouts will be measured with deliverables, not dates and will be subject to staff and State's Attorney review. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing the creation of a new position for the Law Library: Ms. Barnes made a motion, seconded by Ms. Draffkorn, to recommend the County Board approve a Resolution authorizing the creation of a new position for the Law Library. This part time person will allow the Law Library to create a self-help desk to assist the public with on-line research. Funding for this person will come from the Court Automation Fund. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Resolution authorizing entering into an agreement with National Center for State Courts (NCSC): Ms. Barnes made a motion, seconded by Mr. Donely, to recommend the County Board approve a Resolution authorizing entering into an agreement with National Center for State Courts (NCSC) for Consulting Services. Mr. Czarny has announced his intentions to retire in November 2008. The Court System has gone through several changes including becoming the 22nd Circuit in the State of Illinois. It is the desire of the Chief Judge to have a professional consultant work to review the overall governance structure of the Court, the division of functions and responsibilities, decision making processes, program planning and implementation in order to establish the required qualifications, knowledge, skills and abilities needed to fill the Court Administrator position. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

McHenry County ETSB Employee Position Reorganization: Committee members entered into a discussion regarding a request to reorganize the ETSB department. The Telephone Systems Board would like to reorganize the 911 staff to address changes within the department. The department is working with Human Resources to facilitate these changes. This will also allow the department an opportunity to be included in the County's new wage system. The consensus of the committee was to move ahead with the project.

Discussion – soliciting: One of the committee members stated she had requested this item to be placed on the agenda. She questioned if the County has a soliciting ordinance and requested information pertaining to this. She noted that she has been receiving inquiries from residents regarding this issue. She stated that with this type of ordinance, solicitors would be required to register with the County. Mr. Austin stated he would check into this for Committee members for discussion at a later date.

OLD BUSINESS

None

EXECUTIVE SESSION

Ms. Barnes made a motion, seconded by Mr. Kennedy to enter into executive session at 9:37a.m. to discuss employment matters. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

Mr. Shea made a motion, seconded by Mr. Heisler to return to regular session at 9:50a.m. The motion carried with all members present voting aye on a roll call vote (Barnes, Donley, Draffkorn, Heisler, Kennedy, Shea, Provenzano)

ADJOURNMENT

On a motion Mr. Heisler seconded by Ms. Draffkorn to adjourn the meeting at 9:51a.m. The motion carried with a unanimous voice vote.

* * * * *

RECOMMENDED FOR BOARD/COMMITTEE ACTION:

- Resolution authorizing entering into an intergovernmental agreement with the Fox Waterway Agency
- Resolution authorizing a lease agreement to install, maintain and operate communications equipment on the property of Crown Castle and American Tower
- Resolution authorizing participation in the Prairie Shield Grant award and an emergency appropriation to establish the grant and local match
- Resolution authorizing an agreement with Motorola to plan and implement the reconfiguration for the 800 MHz frequencies for which the County of McHenry holds licenses
- Resolution authorizing the creation of a temporary CALEA position within the Sheriff's departmental roster and an emergency appropriation and budget line item transfer within the Sheriff's FY 08 budget
- Resolution authorizing an emergency appropriation to the Court Automation Fund FY 08 budget
- Resolution authorizing entering into a contract with Integrated Software Specialist for Phase II of Software Development and an emergency appropriation in the Non-Departmental FY 08 budget
- Resolution authorizing the creation of a new position for the Law Library
- Resolution authorizing entering into an agreement with National Center for State Courts (NCSC)
- McHenry County ETSB Employee Position Reorganization

:ksf