

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
October 19, 2009 12:00 p.m.
Minutes**

Members Present: Bruce Snead Mike Kearns (left at 1:15 p.m.)
Connie Casper Barry Wilkerson (left at 1:00 p.m.)
Gail Urban Jayme Morris-Hardeman

Absent: Al Johnson

Staff Present: Director Schoen AD Doehling
Captain Hooper Captain Grubbs
Captain Moldrup Captain Nelson
Captain Hegarty

I. Quorum Established: By Chairman Snead at 12:00 p.m.

II. Pledge of Allegiance: Led by Director Schoen.

III. Consent Agenda:

- A. Approve September 21, 2009 Minutes
- B. Approve 2009 Expenditures
 - a) 2009 Budget Expenditures
 - b) Facilities, Maintenance & Repairs Expenditures
 - c) Juvenile Transports
 - d) Edward Byrne Justice Assistance Grant(JAG)-Recovery Act
- C. County Inmate Medical Expenditures-*(Review)*

Snead requested voucher # 10094 in the amount of \$1,500 to Seaton, Seaton & Gillespie, LLP for legal services be added to the 2009 budget expenditure list.

Kearns moved to approve consent agenda items A and B as amended. Wilkerson seconded the motion. The motion passed 6-0.

IV. General Agenda: Chairman Snead wished to move executive session for the purpose of discussing attorney client privilege to the top of the meeting agenda. He explained that Attorney Don Peterson is needed in executive session and he has to appear in court in Wichita, Kansas shortly after. Snead proposed going into executive session upon Peterson's arrival. The Board can return to executive session toward the end of the meeting to discuss other items as necessary. The Board agreed with the approach.

D. Additions/Deletions: None.

E. Public Comment: None.

F. Executive Session: At 12:04 p.m. Kearns moved to go into executive session for the purpose of discussing attorney client privilege not to exceed 30 minutes. Urban seconded the motion. The motion passed 6-0.

At 12:34 p.m. the Board returned from executive session.

G. Report on IACP Conference: Director Schoen and Assistant Director Doehling attended the 116th Annual International Association of Chiefs of Police Conference and Exposition in Denver, Colorado from October 3-7, 2009. Schoen commented that the conference was extremely informative. He and Assistant Director Doehling had the opportunity to sit through several sessions and workshops. The training was quite diverse and offered information on the most pressing law enforcement topics. Schoen believes it is quality training to which the Department will continue to send staff.

H. Jail Expansion Update: Cpt. Grubbs recently met with the foreman of McPherson Construction regarding the progress of the jail expansion. Grubbs reported that McPherson is currently working on back filling the exterior grading around the structure. The masonry walls are approximately 80% complete and the split face veneer will follow shortly after. Insulation and concrete topping have been placed on the roof and the addition of the screen wall columns are now in place. The roof membrane will be installed sometime later this week. Interior electrical and mechanical is ongoing and the contractor estimates that it will take approximately three weeks to complete. The interior steel is 99% in place and the concrete floors on the interior are all in place. McPherson continues to make great progress and the anticipated date for completion remains January 1, 2010.

I. IDDP Grant: Included in the Law Board packet was a letter of approval of the Riley County Police Department's application for the Impaired Driving Deterrence Program (IDDP) Grant from the Bureau of Traffic Safety, KDOT. Cpt. Hegarty explained that the Department has participated in the program for the past several years. There are no matching funds associated with the grant. By accepting the funds, the Department is committed to conducting five saturation patrols and three sobriety checkpoints. The total amount awarded is \$8,223.48.

Director Schoen noted that there was very short turn around on the grant application. The grant application was received the day after last months Law Board meeting and had to be submitted before the October meeting. In light of that, he contacted Chairman Snead to have him sign the grant application with the understanding that final approval was subject to the Board's decision at this meeting.

Wilkerson moved to approve acceptance of the IDDP Grant. Kearns seconded the motion. The motion passed 6-0.

J. 2009 Police Vehicle Purchase: Cpt. Nelson explained that annually the Department replaces aging fleet vehicles. Historically the Department has solicited bids from area dealerships, but due to a lack of response over the past 3 years, the Department limited this practice in 2009. He recommends the Law Board approve alternative 2 for the purchase of the following vehicles not to exceed \$199,530.

- Five patrol sedans from Olathe Ford under the State Contract price of \$23,208 per car and for a total of \$116,040.
- One patrol SUV from the Kansas Highway Partner's (KHP) Program for an estimated \$22,000, but no more than \$23,000.
- Two fuel efficient unmarked sub-compacts (Toyota Corollas) from Little Apple Toyota for \$16,245 per car and a total cost of \$32,490.
- One 1-ton truck capable of performing a variety of functions to include the hauling of the Department's Stop Movement Trailer for a price not to exceed \$28,000.

Kearns asked if the vehicle that was damaged as a result of the recent officer involved accident would impact this proposal.

Schoen said alternative 2 already reduces the fleet by one vehicle. He does not feel that the Department can handle reducing the fleet by two. Therefore he intends to purchase one vehicle separate from these out of other line items from 2010 budgeted funds.

Kearns moved to approve alternative 2 as presented. Urban seconded the motion. The motion passed 6-0.

Kearns inquired about the status of the two officers that were involved in the motor vehicle accident.

Schoen said as of this morning, the Auxiliary Officer who was the passenger in the vehicle remains in intensive care. The Police Officer who was driving the vehicle has been released from intensive care and is doing better. Schoen thanked the FOP for coordinating with volunteers from the Department to visit the officers while they were in the hospital. The Department, FOP, Wichita Chapter and Wichita Police Department worked very well together to ensure the families of the two injured officers were well taken care of.

Kearns commented that the Board's thoughts and prayers are with the officers and their families.

K. Contractual Agreement with Konza for Provision of Inmate Medical Services: Riley County contracts with Konza for inmate medical services. Recently Director Schoen received word that Konza was considering opting out of that contract. Schoen said the Department has yet to receive final notification stating that is their intent; however, through discussions it appears as though that is the direction they are heading.

Director Schoen engaged in discussion with Commissioner Kearns and Riley County Counselor Clancy Holeman regarding the matter. Schoen's largest concern is if Konza decides to opt out of the thirty day notice as permitted by contract leaving the Department with no medical services

for inmates. County Clerk Johnette Shepek and Clancy Holeman have expressed the desire to speak with Konza prior to making any changes. Schoen simply wanted to advise the Board of this possibility.

Kearns said Shepek met with the Director of Konza who stated that there is nothing definite that has been decided at this time. Konza is short a physician in Geary County and they need to pull the physician's assistant from Riley County. The Director of Konza informed Shepek that before they would sign the letter, they would contact the County first, which would give the County more than thirty days notice. Shepek plans to get in touch with Konza before the next County Commission Meeting to find out where they stand. If Konza is going to opt out of the contract then the County will begin looking at other avenues to obtain inmate medical care. Kearns assured the Board that the County is on top of the matter and he will know more on Thursday.

L. Executive Session: At 12:55 p.m. Kearns moved to go into executive session for the purpose of discussing attorney client privilege and FOP contract negotiation issues until 1:30 p.m. Casper seconded the motion. The motion passed 6-0.

At 1:29 p.m. the Board returned from executive session.

M. Affirmation or Revocation of Discipline: No disciplinary matters were discussed during executive session.

N. Adjournment: Urban moved to adjourn the meeting. Casper seconded the motion. The motion passed 4-0. The October 19, 2009 Law Board meeting adjourned at 1:29 p.m.