

Judicial & Rules Committee Meeting
Tuesday November 24th, 2020
5:00 P.M., Vermilion County Administration Building
2nd Floor, Chambers
<https://zoom.us/j/91617780235>
Meeting ID: 916 1778 0235
1(312) 626 6799
Meeting ID: 916 1778 0235

AGENDA

1. Call to Order and Roll Call
2. Adoption/Amendments to Agenda
3. Approval of Minutes – July 28, 2020
4. Audience Comments
5. Ordinance- Amendment to the Combined Annual Budget and Appropriation Ordinance for the State's Attorney
6. Resolution- State's Attorney's Appellate Prosecutor
7. Discussion Item- Judge O'Shaughnessy regarding addition of the Associate Judge, with Michael Mara- Public Defender and Melissa Quick- Circuit Clerk
8. 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.
9. Items of Information and Committee Concerns
10. Adjournment

Judicial & Rules Committee Meeting
Tuesday July 28, 2020
Vermilion County Administration Building, 5:00 PM

MINUTES

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., July 28, 2020 in the Vermilion County Administration Building.

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

Adam Hart was absent, Robert Boyd was excused.

5 Present & 2 absent at roll call.

Also present were: Judy Hartshorn-JD Director, Jacqueline Lacy- State's Attorney, Tom Gregory- Probation, Michael Mara- Public Defender, Honorable Tom O'Shaughnessy- Court Administration, Missy Quick- Circuit Clerk, Larry Baughn, County Board Chairman, 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 October 22, 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. Total costs for supplies was increased by \$5,000.00 due to PPE/COVID-19. Salary line increase coincides with union contract. Also an increase in vehicles due to the replacement of the 2010 Crown Victoria.

Motion by Butler, second by Duncan to approve the budget as presented.

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

Agenda Item 6 - Resolution- Salary Schedule State's Attorney

Jacqueline Lacy, State's Attorney, explained to the committee that this resolution is to adjust the State's Attorney's salary according to the state budget. The Public Defender's salary is set at 90% of the State's Attorney's salary. Motion by Morse, second by O'Kane approve the resolution as presented. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O'Kane. 5-Yes & 2-Absent.

Agenda Item 7 – Resolution- Salary Schedule Public Defender

As explained previously, this is passed by state legislature and set by statute for the salary of the Public Defender. Motion by Duncan, second by O’Kane approve the resolution as presented. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O’Kane. 5-Yes & 2-Absent.

Agenda Item 8 – Ordinance- Amendment to the Combined Annual Budget and Appropriation Ordinance for the Public Defender

This ordinance is to adjust the Public Defender’s salary to coincide with the State’s Attorney’s salary as explained in the previous resolutions.

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

Agenda Item 9 – Budget- State’s Attorney

State’s Attorney, Jacqueline Lacy presented her 2020/2021 fiscal year budget to the committee. Changes include; increase in salaries, as expected, also slight increase in office supplies and periodicals. Other than that everything has basically remained on track with the current fiscal year. Motion by Duncan, second by Morse to approve Ms. Lacy’s budget. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O’Kane. 5-Yes & 2-Absent.

Agenda Item 10 – Budget- Probation

Probation Director, Tom Gregory, presented his 2020/2021 fiscal year budget to the committee. Changes include; increase in salaries, as expected, also with COVID-19 there were expected changes in the fuel and training budget lines for the upcoming fiscal year. Other than that everything has basically remained on track with the current fiscal year. Motion by Morse, second by Butler to approve Mr. Gregory’s 2020/2021 fiscal year budget. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O’Kane. 5-Yes & 2-Absent.

Agenda Item 11 – Budget- Public Defender

Public Defender, Mike Mara, presented his 2020/2021 fiscal year budget to the committee. He explained that the general budget has not changed except for the insurance/life/health line, as well as the salary line to allow for upcoming employee increases. Motion by Duncan, second by Morse to approve Mr. Mara’s 2020/2021 fiscal year budget. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O’Kane. 5-Yes & 2-Absent.

Agenda Item 12 – Budget- Court Administration

Honorable Tom O’Shaughnessy represented Court Administration and presented the upcoming 2020/2021 fiscal year budget. Most of the budget is the same except for slight increases, as expected. Motion by Morse, second by O’Kane to approve the Court Administration 2020/2021 fiscal year budget. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee,

Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O'Kane. 5-Yes & 2-Absent.

Agenda Item 13 – Budget- Circuit Clerk

Missy Quick presented 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 as well as salary line to allow for employee increases. The E-Citation fund has no increases or decreases this year. The Court Automation fund decrease of \$10,000.00 is because the new computers have been installed during the current fiscal year. There are no changes in the Clerk Operation & Administration fund. The Court Document Storage Fund has increased to allow for the yearly payment to JANO; the money is transferred from this fund to the Capital Improvements fund to facilitate centralized billing for the JANO system. The Child Support Maintenance Fund has a decrease of \$5,990.00 in the salary line. The salary line is used to pay the salary of the clerks until the line item is exhausted. Motion by Duncan, second by Butler to approve the Circuit Clerk's 2020/2021 fiscal year budget. Upon the call of roll, the following members voted yes, to-wit: Chuck Mockbee, Phearn Butler, Tom Morse, Natalie Duncan, and Nancy O'Kane. 5-Yes & 2-Absent.

Agenda Item 14- Executive Session

None required

Agenda Items 15- Items of Information and Committee Concerns

Chairman Baughn updated the committee on the progress of the audit. We should have the results by the end of the month.

The County Board office has met with Health Alliance to renegotiate the health insurance rates.

The IT Dept. will be replacing the County Board members tablets with new laptops as they are much more user friendly and are able to access many other apps that may be needed due to the meeting restrictions because of COVID-19. These laptops have been covered due to a grant we will receive.

The Vermilion County Administration Building and all other County buildings are practicing social distancing and asking that staff and visitors utilize a mask upon entry. This coincides with the closing of the Courthouse on last Friday due to disinfecting and sanitizing from a professional cleaning service due to a positive COVID-19 case.

Agenda Item 16 – Adjournment

Committee Chairman Mockbee declared the meeting adjourned at 5:48 P.M.

ORDINANCE

RE: AMENDMENT TO THE COMBINED ANNUAL BUDGET AND APPROPRIATION ORDINANCE FOR THE STATE'S ATTORNEY

WHEREAS, the County Board has been advised there is a need to amend the budget to pay for the expenses of the of the Child Advocacy Center and such expenses will be reimbursed from a VOCA grant and DCFS; and

WHEREAS, additional funds for the such need to be placed in the budget and lines to allow for payment of such expenses which will later be reimbursed; and

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

NOW, THEREFORE BE IT ORDAINED by the County Board of Vermilion County Illinois that the County Auditor be authorized and instructed to amend the budget for fiscal year 2020-2021 by adding funds as follows in the line as set out:

001.220.27.4101	Salary	\$62,553.00
001.220.27.4155	Insurance/Life-Health	\$12,000.00
001.220.27.4210	Supplies	\$61,636.00

And the totals be adjusted accordingly.

PRESENTED, APPROVED AND ORDAINED by the County Board of Vermilion County, Illinois at the December 7, 2020 A.D. Session.

This amendment takes two thirds majority for passage.

DATED this 7th day of December 2020 A.D.

AYE_____ NAY_____ ABSENT_____

Chairman, Vermilion County Board

ATTEST:

Clerk of the County Board

APPROVED BY JUDICIAL AND RULES: 11/24/20

Adam Hart Y N A

Chairman

Natalie Duncan Y N A

Robert Boyd Y N A

Phearn Butler Y N A

Chuck Mockbee Y N A

Tom Morse Y N A

Nancy O'Kane Y N A

APPROVED BY FINANCE/PERSONNEL: 12/3/20

Steven Fourez Y N A

Chairman

Wesley Bieritz Y N A

Robert Boyd Y N A

Breannah Haton Y N A

Becky Stark Y N A

Bruce Stark Y N A

Adam Hart Y N A

**Request for Amendment
Fiscal Budget
2020 - 2021**

Dept: Ver. Co. CAC

Date: 11/20/2020

Account Number	Account Description	Original Appr.	Additional	To Read
001.220.27.4101	Salary	\$ 0	\$ 62,553	\$62,553
001.220.27.4155	Insurance - Life/Health	\$ 0	\$ 12,000	\$12,000
001.220.27.4210	Supplies	\$ 0	\$ 61,636	\$61,636
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

Narrative:

We are asking to budget a total of \$136,189.00 for the Vermillion County Children's Advocacy Center for the 2020-2021 fiscal year. The breakdown of the different line items and how much money needs to be bugeted to each line item can be found above. A portion of the funds we are budgeting for the 2020-2021 fiscal year will be reimbursed from VOCA grant funds and the remaining will come from DCFS grant funds.

Department Head: 

Approved By:

Committee

Finance Committee

Chairman

Chairman

Dated: _____

Dated: _____

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 Vermilion 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 Vermilion County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor, commencing December 1, 2020 and ending November 30, 2021, 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 Vermilion County, Illinois, this
_____ day of _____ 20____.

Chairman _____

ATTEST: _____

County Clerk

APPROVED BY JUDICIAL AND RULES: 11/24/20

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

APPROVED BY FINANCE/PERSONNEL: 12/3/20

Steven Fourez	Y	N	A
<u>Chairman</u>			
Wesley Bieritz	Y	N	A
Robert Boyd	Y	N	A
Breannah Haton	Y	N	A
Becky Stark	Y	N	A
Bruce Stark	Y	N	A
Adam Hart	Y	N	A