

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Monday, January 24, 2022
Meeting Minutes

Call to Order and Pledge Allegiance – Chair Judy Gilmour called the meeting to order at 3:00p.m. and led the Pledge of Allegiance.

Roll Call:

Committee Member	Status	Arrived	Left Meeting
Judy Gilmour	Here		
Amy Cesich	Present		
Dan Koukol	Here		
Ruben Rodriguez	Here		
Robyn Vickers		3:02p.m.	

Others Present: EMA Director Roger Bonuchi, Court Services Director Alice Elliott, Public Defender Jason Majer, Circuit Clerk Matthew Prochaska, Court Services Director Alice Elliott, Undersheriff Bobby Richardson, ASA Brandon Rissman

Approval of Agenda: Member Cesich made a motion to approve the agenda, second by Member Rodriguez. **With four members present voting aye, the agenda was approved.**

Approval of Minutes – Member Koukol made a motion to approve the November 22, 2021 meeting minutes, second by Member Rodriguez. **With five members present voting aye, the motion carried by a 5-0 vote.**

Public Comment – Debra Peterson - Kendall County Public Defender System

Status Reports

Coroner – November and December 2021 written reports provided.

EMA – November and December 2021 written reports provided. EMA Director Bonuchi reviewed the Region 2 Covid statistics with the committee, stating that Region 2 have decreased.

Public Defender – Chief Judge Pilmer responded to the questions from Ms. Peterson, and said that the attorney is set by state stature at 90% of the State’s Attorney. Pilmer stated that Assistant Public Defender’s receive required training and are required to obtain a number of additional training hours each year as required by law. Judge Pilmer also responded to the question of the former Public Defender’s retirement from the County.

Public Defender Jason Majer reported that the office is now at full staff with one Public Defender, and five Assistant Public Defenders. Mr. Majer reported the longest tenured attorney is 32 years of experience, and the newest assistant at 3 years of experience.

Mr. Majer reported the current caseload as 1, 982, with 222 new cases for the month of January, which is approximately 200 cases higher than the previous month.

Public Defender Majer stated that the state usually conducts an annual Public Defender training each year, but training has been delayed for the past two years due to Covid.

Circuit Clerk – Written report provided. Circuit Clerk Matthew reviewed several reports that were in the packet with the committee, explaining the age of pending cases, and the annual financial report for 2021. Mr. Prochaska updated the committee on the addition of a computer station available to litigant's in the viewing room. The State has now limited the type of report that can be made available for online viewing to anyone besides attorneys and party to the case.

Mr. Prochaska updated the committee on the mandated record keeping system, the changes that took effect on January 1, 2022, and the state-wide case search that has been developed. Mr. Prochaska stated that one of the biggest impacts is with Tax Cases, going forward each case will be treated separately, so there will be substantially more cases now due to the mandated manual record keeping.

Mr. Prochaska asked the committee to include on the upcoming County Board agenda, a resolution granting the Circuit Clerk authorization to enter into Agreements with Jano Technologies on Behalf of Kendall County, Illinois. Mr. Prochaska explained the need for the contract, and stated that this item was included in his original budget. Mr. Prochaska stated that he will also purchase the module for the Public Defender's Office. The County Board granted the funds to allow the Public Defender's Office access to the court management system. **There was consensus by the committee to include this item on the February 1, 2022 County Board agenda for approval.**

Court Services – Written reports provided. Director Elliot reported that their Adult Supervisor moved on to a Federal Probation position in the state of Georgia, leaving a vacancy. Elliott stated that although they have posted the position, they have had a very low response which appears to be consistent throughout the state. This position will remain open for a few months and take the time to ensure a right fit. She hopes to fill the position in April.

Elliott said that recently posted vacant positions from the Administrative Office of Illinois Courts have significantly higher than standard salaries amongst the County positions. This disparity could make filling vacancies difficult in the future.

Director Elliott highlighted the Juvenile Division during the Committee meeting, stating the goal is to create a comprehensive continuum of intervention serving delinquent youth utilizing proven methods. Court Services recognizes the complexity of family dynamics and the degree to which childhood trauma plays into juvenile delinquency. They have begun the work of repurposing a portion of the resources freed up when the Sheriff's Office took

over the GPA Monitoring program, to focus on their most complex cases that often consume detention dollars. Jacqueline Juodis is the Juvenile Supervisor and provided a brief overview of the work her team is doing.

Chief Judge – Judge Pilmer reported that he is no longer the Chief Judge for the 23rd Circuit, since his term expired. Judge Bradley Waller in DeKalb is now the Chief Judge for three years.

Judge Pilmer stated that Bailiff's are in each courtroom and assist with maintaining order and decorum, and getting litigant's heard. This past week, one of their Bailiff's Patricia Anderson passed away unexpectedly. Judge Pilmer said they mourn her passing along with her family, colleagues and friends.

Judge Pilmer said there is opportunity for Technology Modernization grant available through the Administrative Offices of the Illinois Courts, and they are planning to apply. They are working on a list of equipment in the courthouse that will make things easier for the litigant's that come into the Courthouse. They successfully applied for a grant earlier, and received funding for new computers to assist with the hybrid court appearances.

Judge Pilmer reported they continue to conduct court in person and remotely through hybrid, and he sees that continuing well into the future, so they are adapting to that as needed. The Supreme Court announced a new policy on portable electronic devices, their local rule was updated prior to the Supreme Court policy and the local rule is in line with the Supreme Court's policy, allowing people to bring phones into the courthouse, but there are rules regarding taking photographs or recording in specific areas.

Judge Pilmer stated that the Public Defender by statute is selected by the Circuit Judges of the Circuit, four in Kendall County and one in DeKalb. Under the local rules there is a periodic review of the Public Defender from time to time, and they are encouraged to contact the Presiding Judge, who ensures they have the necessary tools and personnel to get their job done in an appropriate manner.

State's Attorney – No Report

Sheriff's Report –

- a. Operations Division – Written report provided. Undersheriff Richardson reviewed some of the highlights of the November and December 2021 reports, and on the office vacancies and new hires. The Undersheriff briefed the committee on the potential of 7 deputies eligible for retirement.

Undersheriff Richardson stated that they are requesting approval to purchase 20 Body worn cameras including associated hardware and 5 years of cloud storage in an amount not to exceed \$72,353.00. This purchase will bring the Sheriff's Office into compliance for House Bill 3653. The Undersheriff asked the committee to forward this item to the February 1, 2022 County Board agenda for approval.

Sheriff Baird highlighted portions of the Sheriff's Office Annual Report for the committee.

Sheriff Baird reviewed the cost for the EHM equipment, and the amount they collected from the participants.

Sheriff Baird reported that Commander Jason Langston completed the FBI Academy recently and is half-way through his Master's Degree Program.

Undersheriff Richardson briefed the committee on House Bill 3653 and some of the bill requirements that went into effect on January 1, 2022, and Commander Jeanne Russo reviewed some of the changes that effect Corrections.

- b. Corrections Division – Written report provided. Commander Russo stated that the most significant item in the report is in the EHM violations.

Commander Russo explained the violations:

1. Financial Violation: When the participant on the program is more than 30 days behind in paying their daily fee, and when that happens a violation is issued, which goes to the state, and then the state determines if a warrant is issued or their GPS is revoked.
2. Unapproved Stops: When the participant only had permission to go from point A to point B, but made additional non-approved stops along the way, causing a violation to be issued.
3. Leaving the State of Illinois without permission: As a commission of their bond and their EHM agreement, a participant has to stay in the State of Illinois. When they leave the state without permission, they are issued a violation.
4. Removal of bracelet and leaving the State: Participant cut their bracelet off and left the state. A warrant for their arrest is issued by the Sheriff's Office.

Commander Russo explained other issues when a violation is issued. Russo stated that the program is growing and there are more violations.

- c. Records Division – Written report provided.

Old Business – Scott Koeppel reported that he, County Clerk Debbie Gillette and the State's Attorney's Office continue working on the Peddler's Ordinance, the clerk is responsible for registering solicitors.

New Business

- *Discussion of EMA Hazard Mitigation Plan* – Director Roger Bonuchi briefed the committee on the EMA Hazard Mitigation Plan for Kendall County, and the process of updating the County's current plan. An outside vendor will be contracted to update the plan. Bonuchi asked the committee for permission to move forward without an RFP and proceed with the contract for professional services. Scott Koeppel stated that the vendor will assist the County with writing the grant, and also assist the County in upgrading the action plan. **There was consensus by the**

committee to authorize the contract for legal review and then to the County Board for final approval.

- *Discussion and Approval of a Resolution Supporting Judicial Facilities Fee for Kendall County* – Mr. Koepfel reported that Circuit Clerk Prochaska brought up at his budget hearing that there is a judicial facilities fee that is levied in some counties, but not in Kendall County that could be used in the future for the possibility of finishing the top floor of the Courthouse. Mr. Koepfel said that the Courthouse was built with the thought of the County's growth, and the County has grown 14.7 percent since 2010. Koepfel said the issue with the facilities fee is that only Will and Kane County are authorized to levy the judicial facilities fee. This resolution is asking that Kendall County be authorized by ordinance to assess this fee up to \$30 to civil and criminal cases. The County Board would have to approve an ordinance designating the fee if the resolution is approved by the State.

Member Cesich made a motion to forward the item to the County Board for approval, second by Member Koukol. **With five members present voting aye, the motion carried by a vote of 5-0.**

- *Discussion and Approval of Resolution Governing the Inspector General of Kendall County* – Mr. Koepfel stated that the resolution has been through the State's Attorney's Office and the Sheriff's Office for review. **There was consensus by the committee that this item should be added to the February 1, 2022 County Board agenda with County Board Chairman approval.**

Legislative Update – Both the House and the Senate will return to session on February 1, 2022.

Chairman's Report/Comments – No report.

Items for the February 1, 2022 Kendall County Board Meeting

- *Approval of a Resolution granting the Kendall County Clerk of the Circuit Court authorization to enter into Agreements with Jano Technologies on behalf of Kendall County, Illinois*
- *Approval of a Resolution Governing the Inspector General of Kendall County, Illinois*
- *Approval of a Resolution supporting Judicial Facilities Fee for Kendall County, Illinois*

Items for the February 10, 2022 Committee of the Whole Meeting – None

Chairman's report/comments - None

Public Comment – None

Executive Session – Not needed

Adjournment – Member Cesich made a motion to adjourn the meeting, second by Member Vickers.

With five members in agreement, the meeting adjourned at 4:45p.m.

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary