

# **Lake County Illinois**

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



## **Meeting Minutes - Final**

**Tuesday, October 31, 2017**

**9:00 AM**

**Assembly Room, 10th Floor**

**Law and Judicial Committee**

**1. Call to Order**

*Chair Cunningham called the meeting to order at 9:00 a.m.*

**Present** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent** 2 - Vice Chair Calabresa and Member Paxton

*Others Present:*

*RuthAnne Hall, Finance and Administrative Services*

*Jim Chamornik, Sheriff's Office*

*Undersheriff Hare, Sheriff's Office*

*Mike Wheeler, Finance and Administrative Services*

*Keith Kaiser, Sheriff's Office*

*Erin Cartwright, Circuit Court Clerk*

*Farah Watson, Circuit Court Clerk's Office*

*Gary Gordon, Finance Director*

*Dakisha Wesley, Assistant County Administrator*

*Dawn Wucki-Rossbach, Sheriff's Office*

*Jorge Ortiz, Chief Judge*

*Mary Stevens, Court Administrative*

*Rose Gray, Adult Probation*

*Barry Burton, County Administration*

*Heidie Hernandez, County Board Office*

*Kent McKenzie, Sheriff's Office*

*Patrice Evans, Circuit Court Clerk's Office*

*Jon Petrillo, Sheriff's Office*

*Scot Kurek, Sheriff's Office*

*Ryan Horne, Finance and Administrative Services*

*Dena Taylor, Nineteenth Judicial Circuit*

*Danny Davis, Court Administration*

*Ben Gilbertson, Finance and Administrative Services*

*Steve Carlson, County Board Member*

*Judy Martini, County Board Member*

**2. Pledge of Allegiance**

*Member Wyatt led the group in the Pledge of Allegiance.*

*Chair Cunningham noted there is a quorum present and Member Bartels will be joining electronically due to illness.*

**3. Approval of Minutes**

*There were no minutes for approval.*

**4. Addenda to the Agenda**

*There were no admendments made to the agenda.*

**5. Public Comment**

*There were no comments provided by the public.*

**6. Chairman's Remarks**

*There were no remarks made by the Chairman.*

**7. Old Business**

*Member Hart inquired on the increase in autopsies performed and requested information on the causes for this increase.*

*Member Danforth reported on the concerns expressed by the Chief Judge during the Budget Hearings regarding the addition of two adult probation staff members. He recommended that the Board approve at least one positions for a year and reassess the need thereafter.*

*County Administrator Barry Burton noted that this request should be brought to the Financial and Administrative Committee.*

*Members Weber, Frank and Wyatt expressed that there was a lack of communication and knowledge on the request for the additional positions and felt this issue should have been communicated to the Board prior to the budget hearings. They also noted that they would be interested in a discussion regarding the need for additional pretrial staff. Discussion ensued.*

**7.1 17-0900**

Ordinance amending Chapter 35, Section 35.36 Fees for Services Performed by Lake County Sheriff's Office (LCSO) by adopting a revised fee schedule for the LCSO.

*Finance Director Gary Gordon reported on the fee study done for the Lake County Sheriff's Office. He noted that all fees are reviewed periodically and are not required to increase. The review compares the cost of the service to the current fee charged and the market. He explained that increases in fees are only recommended if the cost of the services is not covered.*

*The fees recommended for change included the counter service fees and service fees for summons, paper services, foreign services and subpoenas within Lake County. In addition, the replevin, evictions and fingerprinting services are also recommended to be changed. Other changes in fees include the alarm responses fee formally known as false alarm fee. This change is recommended to reduce the number of false alarm calls made. The foreclosure cancelation fee has also been increased to one half of the foreclosure fee.*

*Discussion ensued on the replevins and eviction fees; it was also requested that feedback be provided in a year to identify the impact of the fee changes.*

**A motion was made by Member Hart, seconded by Member Wyatt, that ordinances 7.1 through 7.3 be approved and referred on to the Financial and Administrative**

**Committee. Motion carried by voice vote.**

**Aye:** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

**7.2 [17-0903](#)**

Ordinance renaming Chapter 93, Section 93.07 from False Alarms to Alarm Responses and adjusting its associated fees.

**A motion was made by Member Hart, seconded by Member Wyatt, that ordinances 7.1 through 7.3 be approved and referred on to the Financial and Administrative Committee. Motion carried by voice vote.**

**Aye:** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

**7.3 [17-0901](#)**

Ordinance amending Chapter 35, Section 35.35 Judicial Sales by adopting a fee identified as the Judicial Sales (Foreclosure) Cancellation Fee for the Lake County Sheriff's Office (LCSO).

**A motion was made by Member Hart, seconded by Member Wyatt, that ordinances 7.1 through 7.3 be approved and referred on to the Financial and Administrative Committee. Motion carried by voice vote.**

**Aye:** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

**7.4 [17-0902](#)**

Ordinance amending Chapter 35 adopting Section 35.37 Administrative Fee for Impounded Vehicles.

*Member Danforth expressed that he doesn't feel that the Lake County Sheriff's Office should charge an administrative impounded vehicle fee.*

*Undersheriff Dave Hare noted there many municipalities that currently charge a fee for this. The tow fees are based on arrests only and is allowed per State statute. The fee study found that the cost incurred is about \$1,000 per vehicle. He also added that the purpose of this is not to generate revenue but to recapture of the cost.*

*Member Danforth asked if the person is found not guilty of the traffic violation is the administrative tow fee still charged. Keith Kaiser, Sheriff's Office, responded that the fee is nonrefundable regardless of the outcome.*

*Mr. Kaiser provided a presentation on the administrative tow fee. He noted that in 2017, legislation was passed to allow counties to charge an administrative tow fee. He reported*

*that the Sheriff's Office provides the majority of police services in Lake County and therefore handles the majority of the cases where a vehicle would need to be towed. A survey was done to determine what other counties are charging for tow fees and it was discovered that not all counties charge a tow fee and those with fees range from \$500 to \$350. Based on the study the Sheriff's Office recommends that the administrative tow fee be set at \$250.*

*There was discussion and clarification on when the fee would be charged and why charging the \$250 administrative tow fee is needed.*

**A motion was made by Member Wyatt, seconded by Member Danforth, that this ordinance be approved and referred on to the Financial and Administrative Committee. Motion carried by voice vote.**

**Aye:** 5 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank and Member Wyatt

**Nay:** 2 - Member Hart and Member Weber

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

## **8. New Business**

### **PUBLIC DEFENDER**

#### **8.1 17-1200**

Report from Joy Gossman, Public Defender, for the month of September 2017.

**A motion was made by Member Hart, seconded by Member Weber, that this communication or report be received and placed on the consent agenda. Motion carried by voice vote.**

**Aye:** 6 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart and Member Weber

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

**Not Present:** 1 - Member Wyatt

### **CIRCUIT COURT CLERK**

#### **8.2 17-1070**

Ordinance amending Chapter 35, Section 35.22 Court Document Fee by increasing the fee collected by the Circuit Court Clerk from \$5 to \$20 effective December 1, 2017.

*Circuit Court Clerk Erin Cartwright Weinstein presented on the request to increase the document storage fee from \$5 to \$20. The document storage fee is a special revenue fund maintained by the Circuit Court Clerk. This fund is used to cover the cost of converting records electronically to micrographic images. The reason for the increase is because the fund balance has depleted and only a minimal amount of records have been backed up. The former Circuit Court Clerk backed up the small claims documents due to electronic filing. However, due to the high cost of the program's maintenance, it was stopped. She further explained that when the program was set up by the former Circuit Court Clerk*

*approximately seven case types were supposed to be backed up and converted to electronic filing, however, only one case type, the small claims type was completed in 2015. Since only 14 percent of small claims were coming through the electronic filing system it was determined that it was not worth the \$150,000 maintenance cost per year. The Circuit Court Clerk's Office has moved to the Tyler Technology System and 15 case types are expected to be done electronically.*

*Ms. Cartwright Weinstein added that there are documents stored throughout Lake County and it is the Circuit Court Clerk's Office responsibility to maintain these documents properly. The goal of this fund is to help off set the cost in document storage and case management. The requested increase is based on the cost per case type. Discussion ensued.*

**A motion was made by Member Frank, seconded by Member Hart, that this item be approved and referred on to the Financial and Administrative Committee. The motion carried unanimously.**

**Aye:** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

### 8.3 [17-1023](#)

Ordinance amending Chapter 35, Section 35.23 Court Automation Fee by increasing the fee collected by the Circuit Court Clerk from \$12 to \$20 effective December 1, 2017.

*Circuit Court Clerk Erin Cartwright Weinstein reported on the request to increase the Court Automation Fee. She noted that the fund is shared with the Circuit Courts and will be used for expenses related to the establishment and or maintenance of an automated record keeping systems in the Circuit Courts and the Circuit Clerk's Office. She added that the Finance and Administrative Services Department reported to her that this fund will be depleted within five years. To resolve this it is recommended that the fee be increased to \$20. An increase to \$10 and \$15 were looked at but it was decided that increasing the fee to \$20 is best. This fee is charged when certain case types are such as civil cases and others are opened. She also added that if an individual is found not guilty they will not be charged the fee. The goal is to help offset fees for the new case management system. Discussion ensued.*

**A motion was made by Member Wyatt, seconded by Member Danforth, that this resolution be approved and referred on to the Financial and Administrative Committee. Motion carried by voice vote.**

**Aye:** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

## 9. Executive Session

*There was no executive session.*

**10. County Administrator's Report**

*Assistant County Administrator Dakisha Wesley reminded the committee that the Coroner's Office tour is scheduled for November 7, 2017.*

**11. Members' Remarks**

*There members' made no remarks.*

**12. Adjournment**

*The meeting adjourned at 10:59 a.m.*

**A motion was made by Member Danforth, seconded by Member Wyatt, to adjourn.**

**The motion carried unanimously.**

**Aye:** 7 - Chair Cunningham, Member Danforth, Member Bartels, Member Frank, Member Hart, Member Weber and Member Wyatt

**Absent:** 2 - Vice Chair Calabresa and Member Paxton

**Next Meeting: November 7, 2017**

*Meeting minutes prepared by Heidie Hernandez.*

*Respectfully submitted,*

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*Chairman*

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*Vice-Chairman*

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*Law and Judicial Committee*