

MINUTES

**Board of Governors' Special Meeting Illinois Education Association
September 27, 2017 Professional Development Center
3440 Liberty Drive
Springfield, IL 62704**

Chairman Bruscato called the meeting to order at 11:15 A.M. at the Illinois Education Association, Professional Development Center, 3440 Liberty Drive, Springfield, Illinois 62704.

ROLL CALL

Board Members Present:

Joseph P. Bruscato, Chairman
Justin Hood, Vice-Chairman
John C. Milhiser, Secretary
Eric Sussman (for Kimberly M. Foxx)
Tyler R. Edmonds
John L. McGehee
Joseph H. McMahan
Stewart J. Umholtz (after Roll Call)

Board Members Absent:

Ben Goetten

Staff:

Patrick J. Delfino, Director
Matthew Jones, Associate Director
David J. Robinson, Fourth/Fifth District Deputy Director
Gloria Mundy, Chief Fiscal Officer

Chairman Bruscato welcomed all Board Members and Agency personnel to the Board of Governors' Meeting. He then requested Secretary Milhiser to call the roll and noted the presence of a quorum.

Chairman Bruscato stated he would entertain a motion to approve the minutes of the previous Board Meeting of June 21, 2017.

Board Member McGehee made a motion to approve the minutes of the previous Board of Governors' Meeting of June 21, 2017, and Board Member McMahon seconded the motion.

Chairman Bruscato asked for discussion. Hearing none, he called for a vote.

MOTION TO APPROVE THE MINUTES OF THE JUNE 21, 2017 BOARD OF GOVERNORS' MEETING MADE BY BOARD MEMBER McGEHEE AND SECONDED BY BOARD MEMBER McMAHON. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

Chairman's Remarks

Chairman Bruscato said he would be brief in his remarks and again thanked all Board Members and Agency personnel for attending the Board Meeting. He expressed his appreciation to Director Delfino and Agency personnel for continuing to provide outstanding service to Illinois State's Attorneys, particularly with the current fiscal constraints.

Chairman Bruscato gave special thanks to Chief Fiscal Officer Mundy for her efforts in again achieving 100% county contributions.

He then concluded his remarks and requested that Director Delfino make his report.

Director's Report

Director Delfino gave a detailed report on the current FY18 budgetary status and again thanked Chief Fiscal Officer Mundy for her expertise.

He next reviewed all Agency activity reports and expressed his appreciation to the Deputy Directors for their administrative skills. He again stated that all specific information is listed in detail in the Board packet.

Director Delfino then reported that the Agency's two ICJIA grants have been renewed but at reduced amounts. He stated that grant specifics are listed in the Board packet.

He again said that there is 100% receipt of all county contributions and that this is due in large part to Chief Fiscal Officer Mundy's efforts.

Director Delfino next asked Deputy Director Robinson to give a brief status report on the FY18 AFSCME/ILSAAP Collective Bargaining Agreement. Deputy Director Robinson stated that AFSCME had said it would be presenting new proposals at possible meeting dates in October and November.

Board Member McMahon asked Deputy Director Robinson if the proposals would be general or specific. Deputy Director Robinson responded that he expected the proposals to be general and non-economic.

Director Delfino then asked Associate Director Jones to give a summary of CLE programs. Associate Director Jones presented an overview of two completed programs and four upcoming programs. Director Delfino thanked Associate Director Jones and said all program details are in the Board packet.

Chairman Bruscato then noted that Board Member Umholtz was present.

Director Delfino next discussed the necessity of the proposed Labor Services Resolution. He stated that the Auditor requested a specific Agency policy for counties wishing to pay on a set monthly basis. Director Delfino carefully explained that this actually did not cost the Agency as the Agency contracted with law firms, and the county would reimburse the Agency for the exact amount.

Chairman Bruscato stated he would entertain a motion to approve the proposed Labor Services Resolution as submitted.

Vice-Chairman Hood made the motion to approve the proposed Labor Services Resolution as submitted, and Board Member Representative Sussman seconded the motion.

Chairman Bruscato asked for a discussion. Hearing none, he called for a vote.

MOTION TO APPROVE THE PROPOSED LABOR SERVICES RESOLUTION AS SUBMITTED MADE BY VICE-CHAIRMAN HOOD AND SECONDED BY BOARD MEMBER REPRESENTATIVE SUSSMAN. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

Director Delfino continued his report and reviewed the Agency's Contractual and Personnel Update as specifically listed in the Board packet.

Chairman Bruscato stated he would entertain a motion to approve the proposed Agency's Contractual and Personnel List as submitted.

Board Member McGehee made the motion to approve the proposed Agency's Contractual and Personnel List as submitted, and Board Member Edmonds seconded the motion.

Chairman Bruscato asked for a discussion and recognized Board Member McMahon.

Board Member McMahon requested personnel information on Special Prosecutor Miller. Director Delfino explained she had served as the elected State's Attorney of Mason County and had done contractual work for the Agency specializing in juvenile cases.

There being no further discussion, Chairman Bruscato called for a vote.

MOTION TO APPROVE THE PROPOSED AGENCY'S CONTRACTUAL AND PERSONNEL LIST AS SUBMITTED MADE BY BOARD MEMBER McGEHEE AND SECONDED BY BOARD MEMBER EDMONDS. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

Director Delfino next reported that there was no change on the status of the Second District Attorney's EEOC complaint.

He again thanked the Attorney General's Office for assistance in this matter.

Director Delfino next reviewed the proposed Agency's Annual Report in detail.

Chairman Bruscato said he would entertain a motion to approve the proposed Agency's FY17 Annual Report as submitted.

Board Member Edmonds made the motion to approve the proposed Agency's FY17 Annual Report as submitted, and Board Member McMahon seconded the motion.

Chairman Bruscato asked for a discussion. He inquired as to the period of time in the report, and Director Delfino said it was the State's fiscal year of July 1, 2016 to June 30, 2017.

There being no further discussion, Chairman Bruscato called for a vote.

MOTION TO APPROVE THE PROPOSED AGENCY'S FY17 ANNUAL REPORT AS SUBMITTED MADE BY BOARD MEMBER EDMONDS AND SECONDED BY BOARD MEMBER McMAHON. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

Director Delfino next reported on the status of the proposed Cook County/ILSAAP Memorandum of Understanding Regarding Review of Officer-Involved Death Investigations.

Chairman Bruscato asked Board Member Representative Sussman to provide the rationale of the proposal.

Board Member Representative Sussman gave an overview of the investigative agencies involved and the procedures utilized in Cook County Police officer-involved death investigations including the requirements specific to the City of Chicago.

Director Delfino said that both sides were working together on preparing a final draft for Board review in the near future.

After a general discussion, there was a consensus that Director Delfino continue on a case-by-case basis until the Board voted on the agreement.

Director Delfino said this concluded his report, and Chairman Bruscato thanked him for his presentation.

Best Practices Committee Report

Chairman Bruscato next asked Board Member McMahon to report on the Best Practices Committee.

Board Member McMahon said the Committee was scheduled to meet in Kane County on September 28, 2017 and detailed the agenda.

He then requested that Secretary Milhiser talk on his recent NDAA Conference training session on Best Practices.

Secretary Milhiser said the NDAA message was clear that prosecutors should present a narrative to students in both law school and undergraduate classes on exactly what prosecutors do and what their mission is in the criminal justice system.

Director Delfino agreed and said that the Agency had already started this effort and asked Deputy Director Robinson to explain the initiative. Deputy Director Robinson stated he is currently serving as an adjunct professor at the University of Illinois Law School teaching a two-semester course on appellate advocacy.

He said the Agency directly benefits because the students are currently working on Fifth District briefs and will participate in oral arguments in the second semester.

Deputy Director Robinson said he accepted the position because of the value to the Agency and because it provided the opportunity to clearly demonstrate the role and responsibility of the prosecutor in the "Access to Justice" concept so often claimed to be the goal only of the defense coalitions.

Director Delfino thanked Deputy Director Robinson for his presentation.

Closed Executive Session

Chairman Bruscato stated he would entertain a motion to enter into Closed Executive Session to discuss the employee personnel matter and the SAAP/AFSCME Collective Bargaining Agreement Proposal.

Board Member Edmonds made the motion to enter into Closed Executive Session to discuss the employee personnel matter and the SAAP/AFSCME Collective Bargaining Agreement Proposal, and Board Member McGehee seconded the motion.

Chairman Bruscatto asked for a discussion. Hearing none, he called for a vote.

MOTION TO ENTER INTO CLOSED EXECUTIVE SESSION TO DISCUSS THE EMPLOYEE PERSONNEL MATTER AND THE SAAP/AFSCME COLLECTIVE BARGAINING AGREEMENT PROPOSAL MADE BY BOARD MEMBER EDMONDS AND SECONDED BY BOARD MEMBER McGEHEE. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

The Board entered into Closed Executive Session.

Chairman Bruscatto said he would entertain a motion to adjourn the Closed Executive Session

Board Member Umholtz made a motion to adjourn the Closed Executive Session, and Board Member Edmonds seconded the motion. Chairman Bruscatto asked for a discussion. Hearing none, he called for a vote.

MOTION TO ADJOURN THE CLOSED EXECUTIVE SESSION MADE BY BOARD MEMBER UMHOLTZ AND SECONDED BY BOARD MEMBER EDMONDS. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

The Board then returned to its open meeting. Chairman Bruscatto stated that the minutes should reflect that the Board discussed the listed agenda items of the employee personnel matter and the FY18 AFSCME/ILSAAP Collective Bargaining Agreement, but took no action.

Public Comments

Chairman Bruscatto asked for any comments from the public. No members of the public requested to comment.

Old Business

Chairman Bruscatto next asked if there was any old business. The Board had no old business to discuss.

New Business

Chairman Bruscatto next asked if there was any new business. The Board had no new business.

Adjournment

There being no further business, Chairman Bruscato said he would entertain a motion to adjourn the meeting. Board Member Edmonds made a motion to adjourn, and Board Member McGehee seconded the motion. Chairman Bruscato called for a vote.

MOTION TO ADJOURN THE SEPTEMBER 27, 2017 BOARD OF GOVERNORS' MEETING MADE BY BOARD MEMBER EDMONDS AND SECONDED BY BOARD MEMBER McGEHEE. MOTION CARRIED BY UNANIMOUS VOICE VOTE.

Meeting adjourned at 12:45 P.M.

RESPECTFULLY SUBMITTED for future approval by the Board of Governors.

MINUTES APPROVED by the Board of Governors, December 13, 2017.