

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, August 4, 2009 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Hoselton (4:35 p.m.), Rackauskas, Wendt, Rankin, and McIntyre

Members Absent: None

Other County Board
Members Present: None

Staff Present: Mr. Bill Wasson, Assistant County Administrator; and Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present: Ms. Lori McCormick, Director, Court Services; Ms. Judy Renner, Director, Children's Advocacy Center; Ms. Joan Naour, Director, Correctional Health Services; Sheriff Mike Emery; Ms. Beth Kimmerling, Coroner

Others Present: Ms. Kim Campbell, First Criminal Assistant State's Attorney; Chief Deputy Sheriff Rusty Thomas; Mr. Greg Allen, Jail Superintendent; Mr. Jamey Kessinger, Assistant Jail Superintendent; Diane Hughes, Jail Operations Supervisor; Ms. Hannah Eisner, First Civil Assistant State's Attorney; Ms. Michelle Anderson, Financial Reporting Specialist, County Auditor's Office

Chairman Renner called the meeting to order at 4:30 p.m.

Chairman Renner presented the minutes from the July 7, 2009 Committee meeting for approval.

Motion by Rankin/Wendt to approve the Minutes of the July 7, 2009 Committee Meeting.
Motion carried.

Ms. Lori McCormick, Director, Court Services, presented a request for approval of an Intergovernmental Agreement between the Law and Justice Commission Mobil Team (MTU) #8 and McLean County Court Services. Ms. McCormick explained that this Intergovernmental Agreement will allow probation and detention officers to continue receiving training through the MTU at the local regional training headquarters at Heartland Community College. She noted that if Court Services does not pay for the training, the probation and detention officers can only receive the training if space is available. This Agreement will guarantee that the training will be available. Ms. McCormick indicated that the training is excellent. She added that, with this Agreement, it will not be necessary for the officers to go out of town for training. Ms. McCormick stated that the membership will be taken out of probation fees for 25 officers at \$75.00 per officer.

Ms. McCormick advised that the Agreement has been reviewed and approved by the McLean County State's Attorneys Office.

Ms. Rackauskas expressed her support of having the officers trained at the Law and Justice Commission Mobil Team (MTU) #8.

Motion by Rackauskas/Rankin to Recommend
Approval of an Intergovernmental Agreement between
the Law and Justice Commission Mobil Team Unit
(MTU) #8 and McLean County Court Services.
Motion carried.

Ms. McCormick reviewed the Court Services Adult/Juvenile Division Statistics for May 2009, as well as the Juvenile Detention Center statistics. She noted that they continue to have higher numbers of out-of-County youth at the Detention Center. Ms. McCormick added that, today, 11 out of the 14 individuals in Detention were from out- of-County.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. McCormick.

Ms. Judy Renner, Director, Children's Advocacy Center, presented the Children's Advocacy Center (CAC) Monthly Report and the CASA Report. She indicated that the CAC numbers were at 115 children, which is lower than this time last year.

Ms. Renner advised that CASA has several cases closing and new cases coming in. She noted that most of the trained active CASA volunteers have cases.

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Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. Renner.

Ms. Joan Naour, Director, Correctional Health Services, presented a request for approval for the McLean County Detention Facility Health Services Department to apply for a County credit card. She advised that the credit card will be used for approved travel expenses, purchase of on-line commodities and products, and emergency expenditures that may occur. Ms. Naour stated that the Director of MCDF Health Services will provide the credit card to employees upon request and only with prior approval of all charges.

Ms. Naour indicated that the McLean County Auditor supports and encouraged this request. She stated that it is easier for the Auditor's Office to track expenses if each department has their own credit card. Ms. Naour noted that the credit card will be kept in a locked file and used only for authorized purchases.

Motion by Wendt/McIntyre to Recommend Approval for
the McLean County Detention Facility Health Services
Department to Apply for a County Credit Card.
Motion carried.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. Naour.

Sheriff Emery volunteered to present his action items at the end of the meeting because there might be an extended discussion.

Chairman Renner presented the Circuit Clerk's May 2009 Statistical Report and the 2nd Quarter Statistical Report as submitted by Mr. Don Everhart, Circuit Clerk. There were no questions on the reports.

Mr. Hoselton arrived at 4:35 p.m.

Ms. Beth Kimmerling, County Coroner, presented her Monthly Report. She stated that June's numbers were a little bit down, but the month of July was high.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. Kimmerling.

Ms. Kim Campbell, First Criminal Assistant State's Attorney, presented a request for approval for the McLean County State's Attorneys Office to apply for a County-owned credit card. She indicated that the County Auditor recommended that the State's Attorneys Office request this credit card.

Ms. Campbell advised that the credit card will be used for approved travel expenses (hotel, airfare, etc.) as well as to purchase commodities and products that can only be purchased via a credit card, e.g. on-line conference registration fees. In addition, it may be used for other approved emergency expenditures.

Ms. Campbell indicated that the State's Attorneys Office will limit the number of individuals approved to make purchases with the credit card and all transactions will be pre-approved. When monthly credit card statements are submitted to the Auditor for payment, they will include paperwork to support each transaction.

Mr. Hoselton expressed concern that each department is requesting credit cards. He suggested that the appropriate oversight committee receive a copy of the monthly billings for review. Chairman Renner replied that the bills all go to the Auditor's office for review. Mr. Wasson added that the billings are presented to the Auditor's Office and are portion of the monthly bills that the oversight committees receive each month. He noted that the Auditor's Office can provide information on the departmental credit cards.

Mr. Wasson advised that the Auditor's Office has requested that County Departments have their own individual credit cards. He indicated that the County Auditor prefers that the departments have individual accounts so that expenditures can be more easily tracked by department. When one card is used by all departments, it is more difficult to identify and track expenditures by department. Mr. Wasson added that by each department being responsible for their individual account, any questions that the Auditor may have relative to expenditures that are charged to those cards can go directly to the department head for verification.

Mr. Hoselton asked if there is a limit to the credit card. Mr. Wasson replied that there is a limit to the amount of charges that can be placed on the card, but he was not sure of the limit amount. (Note: Ms. Amy Davis, Public Defender, indicated that her credit card limit is \$3,000.00.)

After continued discussion, the Committee requested that Mr. Wasson arrange to have the County Auditor attend the meeting next month to explain the rationale for individual departments having a credit card and how the credit cards will be monitored.

Motion by Hoselton/Rankin to Recommend Approval for the McLean County State's Attorneys Office to apply for a County-owned Credit Card.
Motion carried.

Ms. Campbell reviewed the State's Attorneys Office Monthly Caseload Report and Asset Forfeiture Fund Report.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Ms. Campbell.

Ms. Amy Davis, Public Defender, presented a request for approval of a contract between Harvey C. Welch, Special Public Defender, and the Public Defender's Office. She explained that Mr. Welch is currently a half-time Contract Attorney with the Public Defender's Office. She indicated that this contract will add another half-time to Mr. Welch's contract making him a full-time Contract Attorney. Ms. Davis advised that Mr. Terry Dodd, who was a half-time Contract Attorney with the Public Defender's Office, no longer holds that position. Mr. Dodd's half-time contract will be added to Mr. Welch's contract.

Ms. Rackauskas asked if there will be a difference in benefits going from a half-time contract to a full-time contract. Ms. Davis replied that Contract Attorneys do not receive benefits. She noted that Contract Attorneys handle overflow and conflict cases.

Motion by Hoselton/Rackauskas to Recommend Approval of a Contract between Harvey C. Welch, Special Public Defender, and the Public Defender's Office.
Motion carried.

Ms. Davis reported that the Legislature has added new responsibilities to the Public Defender's Office. She noted that in 1995 a bill was passed regarding minors seeking abortions without parental approval. Ms. Davis indicated that this bill was on hold for a number of years due to a Federal mandate. She advised that this bill was re-enacted as of today's date. Ms. Davis stated that Chief Judge Robb informed her that the Public Defender's Office will be responsible to provide a guardian ad litem to any underage girl who doesn't want her parents to know that she wants an abortion, but seeks to have permission of the Court to get an abortion.

Ms. Davis reviewed her Monthly Caseload Report. There were no questions on the report.

Sheriff Mike Emery introduced Chief Deputy Sheriff Rusty Thomas; Mr. Greg Allen, Jail Superintendent; Mr. Jamey Kessinger, Assistant Jail Superintendent; and Ms. Diane Hughes, Jail Operations Supervisor.

Sheriff Emery presented a request for approval to award the bid for Jail food service to Aramark. He commended the Jail Staff, the Chief Deputy and the County Administrator's Office for their time and effort in developing this proposed program.

Sheriff Emery advised that the Sheriff's Department currently spends about \$450,000.00 on the Jail Kitchen program, including cost of food, four employee positions and employee benefits. He indicated that, while compiling the statistics for the annual report, it was discovered that there is a distortion in the amount of funds necessary for the Jail Kitchen operations. The report has always included the cost of the food per meal, which shows \$1.03 or \$1.07 per meal. Sheriff Emery explained that the way that formula was reached did not include all of the expenses associated in running the Jail Kitchen, including employee salaries, benefits, food, etc.; the meals were more accurately \$2.18 per meal.

Sheriff Emery indicated that the report included in the Committee packet will document his request to save substantial dollars in the Jail Food Service operations in the McLean County Detention Facility by changing the "in-house" Jail Food Service operations to a contract service method.

Sheriff Emery indicated that on May 2, 2009, the Sheriff's Department advertised for proposals from area institutional food service providers who have experience in providing county jails with food service operation. On May 7, 2009, a mandatory Pre-Bid conference was held for interested firms who toured the County's Jail food services facilities, were given information on fluctuating inmate census trends, Illinois Department of Corrections nutritional standards, special diet restrictions, and all important food services requirements necessary to submit an accurate proposal.

Sheriff Emery advised that, on May 22, 2009, a public bid opening was conducted for all bids received. He noted that Attachment number one is the Bid Tabulation Sheet of the results of the bid opening, a comparison of budgets and actual costs incurred in 2008, 2009, and projected for 2010, and the all-inclusive cost per meal for three realistic census trends. These costs include food, supplies, and labor per

bid requirements. Sheriff Emery stated that proposals were received from Aramark, Aviands and Consolidated.

Sheriff Emery indicated that Aramark, the low bidder, meets all bid requirements for this project. He advised that using three figures of meals served, the projected savings is estimated at \$242,650.00 at 180 meals at \$1.27 per meal, \$202,205.00 for 234 meals at \$1.13 per meal, and \$179,085.00 for 270 meals at \$1.06 per meal compared to the cost of in-house management of our food service operations. These figures compared to actual 2008 data.

Sheriff Emery stated that Aramark, headquartered in Downers Grove, Illinois, manages the Jail Food Service operations for eight jails in the following counties: Boone, Champaign, Cook, Ford, Livingston, McHenry, and Rock Island. He noted that County correctional staff toured several contract services facilities and met with their staff in June 2009. Other facilities were contacted by telephone. Sheriff Emery added that the other facilities appeared to be pleased with their contracts with Aramark, including the quality of the preparation and distribution of meals, and the level of staffing required to manage each of these operations.

Ms. Rackauskas asked if Aramark will prepare the meals in the Jail Kitchen. Sheriff Emery replied that Aramark employees will use our facility, with assistance from the Jail trustees.

Ms. Rackauskas asked how many County employees will be affected by the proposed program. Sheriff Emery responded that the former Food Service Supervisor took advantage of the Early Retirement Incentive (ERI) and retired last May. There are currently three (3) full-time food service employees, one of whom has accepted a position elsewhere and one is eligible to retire. Should that person not retire, the County will make every effort to accommodate finding a similar open position within the County. Sheriff Emery indicated that the final position will be retained until January of 2010 to oversee the transition to the outside food provider. After January 2010, the County will, again, make every effort to accommodate finding a similar open position within the County. Sheriff Emery added that each of the bidding companies, including Aramark, expressed interest in interviewing the County's current cook employees for positions within their companies.

Sheriff Emery advised that the Jail Kitchen staff is currently under a union contract. He stated that the County Administrator's Office has been in negotiation with the Fraternal Order of Police to dissolve the Union contract. Mr. Wasson indicated that they are still conducting impact bargaining on this administrative managerial

change. He anticipated that they will complete the impact bargaining with the Union soon.

Sheriff Emery assured the Committee that the welfare of the employees has been a prime concern in making the decision to out-source the Jail food service.

Mr. Hoselton expressed concern with what may happen to County employees who accept a position with Aramark should the County discontinue their contract with Aramark in two years. Sheriff Emery replied that those individuals would likely be reassigned to another facility with Aramark.

Mr. Hoselton asked if Aramark guarantees the price of the meals for the two-year contract. Mr. Kessinger replied that the contract has a Market Basket approach for an extreme emergency should there be a global food shortage.

Mr. McIntyre expressed concern that either party may withdraw from this contract within 90 days. Sheriff Emery responded that Aramark is an established corporation and it is unlikely that they will pull out of the contract. Further, there are other vendors available who will provide the service.

Mr. Rankin asked if the two-year contract is standard and, if not, who requested the two years. Mr. Kessinger replied that the Sheriff's Department requested the two-year contract. He added that the Sheriff's Department also requested the 90 day withdrawal option.

Mr. Kessinger reminded the Committee that last year, the County spent \$1.28 per meal exclusively on food; Aramark will provide the meals at \$.72 per meal. He added that, should the food costs increase significantly, the meals will still be cheaper through Aramark than if the County paid for the higher priced food. Mr. Kessinger stated that if Aramark were to break the contract with the County, they would likely break their contract with other counties in the state. He indicated that Aramark has a good reputation within the state and it is unlikely they will try to increase the price of the meals at the end of the 90-day period. Mr. Kessinger reiterated that there are two other vendors who were very competitive and could be used should Aramark withdraw from the contract or try to increase its prices. Sheriff Emery reminded the Committee that the Sheriff's Department added the 90-day withdrawal clause to the contract on the advice of counsel as a safeguard to the County should Aramark not provide the service to the satisfaction of the Sheriff's Department.

Mr. Hoselton asked Ms. Hannah Eisner, First Assistant Civil State's Attorney, if she had anything to add regarding the contract. Ms. Eisner responded that Sheriff Emery covered all of the salient points to the proposed program.

Ms. Rackauskas expressed concern that the contract shows that the date of the contract begins on August 1, 2009, which has already past. Ms. Eisner replied that the intent was to have the contract approved at the July County Board meeting; however, it was delayed due to the discussions with the FOP. Ms. Eisner advised that the date should have been changed and the contract will be amended to have the starting date be September 1, 2009. Mr. Kessinger stated that he had intended to change the date, but it inadvertently did not get changed.

Mr. McIntyre asked if this proposed program will affect local food merchants. Mr. Kessinger replied that food purchase is the responsibility of Aramark, but he believes Aramark will buy fresh produce locally. He noted that non-perishable foods are likely purchased through large companies.

Ms. Rackauskas asked if the Sheriff's Department contacted the companies that currently supply food to the County to let them know that we are changing the program. Mr. Allen replied that the Ms. Donna Thornton, the long-time Cook Supervisor who retired in May, contacted several suppliers, including Sysco, the company that provides some of the non-perishable foods, to apprise them of the situation.

Mr. Rankin asked if the contract had been extended to a three-year contract, would the cost per meal have been less. Mr. Kessinger replied that Aramark prefers guaranteeing the cost one year at a time. He noted that Aramark agreed to a two-year contract in order to get their foot in the door with McLean County.

Ms. Rackauskas commended the Sheriff's Department for thinking smart and efficiently, while still showing compassion to employees.

Chairman Renner called for a motion to recommend approval to award the bid for Jail Food Service to Aramark as amended, namely to change the starting date from August 1, 2009 to September 1, 2009.

Motion by Wendt/Rankin to Recommend Approval to Award the Bid for Jail Food Service to Aramark as amended.
Motion carried.

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Sheriff Emery advised that Aramark has the potential to offer more benefits to the County, such as providing lunches for jurors and bailiffs, which could be a significant savings to the County. Currently, the jurors and bailiffs go to a restaurant downtown at a cost to the County of \$10.00 a meal per person.

Sheriff Emery presented a request for approval to apply for the JAG Recovery Law Enforcement Grant from the Illinois Criminal Justice Information Authority. He indicated that this money is being provided by the Federal Government administered through the Justice Assistance Grant (JAG) provided by the Illinois Criminal Justice Information Authority. Sheriff Emery stated that this \$40,000.00 grant will be used to purchase equipment. He noted that there is no match to this grant. Sheriff Emery advised that this request is for approval to apply for the grant. The grant application has not yet been made.

Motion by Wendt/McIntyre to Recommend Approval to
Apply for the JAG Recovery Law Enforcement Grant
from the Illinois Criminal Justice Information Authority.
Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility Population Report.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Sheriff Emery.

Chairman Renner presented the July 31, 2009 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$2,071,356.45 and a Fund Total that is the same.

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Motion by Hoselton/Rankin to Recommend Approval of the Justice Committee Bills as of July 31, 2009, as transmitted by the County Auditor.
Motion carried.

Ms. Rackauskas announced that she will be attending a luncheon meeting on Friday, August 7th at the request of Carol Reitan regarding Victim-Offender Mediation. She indicated that she will give a report on the meeting at next month's Committee meeting.

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Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary