

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Meeting Minutes - Draft

Tuesday, March 31, 2009

11:00 AM

Conference Room C, 10th Floor

Law and Judicial Committee

1. Call to Order

Chair Nixon called the meeting to order at 11:00 a.m.

Others present:

Tony Gordon, Daily Herald

Kevin Lyons, Sheriff's Department

Melinda Bush, County Board

Robert Sabonjian, County Board

Gary Gordon, Finance and Administrative Svcs.

Chief Judge Booras

Mike Waller, State's Attorney

Judge Victoria Rosetti

Roycelee Woods, Superintendent of Schools

Torrie Flink, Zacharias Center

Christy Bishop, Children's Advocacy Center

Barry Burton, County Administrator

Linda Wisch, County Board

Present 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

Absent 1 - Member Newton

2. Pledge of Allegiance

The Chair led the pledge.

3. Approval of Minutes

09-1365

Minutes of March 3, 2009.

A motion was made by Member Carey, seconded by Member Gravenhorst, that the minutes be approved. The motion carried unanimously.

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

4. Public Comment

None.

5. Added to Agenda

None.

6. Old Business

None.

7. New Business

Chair Nixon advised that she needed to step down as Chair for a moment and asked Vice Chair Gravenhorst to take over. Chair Nixon then spoke about comments made at

the last meeting by Member Bob Sabonjian and the fact that this issue was brought up at the full County Board meeting. Chair Nixon noted that all committee members were afforded a chance to speak at the committee meeting and if they felt that there was a problem, they should have brought it to the Chair. Chair Nixon advised that Member Carey agreed with the committee and then brought up the issue on the floor of the County Board meeting - Chair Nixon didn't feel that this was right. Chair Nixon noted that each person on the committee has a right to make a statement about how they feel about this issue. If members wanted this to go further, they should have stated that they wanted the issue to move on. Member Carey apologized if there was a misunderstanding, however, she was supportive of investigation into the issue and she looked forward to hearing from State's Attorney Mike Waller on how the new council deals with sexual abuse. Member Carey noted that she did not understand that to have an issue go to the legislative committee it needed to come from Law & Judicial Committee first. Member Feldman was in favor of giving the coordinating council a chance. Member Cunningham stated at the time that this should have come to the legislative committee first, but she supported her chairman. This should have been handled in committee, not by the County Board. Chair Schmidt noted that anything like this should have come to the committee; I told that to Member Sabonjian. County Administrator Barry Burton stated legislative items normally come from the standing committee. Chair Nixon asked the committee if they wanted to add this to a future agenda. Member Sabonjian noted that this was a matter of public comment to the Committee. Chair Nixon asked what the committee would like to do. Member Carey stated that she was interested in what Mr. Waller had to say first; then if committee wants to continue, we could ask the council for their input. Member Feldman agreed that we don't need to bring this back. Members Cunningham and Calabresa also agreed that this did not need to be brought to a future agenda.

CIRCUIT CLERK

7.2 09-1352

Report of Sally D. Coffelt, Circuit Clerk for the month of February 2009.

The report was passed for signature.

PUBLIC DEFENDER

7.3 09-1328

Report of Joy Gossman for the month of February 2009.

The report was passed for signature.

SHERIFF

7.4 09-1321

Report of Mark C. Curran, Jr., Sheriff, for the month of February 2009.

The report was passed for signature.

7.5 09-1342

Joint resolution authorizing the execution of an intergovernmental agreement with the Village of Third Lake for the purpose of providing Sheriff's Marine Patrol Services.

Presented by Kevin Lyons. Member Carey asked if this is done every year. Mr. Lyons

confirmed that it was done each year.

A motion was made by Member Cunningham, seconded by Member Calabresa, that this item be approved and referred on to Financial and Administrative Committee.

The motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

7.6 09-1343

Joint resolution authorizing the execution of an intergovernmental agreement with the Wildwood Park District for the purpose of providing Sheriff's Marine Patrol Services to the Park District.

Presented by Kevin Lyons. Member Carey asked about patrol hours. Mr. Lyons advised that we fixate our marine unit service in Wildwood park district for a certain amount of time.

A motion was made by Member Gravenhorst, seconded by Member Cunningham, that this item be approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

7.7 09-1344

Joint resolution authorizing the execution of an intergovernmental agreement with the Fox Waterway Agency and the Lake County Sheriff to provide permit/sticker enforcement for the Agency.

Presented by Kevin Lyons. Member Calabresa asked how close we were to our cost of providing services. Mr. Lyons stated that this was the same as last year. They have a board chair change so they didn't want to pass any increase until there is a new board chairman. County Administrator Barry Burton noted that on chain of lakes we are paid to enforce Fox Waterway rules. However, the bigger issue is the whole chain of lakes coverage and what we spend on these services - there is a significant gap we are trying to address; a significant cost issue that has to be addressed.

A motion was made by Member Calabresa, seconded by Member Carey, that this item be approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

7.8 09-1368

Joint resolution establishing rates for the Lake County Sheriff Deputies working off-duty; "Special Detail", for private business, individuals and government units.

Presented by Kevin Lyons. Mr. Lyons noted that currently the charge is \$78 and scheduled to go to \$81 on May 1. In talking to municipalities, they cannot afford this amount. In order to accommodate the municipalities we have arranged a fix fee paid to the deputies. The State's Attorney helped with the translation on labor laws and the sheriff was able to establish a rate using \$38 as fixed pay. This goes along the regular rate of pay and \$60 covers all of our costs as detailed in our cost models. This is

sufficient to cover all of our costs. Member Calabresa asked if this will affect the amount of people who volunteer for these services. Mr. Lyons noted that the Sheriff's Department has taken cost reductions and overtime has been reduced so these jobs will be filled. Member Calabresa asked how the deputies felt about this. Member Calabresa asked Mr. Lyons to take the message back that we really appreciate the Sheriff looking at his costs.

A motion was made by Member Cunningham, seconded by Member Carey, that this resolution be approved and referred on to Financial and Administrative Committee. Motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

STATE'S ATTORNEY

7.9 09-1350

Joint resolution authorizing and supporting the establishment of a Lake County Sexual Assault Coordinating Council.

State's Attorney Mike Waller presented the team members who were present. Mr. Waller noted that we are dealing with complicated cases that affect people all over the county. The team has been putting together this council. The Chief Judge was present; Judge Victoria Rosetti, the acting chief judge in criminal division; Torrie Flink, Executive Director of the Zacharias Center; Christy Bishop, supervisor of the Children's Advocacy Center and Wendy Ivey who works for the Zakaris Center. Mr. Waller advised that what is before you is a resolution creating the Lake County Sexual Assault Council. Mr. Waller noted that previously Lake County has established councils and this is the fourth countywide coalition to deal in a similar fashion as other coalitions regarding sexual assault cases. These coalitions have been positive additions to the criminal justice system of Lake County. Mr. Waller noted that this was started as grass roots idea and Lake County has been a leader in this area for years. LACASA was one of the first agencies of this type. The Probation Department has an excellent unit that monitors sex offenders. We have been in leadership in state and county in dealing with these cases. The group who worked on this included the State's Attorney, Chief of Police, judge, Regional Superintendent of Schools, resulting in a unified and cooperative approach. Our goal is to improve communication, coordination and cooperation. We will need some representatives from the County Board and we are looking for volunteers. Mr. Waller introduced Judge Rosetti who stated that she felt we do a pretty good job with these cases, however we need communication, coordination and cooperation. This will also bring a better presentation on physical evidence. Regional Superintendent of Schools Roycelee Woods noted that this is something that has been missing and unfortunately the whole area of sexual abuse is very prevalent in our school system today. Educators need to know that we are working on this and we are in their corner. Mr. Waller asked for committee's support of this item. Executive Director Torrie Flink felt it is really time to coordinate all of our efforts. We will be representing the kids and adults we see day in and day out and our school districts. She asked the committee to help them coordinate this. Chief Judge Booras also spoke in support of this council.

Member Calabresa thanked Mr. Waller for his efforts. Member Cunningham and Carey also spoke in support of the council.

State's Attorney Waller mentioned that there are sentencing ranges and the committee could ask the council for this information so that you could see what sentencing ranges are now and then you could make a decision from there.

Member Gravenhorst felt this was wonderful initiative and asked who those interested in volunteering should contact. Mr. Waller stated that interested county board members should contact Chair Schmidt if they would like to be on the Council. Chair Nixon thanked Mr. Waller for the work that has been done. This is the community working together and that's what it is all about. The continuation of this program is outstanding. Chair Nixon will bring this up to the steering committee at the National level (NACO) of which she is a member.

A motion was made by Member Cunningham, seconded by Member Calabresa, that this item be approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

7.10 09-1359

Joint resolution authorizing the application for a Justice and Mental Health Collaboration grant from the US Department of Justice (USDOJ) Office of Justice Programs (OJP) Bureau of Justice Assistance (BJA) on behalf of the Mental Health Court program for the purpose of providing financial assistance for a part time Assistant State's Attorney and Assistant Public Defender and applicable fringe benefits each to the State's Attorney's Office and the Public Defender's Office, and associated equipment.

Presented by State's Attorney Mike Waller. Mr. Waller noted that we had applied for this grant last year to partially fund salaries for those working in the mental health court and were denied. We are applying again.

A motion was made by Member Calabresa, seconded by Member Carey, that this item be approved and referred on to Financial and Administrative Committee. The motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman

8. Executive Session

9. County Administrator's Report

Chair Nixon introduced John Reindel, who was in the audience. Mr. Reindel was on the board in 1986-87-88-and 89.

Member Feldman asked for a report on the number of foreclosures in the county and wondered if this is the appropriate committee. County Administrator Barry Burton will check on this.

10. Adjournment

A motion was made by Member Cunningham, seconded by Member Feldman, that the meeting be adjourned. The motion carried by the following vote:

Aye: 6 - Chair Nixon, Member Calabresa, Member Cunningham, Vice Chair Gravenhorst, Member Carey and Member Feldman