

**COUNTY OF KENDALL, ILLINOIS**  
**Law, Justice and Legislation Committee**  
**Monday, April 19, 2021**  
**Meeting Minutes**

**Call to Order and Pledge Allegiance** – Chair Judy Gilmour called the meeting to order at 3:15p.m. and led the Pledge of Allegiance.

**Roll Call:**

<b>Committee Member</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Judy Gilmour	Here		
Amy Cesich	Present		
Dan Koukol	Here		
Ruben Rodriguez	Here		
Robyn Vickers	Here		

**Others Present:** Sheriff Dwight Baird, EMA Director Roger Bonuchi, Public Defender Vicki Chuffo, Court Services Director Alice Elliott, County Administrator Scott Koeppel, Tracy Page, Circuit Clerk Matthew Prochaska, Coroner Jacquie Purcell, Undersheriff Bobby Richardson, Commander Jeanne Russo, States Attorney Eric Weis

**3:25p.m. - Due to unresolved technical difficulties, those attending remotely were not able to continue participating in the meeting.**

**Approval of Agenda:** Member Koukol made a motion to approve the agenda, second by Member Rodriguez.

**ROLL CALL VOTE**

<b>Committee Member</b>	<b>Vote</b>
Judy Gilmour	Yes
Dan Koukol	Yes
Ruben Rodriguez	Yes

**With three members present voting aye, the agenda was approved.**

**Approval of Minutes** – Member Rodriguez made a motion to approve the January 25, 2021 meeting minutes, second by Member Koukol.

## ROLL CALL VOTE

Committee Member	Status
Dan Koukol	Yes
Ruben Rodriguez	Yes
Judy Gilmour	Yes

**With three members present voting aye, the motion carried by a 3-0 vote.**

**Public Comment** - None

### **Status Reports**

**Coroner** – Written reports provided. January, February, and March reports for the Coroner’s Office in the packet. Coroner Purcell reviewed the March 2021 report.

**EMA** – Written report provided. Director Bonuchi stated that the National Volunteer Week is April 18-24 this year. Mr. Bonuchi boasted that EMA Volunteers have served a total of 780 hours this year.

Director Bonuchi reported that the last Mass Vaccination Clinic has been scheduled. Bonuchi reported that through a grant, EMA was able to purchase a \$6500. Freezer for the Health Department’s use in storing the Pfizer vaccine.

Required weekly and monthly testing of IPAWS, NARS Starcom continues.

**Public Defender** – Written reports for February, March and April provided.

**Circuit Clerk** – Written reports provided. Circuit Clerk Matthew Prochaska reported on the updated Manual of Recordkeeping changes that are to be implemented on January 1, 2022. Mr. Prochaska stated that the Illinois State Supreme Court announced changes to the Court Fee Assessment System by which fees, fines and other court costs are paid by litigants in civil and criminal cases. The goal is to address the confusion, inconsistency and financial hardship caused by the previous structure, and to make the justice system more accessible, and to simplify the imposition, collection and distribution of court assessments.

**Court Services** – Written reports provided.

### **Sheriff’s Report**

- a. Operations Division – Written January, February and March reports provided.
- b. Corrections Division – Written January, February and March reports provided. Sheriff Baird reported that one inmate with very high prescription costs was scheduled to be moved to the Department of Corrections, but the DOC refused the transfer, leaving Kendall County to continue care of the inmate, and continued high prescription costs for the inmate.

Sheriff Baird also reported that seventeen inmates have been sentenced and are awaiting acceptance into the Department of Corrections system.

Sheriff Baird reported that Kendall County deputies joined U.S. Marshalls, Oswego, Yorkville and Joliet officers in a Sex Offender Review of 106 registered offenders throughout the area.

The Sheriff reported that the Merit Commission met recently Sheriff Baird made note that his office is currently down eight deputies, and expects three additional deputies to retire soon. Due to Covid-19 and delays in classes for basic law enforcement and a waiting process, etc. they have opted to proceed with lateral transfers of certified police officers with another law enforcement agency, which was negotiated in the union contracts. They hope to begin testing and filling some of those vacancies very soon.

The Sheriff's Office received a personal protective equipment from the local Home Depot. The Sheriff's Office continues to assist with the weekly vaccination clinics, and did participate in the Business Expo this past weekend.

- c. Records Division – Written January, February and March reports provided.

**Old Business** – None

**New Business**

- *Approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use* – Mr. Koepfel reported that Kendall County opposes HB 633 and SB170 that severely restrict counties of control of Wind Energy Farms/Facilities. Discussion of the ramifications of such restriction and actions the County can consider.

Member Koukol made a motion to forward the approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use to the April 20, 2021 County Board meeting for further discussion and final approval, second by Member Rodriguez.

**ROLL CALL VOTE**

<b>Committee Member</b>	<b>Vote</b>
Ruben Rodriguez	Yes
Judy Gilmour	Yes
Dan Koukol	Yes

**With three members present voting aye, the motion carried. This item will be sent to the County Board for further discussion, approval and action.**

- *Discussion of HB 1727 "The Bad Apples in Law Enforcement" Accountability Act* – Sheriff Dwight Baird began by stating that this bill was introduced to take away the qualified immunity from law enforcement officers that was proposed in HB 3653, it was stricken from that bill and a Task Force to be formed and charged with providing a report to the Governor by May 1, 2021 on qualified immunity. It passed out of committee by 4-2. Sheriff Baird stated that he understood that some of our local representatives would not be supporting HB 1727.

States Attorney Eric Weis said this was taken out because there weren't enough votes to pass. Mr. Weis stated that Qualified Immunity is not what is generally perceived as "a solve all solution", but actually means that if a police officer commits a crime that causes them to be prosecuted for willful and wanton action, they are not covered by insurance. Mr. Weis stated that qualified immunity protects local government entities when an officer does something that is not willful and wanton misconduct. Eliminating qualified immunity will mean that the law officer and the governmental entity can now be sued for the actions that the law enforcement officer was prosecuted for. This will not make police offices more accountable, but it will mean taxpayers will be forced to pay more for additional lawsuits, trials and prosecution.

Discussion on the possibility of raising taxes for nuisance suits to support this type of bill, insurance rate increases for the payment of additional claims for wrongful detention or seizure, and the potential need for self-protection by law enforcement officers.

The County will continue to monitor and discuss this bill as it proceeds through the House.

**Chairman's Report/Comments** – No report

**Items for the April 20, 2021 Kendall County Board Meeting**

- *Approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use*

**Items for the May 13, 2021 Committee of the Whole Meeting** - None

**Public Comment** - None

**Legislative Update** – None

**Executive Session** – Not needed

**Adjournment** – Member Koukol made a motion to adjourn the meeting, second by Member Rodriguez.

**ROLL CALL VOTE**

<b>Committee Member</b>	<b>Vote</b>
Judy Gilmour	Yes
Dan Koukol	Yes
Ruben Rodriguez	Yes

**With five members in agreement, the meeting adjourned at 4:35p.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant and Recording Secretary