

Lake County Illinois

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



Meeting Minutes - Final

Tuesday, May 5, 2015

10:30 AM

Assembly Room, 10th Floor

Law and Judicial Committee

1. Call to Order

Chair Nixon called the meeting was called to order at 10:30

Present 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

Others Present:

Barry Burton, County Administrator

Amy McEwan, Deputy County Administrator

Aaron Lawlor, County Board Chairman

Matt Guarnery, Robinson Guarnery, Inc.

Richard Payne, Circuit Clerk's Office

Irene Curran, States Attorney's Office

Kathleen Grom, States Attorney's Office

Orlando Portillo, Coroner's Office

RuthAnne Hall, Finance and Administrative Services

Kurt Schultz, Finance and Administrative Services

Brandy Schroff, Finance and Administrative Services

Chris Creighton, Finance and Administrative Services

Mary Stevens, Nineteenth Judicial Circuit

Patrice Sutton, Finance and Administrative Services

Gary Gordon, Finance and Administrative Services

John Byrne, Sheriff's Office

Dawn WuckiRossbach, Sheriff's Office

Keith Brin, Circuit Clerk

Donna Jo Maki, County Administrator's Office

Rodney Marion, Human Resources

Nick Sauer, Lake County Board Memeber

Linda Pederson, Lake County Board Member

Heidie Hernandez, Lake County Board Office

2. Pledge of Allegiance

Chair Nixon led the group in the Pledge of Allegiance.

3. Approval of Minutes**3.1 15-0507**

Minutes from March 31, 2015.

Attachments: [L&J 3.31.15 Minutes Final](#)

A motion was made by Member Hart, seconded by Member Bartels, that the minutes be approved. The motion carried by the following vote:

Aye: 6 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart and Member Weber

Not Present: 1 - Member Paxton

4. Added to Agenda

There were to no items added to the agenda.

5. Public Comment

There was no public comment.

6. Old Business

There was no old business to conduct.

7. New Business

Chair Nixon reported on a workshop she attended regarding improving services for people with mental illnesses involved with the Lake County criminal justice system. Participants of the workshop developed a list of priorities to help divert people with mental health issues out of the criminal justice system and connect them with appropriate community based treatment and support services. The justice system has formed a committee that will follow up on this matter to develop a program in Lake County.

Member Hart added that National Association of Counties (NACO) is having an initiative to reduce the number of mentally ill in the criminal justice system; she has provided a resolution for review and will bring to the attention of the Lake County Board Chairman to determine if this is a right fit for the county.

Member Hart reported on a law that was passed in Illinois allowing the use of surcharge fees from felony cases to help fund CASA; this is allowed because Court Appointed Special Advocates (CASA) is a court appointed program. Member Hart would like to understand how this works in other counties. Amy McEwan, Deputy County Administrator, added with the consensus of the committee, staff will work on a report and report the findings to the committee.

A motion was made by Member Calabresa, seconded by Member Cunningham, for staff to research the use of this fee in other Illinois Counties to determine to what extent the county will use the fee to fund the CASA program and what the impact of the fee will be to other departments. The motion carried by the following vote:

Aye: 6 Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, and Member Weber

Nay: 1 Member Paxton

CIRCUIT COURT CLERK**7.1 15-0423**

Report from Keith S. Brin, Clerk of the Circuit Court, for the month of March 2015.

Attachments: [County Board Report Mar 2015](#)

A motion was made by Member Weber, seconded by Member Hart, that this item be received and placed on the consent agenda. The motion carried by the following

vote:

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

CORONER

7.2 15-0433

Report from Thomas A. Rudd, M.S., M.D., Coroner, for the month of January 2015.

Attachments: [January County Board Report](#)
[Cases - January, 2015](#)
[January Receipts](#)

A motion was made by Member Cunningham, seconded by Member Calabresa, that this item be received and placed on the consent agenda. The motion carried by the following vote:

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

7.3 15-0457

Report from Thomas A. Rudd, M.S., M.D., Coroner, for the month of February 2015.

Attachments: [February County Board Report](#)
[Cases - February, 2015](#)
[February Receipts](#)

Orlando Portillo, Coroner's Office, indicated drug and prescription drug overdoses cases are up 20 percent from December 2014 to present. There have been 12 confirmed heroin related deaths, three of those deaths which the use of naloxone was unsuccessful. Seven were opioid related deaths, and nine cases are pending toxicology to confirm if the death is the result of heroin.

A motion was made by Member Cunningham, seconded by Member Calabresa, that this communication or report be received and placed on the consent agenda.

Motion carried by voice vote.

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

SHERIFF

7.4 15-0495

Joint resolution authorizing an emergency appropriation and acceptance of a grant award in the amount of \$10,000 for the reimbursement of overtime salaries spent on designated Federal Bureau Investigation cases.

Amy McEwan, Deputy County Administrator, stated that the county passed an intergovernmental agreement with the Federal Bureau Investigation giving the Lake County Sheriff's Office authorization to seek reimbursement if certain criteria is met.

A motion was made by Member Weber, seconded by Member Bartels, that this

resolution be approved and referred on to Financial and Administrative Committee.

The motion carried by the following vote:

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

7.5 15-0493

Ordinance amending Chapter 177: Lake County Tobacco Ordinance, of the Lake County Code.

Attachments: [Lake County Code of Ordinances Tobacco Regulations Proposed Amendr](#)

Amy McEwan, Deputy County Administrator, informed the committee this amendment will allow the Lake County Sheriff's Office to use administrative adjudication as an additional enforcement tool.

A motion was made by Member Cunningham, seconded by Member Weber, that this ordinance be recommended for adoption to the consent agenda. The motion carried by the following vote:

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

STATE'S ATTORNEY

7.6 15-0478

Joint resolution establishing the State's Attorney's Automation Fund, transferring collected revenues of \$145,417.76 since June 2012 from General Fund reserves to this Fund, and transferring fiscal year (FY) 2015 budget authority from the State's Attorney's General Fund budget to the new State's Attorney Records Automation Fund.

Patrice Sutton, Finance and Administrative Services, informed the committee the collected revenue will be transferred from the General Fund to the Special Revenue Fund.

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

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

7.7 15-0466

Joint resolution authorizing the execution of a Title IV-D intergovernmental agreement between the Illinois Department of Healthcare and Family Services (IDHFS) and the Lake County State's Attorney for the continuation of the State's Attorney's Child Support Enforcement Program for maximum reimbursement amount of \$700,000, reflecting a \$25,000 reduction in the grant revenue for staff wages and benefits.

Attachments: [2014-55-013-K3D Agreement Letter.pdf](#)

Irene Curran, States Attorney's Office, informed the committee that one way the county receives federal funding is by establishing paternity. In hospitals there was a form that is signed by both parents to establish paternity called Voluntary Acknowledgement of Paternity; however, because the form was in Spanish they were not legally acceptable. The

forms are now in English and Spanish to avoid this issue.

Ms. Curran also mentioned that Keith Brin, County Clerk, and the Illinois Department of Health Services are in a partnership to simplify the process of starting a case. Mr. Brin added that this program will be funded by a grant and will assist in making sure information is accurate which will help support the child support effort.

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

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

7.8 15-0503

Presentation and update on the Child Support Enforcement Division.

This matter was presented

PUBLIC DEFENDER

7.9 15-0417

Report from Joy Gossman, Public Defender, for the month of March 2015.

Attachments: [03-15 Main](#)
[03-15 Main PTR](#)
[03-15 JUV Main](#)
[03-15 JUV PTR](#)

COURT ADMINISTRATION

7.10 15-0429

Joint resolution authorizing an emergency appropriation in the amount of \$45,000 in funding from the Illinois Department of Healthcare and Family Services and the approval of Grant Agreement No. 2015-55-024-K1D for the 19th Judicial Circuit's Access and Visitation Program for state fiscal year (SFY) 2015.

Mary Stevens, Nineteenth Judicial Circuit, mentioned the \$45,000 is for mediation services for never married parents, in an attempt to have them pay child support, help with child custody situations, and assist the parents in other related issues.

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

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

CONSTRUCTION MANAGEMENT

7.11 15-0473

Joint resolution authorizing an easement agreement between Lake County and the City of Waukegan for the Lake County Courthouse Expansion Project.

Attachments: [LCCEP Waukegan -County Easement Agreement - 2015-4-17](#)
[LCCEP Exhibit A Plat of Consolidation](#)
[LCCEP Exhibit B Easement Building Components Final](#)
[LCCEP Exhibit C Easement Tunnel Bridge Final](#)

Matt Guarnerly, Robinson Guarnerly, Inc., gave the committee an update on the construction project. Since the last Law and Judicial Meeting, Washington Street has been closed between Martin Luther King Avenue and County Street to begin construction operations.

Mr. Guarnerly informed the committee there are two contracts to authorize and an easement agreement between Lake County and the City of Waukegan to approve. The bids recommended for approval are for metal panel work and vertical transportation. The easement agreement will grant the County the right to allow the construction of the tunnel to happen through the right of way, will give air rights for the existing walk way, and development rights.

A motion was made by Member Cunningham, seconded by Member Hart, that resolution 7.11 through 7.13 be approved and referred on to Financial and Administrative Committee. Motion carried by voice vote.

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

7.12 15-0475

Joint resolution authorizing a contract with John W. McDougall Company of Nashville, Tennessee, and further authorizing assignment of that contract to Clark Construction Group LLC of Chicago, Illinois, as Construction Manager at Risk for the Lake County Courthouse Expansion Project in the amount of \$1,270,000.

A motion was made by Member Cunningham, seconded by Member Hart, that resolution 7.11 through 7.13 be approved and referred on to Financial and Administrative Committee. Motion carried by voice vote.

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

7.13 15-0476

Joint resolution authorizing a contract with ThyssenKrupp Elevator of Lombard, Illinois, and further authorizing assignment of that contract to Clark Construction Group LLC of Chicago, Illinois, as Construction Manager at Risk (CMAR) for the Lake County Courthouse Expansion Project in the amount of \$3,897,900.

A motion was made by Member Cunningham, seconded by Member Hart, that resolution 7.11 through 7.13 be approved and referred on to Financial and Administrative Committee. Motion carried by voice vote.

Aye: 7 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart, Member Paxton and Member Weber

8. Executive Session

There was no Executive Session.

9. County Administrator's Report**9.1 15-0474**

Presentation and update on union negotiations and other related matters.

Rodney Marion, Human Resources Director, gave an update on union negotiations. Mr. Marion indicated that the contract with Fraternal Order of Police (FOP) for the Sheriffs Deputy unit, consisting of 130 employees, expired on November 30, 2013. They are now represented by the Illinois Coundic of Police (ICOP).

Member Paxton left the meeting at 12:05 p.m.

This matter was presented

10. Adjournment

A motion was made by Member Bartels, seconded by Member Weber, that this meeting be adjourned at 12:19 p.m. The motion carried unanimously.

Aye: 6 - Chair Nixon, Vice Chair Cunningham, Member Bartels, Member Calabresa, Member Hart and Member Weber

Not Present: 1 - Member Paxton

Meeting minutes prepared by Heidie Hernandez.

Respectfully submitted,

Chairman

Vice-Chairman

Law and Judicial Committee