



# MCHENRY COUNTY

## LAW & JUSTICE

MINUTES • APRIL 6, 2015

Public Meeting

County Board Conference Room

8:15 AM

667 Ware Rd, Administration Building, Woodstock, IL 60098

### 1. CALL TO ORDER

PRESENT: Draffkorn, Koehler, Miller, Walkup

ABSENT: Aavang, Gasser, Jung Jr.

Also present: Peter Austin, County Administrator; Ralph Sarbaugh, Associate County Administrator-Finance; Scott Hartman, Deputy County Administrator; Dr. Anne Majewski, Coroner; Sheriff Bill Prim, Sgt. Patenaude, Chief Ricardo Pagan and Sandra Salgado, Sheriff; Dave Christensen, EMA; Tiki Carlson, E-911; Jim Hurley, Assistant to the County Administrator; and interested public.

### 2. MINUTES APPROVAL

1. Law & Justice - Public Meeting - Mar 2, 2015 8:15 AM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna May Miller
<b>SECONDER:</b>	Michael Walkup
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

### 3. PUBLIC COMMENT

None.

### 4. PRESENTATION

None.

### 5. NEW BUSINESS

Mr. Sarbaugh requested the committee review an expenditure issue that will be forwarded to the Finance and Audit Committee for consideration. Ms. Miller made a motion, seconded by Mr. Koehler to recommend the committee members review an expenditure consideration that will be taken directly to the Finance and Audit Committee for consideration. The motion carried on a voice vote of all ayes.

1. 8:15 a.m. - Thomas Condon's interview - Harvard Community Fire Protection District

Mr. Thomas Condon joined the committee members for an interview for consideration of a reappointment to the Harvard Community Fire Protection District.

Sheriff Prim joined the committee members to introduce Sgt. Dan Patenaude and the new addition to the Sheriff's Department, their new blood hound, Bo. This dog is certified for search and rescue and will be used as a public relations animal. This dog is considered a "none" confrontational dog and is well suited as part of their public relations team.

Chairman Draffkorn noted that since they are ahead of schedule they will review the resolutions between the interviews as time allows.

2. Resolution Supporting an Emergency Appropriation to the Emergency Telephone System Board (ETSB) Fiscal Year 2015 Budget for the Payment of the ETSB Committed Construction Costs of the McHenry County Broadband Fiber Project

Ms. Tiki Carlson joined committee members for presentation of the above resolution. This resolution allows for the Emergency Telephone System Board (ETSB) to pay for their portion of the McHenry County Broadband Fiber Project.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna May Miller
<b>SECONDER:</b>	Kenneth Koehler
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

3. 8:30 a.m. - Robert O'Halloran's interview - Harvard Community Fire Protection District

Mr. Robert O'Halloran joined the committee, via teleconference phone, to interview for consideration of an appointment to the Harvard Community Fire Protection District. Mr. O'Halloran had hurt his back and was unable to attend the meeting in person. He called in and requested special consideration for the interview.

4. Deliberation and selection of one candidate for recommendation to the County Board Chairman for the Harvard Fire Protection District for a term to expire on May 1, 2018

Ms. Miller made a motion, seconded by Mr. Koehler, to recommend the appointment of Mr. Thomas Condon for reappointment to the Harvard Fire Protection District with the term to expire on May 1, 2018. The motion carried on a roll call vote of all ayes (Koehler, Miller, Walkup, Draffkorn)

5. 8:45 a.m. - Allen Miller's interview - McHenry Township Fire Protection District

Mr. Allen Miller joined the committee members for consideration of a reappointment to the McHenry Township Fire Protection District.

6. Resolution Authorizing Payments Pursuant to Phase 3 of a Contract with Stanard & Associates, Inc. For Sergeant and Lieutenant Promotional Exams

The committee members were informed that the Merit Commission provides merit testing for Sergeant and Lieutenant Promotional Exams. This provides the Sheriff with an eligibility list for promotions. Stanard & Associates provides the testing. Mr. Koehler questioned where Stanard & Associates is located. After research, Mr. Hartman informed the committee members that this firm is out of Chicago.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna May Miller
<b>SECONDER:</b>	Kenneth Koehler
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

7. Deliberation and selection of Melinda Fanning for recommendaiton to the County Board Chairman for the Sheriff's Merit Commission for a term to expire on April 30, 2021

The committee members were reminded that the appointments of the Merit Commission Members are recommended by the Sheriff. Mr. Koehler made a motion, seconded by Mr. Walkup to recommend the appointment of Melinda Fanning to the McHenry County Sheriff's Merit Commission with the term to expire on April 30, 2021. The motion carried on a roll call vote of all ayes (Koehler, Miller, Walkup, Draffkorn)

8. Resolution Authorizing Acceptance of a Grant Award from the Illinois Department of Public Health - Coroner Death Certificate Surcharge Fund

Dr. Majewski joined committee members for presentation of the above resolution. Dr. Majewski informed the committee members that this is a small grant that is used for the purchase of equipment for lab tests and the morgue. The amount of the grant received is pretty constant each year though with the addition of a hospital in the County, this amount could increase a small amount.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna May Miller
<b>SECONDER:</b>	Kenneth Koehler
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

9. Resolution Authorizing the Acceptance of the Illinois Emergency Management Agency Hazard Materials Emergency Preparedness Grant Agreement and an Emergency Appropriation in the Emergency Management Agency's Fiscal Year 2014-2015 Budget

Mr. Dave Christensen joined the committee members for presentation of the above resolution. Mr. Christensen noted that though this is a small grant, the department would not have qualified for a much larger future grant if the department had not applied for this grant. The funds from this grant will help the department to develop, implement, and improve the hazardous chemical emergency plan. The department will monitor the traffic flow of hazardous materials through the County.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth Koehler
<b>SECONDER:</b>	Michael Walkup
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

10. Resolution Authorizing the Acceptance of the Illinois Emergency Management Agency State-Local Hazard Mitigation Grant Agreement for Planning and an Emergency Appropriation in the Emergency Management Agency's Fiscal Year 2014-2015 Budget

Mr. Christensen joined committee members for presentation of the above resolution. The committee members were informed the department is required to renew their plan every five years. This is the first renewal of the plan. The County pays for their cost share of the grant with in-kind services.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth Koehler
<b>SECONDER:</b>	Anna May Miller
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

11. 9:00 a.m. - Michael Reiken's interview - McHenry Township Fire Protection District

Mr. Michael Reiken joined committee members to interview for consideration of an appointment to the McHenry Township Fire Protection District.

12. Resolution Authorizing the Acceptance of the Sustained Traffic Enforcement Program (STEP) Grant from the Illinois Department of Transportation (IDOT) and an Emergency Appropriation to the Sheriff's Fiscal Year 2015 Budget

Ms. Salgado joined committee members for presentation of the above resolution. The committee members were informed that this resolution will allow for the grant funds to be put into the Sheriff's Budget to conduct special enforcement events for impaired driving mobilizations and/or occupant mobilizations.

The funds are used to pay overtime costs for the seatbelt/DUI enforcement programs.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth Koehler
<b>SECONDER:</b>	Anna May Miller
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

- 13. Resolution Authorizing the Reclassification of Position #32001499 (Administrative Specialist III - Sheriff Department) From Grade 6N to Grade 7N and to Change the Starting Rate of the Position to the Midpoint of the Grade

This resolution will allow an employee to move from the State's Attorney's office into the Sheriff's Department and placed in the appropriate grade/range for this employee. The department worked with Human Resources on the change.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth Koehler
<b>SECONDER:</b>	Michael Walkup
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

- 14. Resolution Awarding A One Year Contract With Keisler Police Supply, Inc. with Two Additional Option Years (12/1/15-11/30/16, 12/1/2016-11/30/2017) for Green Elite Non-Lead Primer Ammunition for the Sheriff's Department

Ms. Salgado joined the committee members for presentation of the above resolution. The committee members were informed this will allow the department to purchase non-lead "green" ammunition for use at the Sheriff's Shooting Range.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna May Miller
<b>SECONDER:</b>	Michael Walkup
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

- 15. Resolution Authorizing an Agreement with GovPayNet to Accept Credit Card Payments in the McHenry County Sheriff's Office

Ms. Salgado joined committee members for presentation of the above resolution. This will allow the department to accept credit and debit cards for payments in their department. Any fees will be passed onto those individuals using their payment cards.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna May Miller
<b>SECONDER:</b>	Michael Walkup
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

16. Resolution Authorizing Tow Conduct Agreements on Behalf of the County of McHenry with Approved Tow Operators and the Sheriff's Department

Ms. Salgado joined the committee members for presentation of the above resolution. The committee members were informed this will allow tow companies to be added to the random list the Sheriff uses for towing services in the County. This authorization is obtained yearly. If the County should have an issue with a vendor, this vendor is placed on probation, and removed from the list. After their probation is completed, the vendor can ask to be placed back onto the list.

The committee members questioned if an individual could call their own towing company for services? Ms. Salgado stated she would check into this for the committee members.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Kenneth Koehler
<b>SECONDER:</b>	Michael Walkup
<b>AYES:</b>	Draffkorn, Koehler, Miller, Walkup
<b>ABSENT:</b>	Aavang, Gasser, Jung Jr.

17. 9:15 a.m. - Pat Hughes's interview - Fox River Grove Fire Protection District

Mr. Pat Hughes joined the committee members to interview for consideration of an appointment to the Fox River Grove Fire Protection District.

18. Deliberation and selection of one candidate for recommendation to the County Board Chairman for the Fox River Grove Fire Protection District for a term to expire on May 1, 2018

Ms. Miller made a motion, seconded by Mr. Koehler to recommend the reappointment of Mr. Pat Hughes to the Fox River Grove Fire Protection District with a term to expire on May 1, 2018. The motion carried on a roll call vote of all ayes. (Koehler, Miller, Walkup, Draffkorn)

Mr. Sarbaugh requested the committee review an expenditure that is over \$20,000 that has not been included on today's committee agenda. He reminded the committee members that each fiscal year, the County purchases new vehicles to replace any older model unsafe vehicles. The vehicle purchases for the Sheriff's Department is generally reviewed by this committee with the purchases being made in April each year. Since the Law and Justice Committee only meets one time per month, the purchases could be delayed if approval for the expenditure isn't provided. Mr. Sarbaugh requested permission to take the vehicle purchase request directly to the Finance and Audit Committee for consideration. At this time, it is unknown how many vehicles will be purchased for the County or Sheriff's Department.

The County has budgeted \$300,000 each year since 2002 to address all the vehicle needs for all departments. This amount now purchases less vehicles than when the program was created in 2002. The cost of each Sheriff vehicle is \$25,000, without any additional costs for the accessories that need to be included in each vehicle. Mr. Sarbaugh stated this issue needs to be discussed in the future. The committee members voiced concern and stated the amount budgeted for vehicle purchases should be used only for that purpose. It was stated that any accessory costs for the Sheriff's vehicles should be borne by that department.

The consensus of the committee was to take the vehicle purchase request directly to the Finance and Audit Committee for consideration.

**19. 9:30 a.m. - Kevin Shay's interview - McHenry Township Fire Protection District**

Mr. Kevin Shay joined the committee for an interview for consideration of an appointment to the McHenry Township Fire Protection District.

It was stated though there are currently only two positions on this board available, there may be another open position available in the near future. It was stated that if another opening should occur, a new advertisement would be placed for the opening and any person wanting to be considered for this additional appointment will need to reapply at that time.

**20. Ordinance Amending the McHenry County Raffle Ordinance No. 0-9405-1200-36**

The committee members were informed that this item was inadvertently placed on today's committee agenda. This item is to be reviewed by the Liquor Commission, not this committee.

Dr. Majewski questioned the need for any department to acquire automobiles that staff are allowed to take home. She suggested the County review the use of all unmarked vehicle usage to determine if there is truly a need for employees to take these vehicles home. She stated that they should review how many times the employees assigned to use the vehicles have been called out for work during their off times to see if there is truly a need to take the vehicles home. If an incident requires an employee to address an issue during their off hours, they could be reimbursed for mileage, which would be much cheaper than providing a vehicle for an employee.

Chairman Draffkorn recommended the committee review the use of County vehicles during a future committee meeting. It was suggested that staff inform the Sheriff of this conversation so the department can provide information on who is using the vehicles and why. The committee questioned if patrol vehicles are being left at home while an employee is on vacation or if that employee is required to leave the vehicle at work. They questioned how often a patrol officer is required to respond to a call during their off hours? It was stated this could result in changes to some policies surrounding the use of the County vehicles to create additional savings for the County.

**21. 9:45 a.m. - Mark Justen's interview - McHenry Township Fire Protection District**

Mr. Mark Justen joined the committee members to interview for consideration of a reappointment to the McHenry Township Fire Protection District.

**22. Deliberation and selection of two candidates for recommendation to the County Board Chairman for the McHenry Township Fire Protection District for terms expiring on May 1, 2018**

Chairman Draffkorn reminded the committee members there are two openings on this board. Mr. Koehler made a motion, seconded by Ms. Miller to recommend the reappointment of Mr. Allen Miller to the McHenry Township Fire Protection District with the term to expire on May 1, 2018. The motion carried on a roll call vote of all ayes (Koehler, Miller, Walkup, Draffkorn)

Mr. Koehler made a motion, seconded by Ms. Miller to recommend the reappointment of Mr. Mark Justen to the McHenry Township Fire Protection District with the term to expire on May 1, 2018. The motion carried with a majority of members present voting aye on a roll call vote (Koehler, Miller, Draffkorn) and one nay (Walkup)

**23. 10:00 a.m. - Kevin Sarnwick's interview - Crystal Lake Rural Fire Protection District**

Mr. Kevin Sarnwick joined the committee members for an interview for consideration of a reappointment to the Crystal Lake Rural Fire Protection District.

Mr. Sarnwick stated that he would suggest the County Board consider that appointees be required to pass a criminal background and drug test for appointments to some of the boards. He stated that each respective board should pay for the costs of these tests. He recommended that the appointees understand financial reports and minutes as well. The members should have a thorough understanding of the FOIA (Freedom of Information Act) and Open Meetings Act as well.

24. Deliberation and selection of one candidate for recommendation to the County Board Chairman for the Crystal Lake Rural Fire Protection District for a term to expire on May 1, 2018

Ms. Miller made a motion, seconded by Mr. Koehler to recommend the reappointment of Mr. Kevin Sarnwick to the Crystal Lake Rural Fire Protection District for a term to expire on May 1, 2018. The motion carried on a roll call vote of all ayes (Koehler, Miller, Walkup, Draffkorn)

## **6. OLD BUSINESS**

None.

## **7. REPORTS**

None.

## **8. MEMBER COMMENTS / FUTURE TOPICS**

Mr. Koehler left committee at 10:00AM.

## **9. EXECUTIVE SESSION (AS NECESSARY)**

None.

## **10. ADJOURNMENT**

Because of the lack of a quorum, the committee meeting adjourned at **10:00 AM**.