

AGENDA

1. Call to Order and Roll Call
2. Adoption/Amendments to Agenda
3. Approval of Minutes – August 27,2019
4. Audience Comments
5. Ordinance: Amendment to the Combined Annual Budget and Appropriation Ordinance for the State's Attorney's Office- Line Item Transfer
6. Discussion- State's Attorney's Appellate Prosecutor
7. Executive Session:
  - A. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.
  - B. Pursuant to Open Meetings act 5 ILCS 120/2 (c) (6) The setting of a price for sale or lease of property owned by the public body.
  - C. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
8. Items of Information and Committee Concerns
9. Adjournment

Judicial & Rules Committee Meeting  
Tuesday August 27, 2019  
Vermilion County Administration Building, 5:00 PM  
**M I N U T E S**

**Agenda Items 1 - Call to Order and Roll Call**

Chuck Mockbee called the Judicial & Rules Committee of the Vermilion County Board to order at 5:00 PM., August 27, 2019 in the Vermilion County Administration Building.

Upon the call of roll, the following members were present: Chuck Mockbee, Phearn Butler, Robert Boyd, Tom Morse, and Nancy O'Kane.

Adam Hart, and Natalie Duncan, were excused.

5 Present & 2 absent at roll call.

Also present were: Judy Hartshorn-JD Director, Jacqueline Lacy- State's Attorney, Michael Mara- Public Defender, Honorable Tom O'Shaughnessy- Court Administration, Dennis Gardner & Missy Quick- Circuit Clerk, Larry Baughn, County Board Chairman, Jim Watson- CB Member, Bill Donahue, Risk Consultant, Jennifer Jenkins, County Board Office Manager.

**Agenda Item 2 - Adoption/Amendment to the Agenda**

Mockbee asked if there were any changes/additions to the agenda. Motion to approve the agenda by Morse, second by Butler. Motion was carried by unanimous acclamation.

**Agenda Item 3 - Approval of Minutes from July 23, 2019**

Motion by O'Kane and second by Morse to approve the minutes as presented. Motion was carried by unanimous acclamation.

**Agenda Item 4 - Audience Comments**

None

**Agenda Item 5 - Budget- Juvenile Detention**

Judy Hartshorn, Juvenile Detention Director, presented her budget to the committee. Contract negotiations will take place this year. There was an increase in longevity for next fiscal year. She moved \$1,000 from travel to education/training. There is ongoing online training and it is very expensive. She tries to hold down any travel for training, or other purposes. There is also a vehicle amount for this year. She would like to trade in her 2013 van. There are constant problems with it. Most often staff are hesitant to drive it anywhere. Motion by O'Kane, second by Butler to approve the budget as presented. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Robert Boyd, Phearn Butler, Tom Morse, and Nancy O'Kane. 5-Yes & 2-Absent.

**Agenda Item 6 - Budget- State's Attorney**

Jacqueline Lacy, State's Attorney, presented her budget to the committee. By statute the State's Attorney's across the state received a COLA of 2.1% which was already voted on. Essentially, some of the money that was not being used out of books/periodicals was moved to case expense. Everything else has remained the same for this upcoming fiscal year.

Motion by Morse, second by Boyd to approve the budget as presented. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Robert Boyd, Phearn Butler, Tom Morse, and Nancy O'Kane. 5-Yes & 2-Absent.

**Agenda Item 7 – Budget- Public Defender**

Michael Mara, Public Defender, presented his budget to the committee. Like the State's Attorney, by statute the Public Defender's across the state received a COLA as well which was already voted on. He has requested additional money in the office supplies line due to the need for file folders. This is not done every year but will need to be done this next fiscal year. They are ordered in bulk. This is a cheaper way. Also additional \$500 in travel expense. He did a \$500 line item transfer this year to cover the expenses so it will not change from this fiscal year to next. Another change is in the mental health evaluation line. Last year it was discussed and the budget increased somewhat however this continues to be a major problem in people charged with crimes. You can not go forward with a criminal case if someone is not fit to stand trial. The Public Defender's office do their best to only utilize the evaluations when necessary. But, that is not always something an attorney can determine. One single mental health evaluation is a little over \$500.00.

Motion by O'Kane, second by Butler to approve the budget. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Robert Boyd, Phearn Butler, Tom Morse, and Nancy O'Kane. 5-Yes & 2-Absent.

**Agenda Item 8 – Budget- Court Administration/Judiciary & Rules**

The Honorable Tom O'Shaughnessy presented the Court Administration budget to the committee. Judge O'Shaughnessy added to the Mental Health discussion previously presented by Mara. Judge O'Shaughnessy indicated that one of the added benefits that we do have in terms of cost for mental health is that the doctor(s) that are utilized by both the State's Attorney's office and the Public Defender's office are the same. Both offices value the opinion of said doctor. Therefore, we are not seeking multiple doctors, and added cost.

In regards to the upcoming fiscal year budget, one of the areas that the most substantial additional funds being requested are from is the contractual/legal fees line. There are 4 attorneys that have contracts with us. Court Administration has however, seen an increase in the amount paid to those outside of the contracted attorneys. This generally is in appeals and murder cases possibly some post-conviction cases. Also, an increase in court transcripts.

Motion by Morse, second by Morse to approve the Ordinance. Upon the call of roll, the following members O'Kane yes, to-wit: Chuck Mockbee, Robert Boyd, Phearn Butler, Tom Morse, and Nancy O'Kane. 5-Yes & 2-Absent.

**Agenda Item 9 – Budget- Circuit Clerk**

Denny Gardner informed the committee that Missy Quick will present the budget on behalf of the Circuit Clerk's office.

Quick explained that the general budget has not changed except for the insurance/life/health line. The E-Citation fund has no increases or decreases this year. The Court Automation fund increase is in the insurance/life/health line. Clerk Operation & Administration fund does show a decrease of \$20,000

due to a transfer last year for the new case management system which involved a cd. This line is no longer needed as all cd's have been exhausted. The Court Document Storage fund has no increases except for the insurance/life/health line. Child Support Maintenance remains the same except for the insurance/life/health line.

Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Robert Boyd, Phearn Butler, Tom Morse, and Nancy O'Kane. 5-Yes & 2-Absent.

**Agenda Item 10- Executive Session**

None required

**Agenda Items 11- Items of Information and Committee Concerns**

Chairman Baughn updated the committee on the progress of the audit. Things are moving quickly. He was advised by Clifton, Larson, Allen team have found some monetarial adjustments from last year that should benefit the county significantly. This should be adjustments within the IMRF line and the Self-Insured line.

**Agenda Item 12 - Adjournment**

Committee Vice-Chairman Mockbee declared the meeting adjourned at 5:38 P.M.

**ORDINANCE**

**RE: AMENDMENT TO THE COMBINED ANNUAL BUDGET AND APPROPRIATION  
ORDINANCE FOR THE STATES ATTORNEY’S OFFICE – LINE ITEM TRANSFER**

**WHEREAS**, the State’s Attorney’s Office desires to move funds from the Salary Personnel line to Supplies to ensure adequate funding of paper and toner expenses for the remainder of 2019 budget year; and

**WHEREAS**, such change requires a line item transfer; and

**WHEREAS**, this money was budgeted, albeit in a different line, and so it is not an addition to the annual budget; and,

**WHEREAS**, the budget therefore needs to be amended accordingly and this need was not known when the budget was prepared, and thus was not included.

**NOW, THEREFORE BE IT ORDAINED** by the County Board of Vermillion County Illinois that the County Auditor and County Board Chairman and Office be authorized and instructed to amend the budget for fiscal year 2018-2019 as set out below:

**001.220.00.04101 Salary Personnel                      001.220.00.04210 Case Expense                      \$2,000.00**

And the totals be adjusted accordingly.

**PRESENTED, APPROVED AND ORDAINED** by the County Board of Vermillion County, Illinois at the November 12, 2019 A.D. Session.

***This amendment takes two thirds majority for passage.***

DATED this 12<sup>th</sup> day of November 2019 A.D.

AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSENT \_\_\_\_\_

\_\_\_\_\_  
Chairman, Vermillion County Board

ATTEST:

\_\_\_\_\_  
Clerk of the County Board

**APPROVED BY Judicial and Rules:**

<u>Adam Hart</u>	<u>Y</u>	<u>N</u>	<u>A</u>
Committee Chairperson			
Robert Boyd	Y	N	A
Phearn Butler	Y	N	A
Tom Morse	Y	N	A
Natalie Duncan	Y	N	A
Nancy O’Kane	Y	N	A
Chuck Mockbee	Y	N	A

**APPROVED BY Finance/Personnel**

<u>Steve Fourez</u>	<u>Y</u>	<u>N</u>	<u>A</u>
Committee Chairperson			
Wesley Bieritz	Y	N	A
Robert Boyd	Y	N	A
Becky Stark	Y	N	A
Bruce Stark	Y	N	A
Breannah Haton	Y	N	A
Adam Hart	Y	N	A

**Request for Transfer  
Fiscal Budget  
2018 - 2019**

Dept: State's Attorney - 230

Date: 10 - 16 - 2019

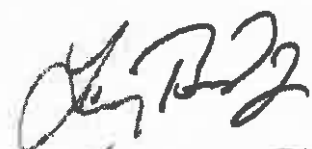
From: Salary Personnel

To: Supplies

Line Item	Description	Line Item	Description	Amount
001 - 230 - 00 - 04101	Salary Personnel	001 - 230 - 00 - 04210	Supplies	\$ 2,000.00
-	-	-	-	\$
-	-	-	-	\$
-	-	-	-	\$
-	-	-	-	\$
-	-	-	-	\$
-	-	-	-	\$
-	-	-	-	\$
-	-	-	-	\$

**NARRATIVE:**

We would like to move \$2,000 from our Salary-Personnel line to our supply line to cover the cost of necessary paper and toner to get us through to the end of the budget year.



Department Head



**Approved By:**

Committee

Finance Committee

Chairman

Chairman

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# STATE'S ATTORNEYS APPELLATE PROSECUTOR

Administrative Office • 725 South Second Street • Springfield, IL, 62704 • 217-782-1628 • Fax 217-782-6305

**PATRICK J. DELFINO**  
DIRECTOR

**JUSTIN HOOD**  
CHAIRMAN

**DAVID J. ROBINSON**  
CHIEF DEPUTY DIRECTOR

**October 1, 2019**

**DEPUTY DIRECTOR:**

**EDWARD R. PSENICKA**  
SECOND DISTRICT

**Honorable Jacqueline M. Lacy**  
**Vermillion County State's Attorney**  
**Vermillion County Courthouse**  
**7 North Vermillion Street**  
**Danville, Illinois 61832**

**THOMAS D. ARADO**  
THIRD DISTRICT

**DAVID J. ROBINSON**  
FOURTH DISTRICT

**PATRICK D. DALY**  
FIFTH DISTRICT

Dear State's Attorney *Jacqueline* Lacy:

**BOARD OF GOVERNORS:**

**FIRST DISTRICT:**

**KIMBERLY M. FOX**  
STATE'S ATTORNEY  
COOK COUNTY

I am enclosing a new Invoice Statement for Vermillion County in the revised amount authorized by our Board together with a proposed county resolution form.

**SECOND DISTRICT:**

**JOSEPH H. McMAHON**  
STATE'S ATTORNEY  
KANE COUNTY

When the resolution is approved, kindly return a fully executed copy to our Agency as we need it to serve as an official agreement and for audit purposes.

**MICHAEL G. NERHEIM**  
STATE'S ATTORNEY  
LAKE COUNTY

As always, thank you for your active support.

**THIRD DISTRICT:**

**ANDREW J. DOYLE**  
STATE'S ATTORNEY  
WARREN COUNTY

Looking forward to working with you in the upcoming year.

**STEWART J. UMHOLTZ**  
STATE'S ATTORNEY  
TAEWELL COUNTY

Very Truly Yours,

**FOURTH DISTRICT:**

**BEN GOETTEN**  
STATE'S ATTORNEY  
FRANKLIN COUNTY

**Patrick J. Delfino**  
Director

**GRAY H. NOLL**  
STATE'S ATTORNEY  
MORGAN COUNTY

**JULIA R. RIETZ**  
STATE'S ATTORNEY  
CHAMPAIGN COUNTY

**FIFTH DISTRICT:**

**JUSTIN HOOD**  
STATE'S ATTORNEY  
HAMILTON COUNTY

**BRANDON J. ZANOTTI**  
STATE'S ATTORNEY  
WILLIAMSON COUNTY



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PATRICK J. DELFINO  
DIRECTOR

JUSTIN HOOD  
CHAIRMAN

## INVOICE STATEMENT

September 27, 2019

Honorable Jacqueline M. Lacy  
Vermilion County State's Attorney  
Vermilion County Courthouse  
7 North Vermilion Street  
Danville, Illinois 61832

### COLLECTION OF COUNTY MATCHING FUNDS December 1, 2019 - November 30, 2020

County contribution for participation in the State's Attorneys Appellate Prosecutor's Program.

**AMOUNT DUE: \$28,000.00**

Make check payable to **State's Attorneys Appellate Prosecutor's County Fund** and remit to:

Gloria Mundy  
Chief Fiscal Officer  
State's Attorneys Appellate Prosecutor  
725 South Second Street  
Springfield, Illinois 62704

For questions please contact Gloria Mundy at 217-782-1632 or [gmundy@ilsaap.org](mailto:gmundy@ilsaap.org).

**PLEASE NOTE: A signed resolution must be returned to the Agency as soon as possible. The resolution serves as your contract with the Agency and must be kept by the Agency for auditing purposes.**

**PLEASE SUBMIT PAYMENT TO THE AGENCY FOR YOUR COUNTY CONTRIBUTIONS ONLY ... do not include payment for any other billing statement such as for special prosecution charges, cannabis fines, etc.**



RESOLUTION

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants; and

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended; and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

NOW, THEREFORE, BE IT RESOLVED that the Vermillion County Board, in regular session, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney, prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act, and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorneys and Assistant State's Attorneys.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that if the Office of the State's Attorneys Appellate Prosecutor is duly appointed to act as a Special Prosecutor in this County by a court having jurisdiction, this County will provide reasonable and necessary clerical and administrative support and victim-witness coordination on an as-needed basis and will also cover all reasonable and necessary case expenses such as expert witness fees, transcripts, evidence presentation, documents, lodgings, and all other expenses directly related to the prosecution of the case.

BE IT FURTHER RESOLVED that the Vermillion County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor, commencing December 1, 2019 and ending November 30, 2020, by hereby appropriating the sum of \$28,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the stated twelve month period.

Passed and adopted by the County Board of Vermillion County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman \_\_\_\_\_

ATTEST: \_\_\_\_\_  
County Clerk