

**RILEY COUNTY LAW ENFORCEMENT AGENCY
SPECIAL LAW BOARD MEETING
County Commission Chambers
115 N. 4th Street
Manhattan, KS
March 12, 2009 5:30 p.m.
Minutes**

Members Present: Al Johnson Barry Wilkerson
Mark Hatesohl Gail Urban
Connie Casper

Absent: Bruce Snead Mike Kearns

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

I. Quorum Established: By Vice Chairman Al Johnson at 5:30 p.m.

II. Pledge of Allegiance: Led by Director Schoen.

III. Resolution No. 09-02: Hatesohl moved to authorize the Vice Chair to sign Resolution 09-02 to amend Resolution 09-01 and cancel the March 16, 2009 Law Board Meeting. Wilkerson seconded the motion. The motion passed 5-0.

IV. Consent Agenda:

- A. Approve February 17, 2009 Minutes
- B. Approve 2008 & 2009 Expenditures
 - a) 2008 Budget Expenditures
 - b) 2009 Budget Expenditures
 - c) Facilities, Maintenance & Repairs Expenditures
 - d) Juvenile Transports
- C. County Inmate Medical Expenditures-(*Review*)
- D. Lawn Care Contract Bids

Hatesohl moved to approve consent agenda items A, B and D as presented. Casper seconded the motion. The motion passed 5-0.

VI. General Agenda:

E. Additions or Deletions: None.

F. Public Comment: None.

G. Telecommunication Week Proclamation: Vice Chairman Johnson read the National Public Safety Telecommunications Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of April 12th through April 18, 2009 as National Telecommunications Week, in honor of the men and women whose diligence and professionalism keep the city and citizens safe.

H. 2008 Year End Budget Update: Director Schoen informed the Board that the Department anticipates approximately \$270,000 in carryover which is about 2% of the 2008 budget.

I. 2010 RCPD Budget Development: Members of the Law Board were provided copies of the 2010 budget narrative/draft 2010 “working” budget as part of their packets. Assistant Director Doehling briefed the members of the Board on each of the following budget lines.

Account 1: Full Time Salaries: Doehling said that Account 1 funds salaries for all full time employees. The Department recommends budgeting \$9,388,585 for 2010, a \$627,575 increase over the 2009 approved budget. The increase includes all anticipated merit increases, incorporation of the final phase of the McGrath salary survey, and an estimate payout for the potential retiree leave accumulations.

Johnson asked if the increase includes employee salary adjustments, and merit increases that were made in 2009.

Doehling confirmed that the increase does include the built in adjustments for the employees who are currently on the new salary schedule. The step adjustments account for about 38% of the recommended increase in the full time salary line. Sixty-two percent of the increase is the final implementation of the McGrath salary survey.

Urban asked if the recommended increase is contractually obligated between RCPD and the Fraternal Order of Police (FOP).

Schoen said yes.

Casper asked if the Department believes that current personnel needs are adequate.

Schoen said one area most problematic is the Jail Division. Account 2, Part Time Salaries will address that issue in part.

Doehling added that with the expansion of the jail, the Department is looking at hiring approximately 11 corrections officers.

Schoen said originally it was his intent to build some dollars into the salary line to be able to hire half of the corrections officers late in 2010 and the rest in 2011. However, given the current economic situation that does not seem practical. Schoen informed the county that the

Department could go without if needed and simply hire the additional corrections officers in 2011. He made clear that such an action would significantly impact the 2011 budget.

Casper asked when the Department expects the jail expansion to be completed.

Grubbs said last he heard the expansion is scheduled complete in January 2010 if the contractors remain on schedule.

Urban asked if the dollars used by the city to fund the Department are this years property taxes.

Lauren Palmer said that was correct.

Urban said everyone is feeling the budget crunch given the current economic situation. She voiced her concern that the economy may not be much better in 2010.

Doehling said it is a possibility to hire five corrections officers or whatever is deemed feasible in 2010, but that would require an increase in the budget for that year.

Schoen added that the budgeting process is always difficult as the Department begins thinking about the budget almost a year and a half out.

Account 2: Part Time Salaries: The Department is proposing an increase of \$60,000 to Account 2: Part Time Salaries. The majority of the increase is intended to fund part time Police Service Aides (PSA) which will reduce expenditures in the Overtime Salaries account. PSAs may assist with a number of tasks to include inmate transports, general traffic assistance, and parking complaints to name a few.

Schoen said the Department could utilize the PSAs and still maintain the same level of police service, but in a more cost effective manner. In previous years the average inmate population was around 30 prisoners. Now the jail averages around 100 inmates daily. The jail is still operating with the same number of corrections officers now as they did when the average population was around 30. As a result of the increased population corrections officers are also conducting more transports.

Account 3: Overtime Salaries: Doehling explained that in addition to regular overtime, reimbursed overtime for contracted or grant supported activities such as the Lake Patrol, DUI and Seatbelt Check Lanes, KSU athletic event traffic control, and other special events are included in this account. The Department does not recommend a change to the account at this time and recommends budgeting \$300,000 for 2010.

Casper asked if there is any way to tell how much was reimbursed for overtime in previous years.

Doehling responded that in 2008 approximately \$62,000 was reimbursed from the Federal Emergency Management Agency (FEMA). The Department also received an estimated

\$22,000 in reimbursements from grants. The Department continues to work to reduce overtime, and it is a quite a balancing act. Utilizing PSAs would assist in the Departments endeavor to reduce overtime.

Account 4: Utilities: The jail expansion project, which is scheduled for completion in early 2010, will increase square footage to the Law Enforcement Center which will result in an increase in utilities to heat, cool, and light the facility. The Department projects a 13% increase in utilities and recommends budgeting \$168,000 for 2010.

Schoen commented that the estimated increase to Account 4 could be off a bit if the jail expansion is not completed within the estimated timeframe.

Account 5: Insurance: The Department maintains three insurance policies: General Business, Comprehensive Police Professional Liability, and Public Officials Liability Insurance. Doehling proposed a \$10,000 decrease to this account in the hope that 2009 and 2010 remain fairly consistent.

Casper asked if there will be an increase in insurance due to the additional square footage for the jail expansion.

Doehling explained that it would be a facilities issue and the county's responsibility.

Casper noted that insurance rates have been very competitive in recent years. The insurance industry believes that rates are going to change dramatically and will more than likely increase.

Doehling said Charlson & Wilson Insurance is the agent for RCPD and they shop for the best rates for the Department.

Urban said Charlson & Wilson Insurance Agency is a great broker; however, it may prove beneficial to look to someone who is specialized in agencies like RCPD.

Wilkerson cautioned that the Department has been advised not to change brokers at this time due to pending litigation.

Account 6: Legal & Accounting: The Department does not recommend a change to the line at this time and is budgeting \$50,000 for 2010.

Account 7: Training & Travel: Doehling explained that this account funds all training, including annual mandatory in-service for all police officers, specialty training programs, membership dues, and accreditation fees and conferences. The account also includes funding for travel to training, conferences and official meetings. The Department does not anticipate an increase in this account and proposes budgeting \$80,000 for 2010.

Account 8: Postage: The Department proposes \$14,625 for 2010, a modest increase of \$1,500 over the 2009 approved budget.

Account 9: Printing: The Department does not propose a change to this account at this time and recommends budgeting \$12,000 for 2010. Doehling said the Department may see a decrease in printing with the implementation of Mobile Data Terminals (MDTs) and the Departments attempt to go paperless.

Account 10: Rentals-Maintenance Agreements: Doehling explained that expenditures in this account have remained steady over the last several years and are expected to remain so into 2010. The Department does not recommend a change to the account at this time and is budgeting \$40,000 for 2010.

Account 11: Building & Grounds: Doehling said The Department's building maintenance technician continues to maintain the facilities within his capabilities. He noted that the expansion of the jail should not require any immediate additional expenses. The Department does not recommend a change to this account and recommends budgeting \$13,000 for 2010.

Account 12: Equipment Repair & Maintenance: Communication equipment is maintained by Ka-Comm, Inc. Ka-Comm is the only local firm within a 60 mile radius that is capable of providing the necessary high priority service to the Department. The transfer of equipment between old and new vehicles and the maintenance of this equipment is also accomplished through this vendor. The Department proposes budgeting \$70,000 for Account 12, a \$5,000 reduction from the 2009 approved budget.

Account 13: Vehicle Maintenance: The Department proposes a decrease to Account 13, Vehicle Maintenance. The Department proposes budgeting \$65,000 for this account, a \$4,000 reduction from the 2009 approved budget.

Account 14: Telephone: The Department does not recommend a change to this account at this time and is budgeting \$39,000 for 2010.

Account 16: Medical Fees: The Department recommends a decrease to Account 16, Medical Fees. The Department proposes budgeting \$21,000 for 2010, a \$1,000 reduction from the 2009 approved budget. Doehling clarified that inmate medical expenses are paid by the county and not from this account.

Account 17: Prisoner Food & Care: Doehling explained that prisoner food and care costs are directly tied to prisoner population. This account funds the prisoner's food, jail clothing, kitchen supplies, etc. Due to a steady increase in inmate population the Department recommends budgeting \$150,000 for 2010, a \$5,000 increase over the approved 2009 budget.

Account 19: Computer Contractual Services: Doehling explained that prior to 2007 no funds were allocated for contractual services in the computer area. System failures and service interruptions together with hardware and software configuration adjustments create unpredictable and escalating costs. The addition of services such as imaging, mapping and MDTs significantly affect the size and complexity of the network which in turn requires increased management. Department personnel are capable of desk-top maintenance and some

network tasks, but lack the training and expertise necessary to manage the entire network. As a result, an increase in this account is required to continue effective management of the overall system. The Department proposes budgeting \$120,000 for 2010, a \$30,000 increase over the approved 2009 budget.

Casper stated that the average annual salary for Information Systems (IS) personnel is approximately \$85,000 or slightly more. She asked what the \$30,000 increase would fund.

Schoen said there are a number of IS items that were neglected over the years. The additional funds would be expended in the way of consultant fees due to the replacement of 6 network switches, networking for digital in-car camera systems, MDTs and other IS services.

Account 20: Other Contractual Services: Doehling said that in reviewing past actual budget expenditures the Department has gone over in this account. An additional \$10,000 to this account is recommended for 2010.

Account 21: Community Services: Doehling explained that the community services account funds RCPD sponsored and/or coordinated crime prevention and public safety programs such as the Citizen's Police Academy, Operation Identification, Home/Business Security, Bicycle Safety, Rape Awareness and the DARE program. Many of these programs require handouts, pamphlets, and other visual aids. The Department has received grant funding in the past, but the availability of such funds into the future is uncertain. The Department does not recommend a change to this account at this time and proposes it remain at \$8,500 for 2010.

Account 22: Books & Papers: Funds from this account are used to purchase updated reference, legal, and training materials, etc. The Department proposes budgeting \$7,000 for 2010 which reflects no changes to the account.

Account 23: Uniforms & Accessories: Doehling said based on past history the Department proposes budgeting \$55,000 for 2010, a \$5,000 reduction from the 2009 approved budget.

Account 25: Maintenance Supplies: The Department proposes budgeting \$20,000 for 2010, a \$3,000 increase from the 2009 approved budget.

Account 26: Fuel & Lubrication: Due to the increase in the cost of gas and oil the Department exceeded the funds budgeted in this account for 2008. The Department has begun to see fuel prices at more moderate levels, leading to the belief that the 2009 allotted funds might be adequate. However, given the volatility of this commodity, an increase of \$20,000 to this account for 2010 is recommended. Doehling said that short of instructing officers to leave the vehicles parked at the Department, there is little that can be done to reduce these costs as RCPD is a mobile service.

Casper inquired if the Department has contracted with a vendor to purchase fuel at a cheaper price.

Doehling said the Department currently has a contract with Grant Petroleum Inc. The Department receives fuel at the going rate from the wholesaler minus sales tax. The Department pays a handling fee of a quarter cent per gallon.

Account 27: Vehicle Tires: The Department proposes budgeting \$15,000 for 2010, a \$1,000 increase over the 2009 approved budget.

Account 28: Office Supplies: The Department does not recommend a change to this line at this time and is budgeting \$23,500 for 2010.

Account 29: Replenishment Supplies: The Department proposes budgeting \$30,000 for Account 29, Replenishment Supplies, a \$5,000 increase over the 2009 approved budget.

Account 30: Communications Equipment: The Department proposes budgeting \$13,000 for 2010, a \$2,000 reduction over the 2009 approved budget.

Account 31: Guns & Crime Equipment: Doehling said that while significant overages in this account have occurred in recent years, he believes the funding level of \$43,000 is adequate. The Department does not propose an increase in this account for 2010.

Account 32: Furniture: The Department does not recommend a change to this account at this time and is budgeting \$10,000 for 2010.

Account 33: Equipment: The Department does not recommend a change to this account at this time and is budgeting \$100,000 for 2010.

Account 34: Vehicles & Equipment: Doehling stated that due to an increase in the fleet in 2007, this usually steady account increased significantly that year. The Department budgeted less for 2009. The Department does not recommend a change to this account and is budgeting \$200,000 for 2010.

Casper asked what the typical mileage is when trading in department vehicles.

Schoen said the vehicles typically have over 100,000 miles on them when they are traded in.

Johnson stated that in the 1950s patrol units were black and white in color. He inquired about the Departments decision to go back to the black and white painted police units.

Schoen said the vehicles come from the factory painted like that. The Department does not have them specially painted.

Johnson noted that the Department will run into difficulty reassigning patrol units to other divisions and utilizing them as unmarked vehicles.

Schoen said that thought had also crossed his mind. The older black and white patrol units would more than likely be reassigned to the jail division. He noted that the last Crown

Victoria sold for almost double what the Impala's have sold for. Local business owners appreciate the black and white vehicles and want to use them as their company vehicles.

Account 35A: Reserves & Contingencies: Doehling said that Account 35A, Reserves & Contingencies is a non-applicable account. No funding in this account is necessary.

Account 35B: Emergency Reserve Fund: Doehling explained that this account is the source of funds for transfers to the Department's emergency reserve fund. Additions to the emergency reserve fund have been end-of-year savings, transferred as available. While that practice will continue in order to maintain the emergency fund (up to the authorized 5% level), the fund is believed to be at a viable level. As a result, no funding level should be set for this account and no further expenditures may be expected unless funds are drawn from the emergency reserve.

Casper asked what would constitute an emergency in order to access the reserve fund.

Schoen explained that in 1993 there was no emergency reserve fund when Riley County experienced substantial flooding. Had it not been for receiving overtime reimbursement from FEMA in mid December, the Department wouldn't have been able to meet payroll. Had there existed a reserve fund at that time that would have been an appropriate use of the emergency reserve fund. The recent tornado did not require use of the fund as FEMA was able to respond rather quickly.

Johnson said the intent of the reserve is to fund unanticipated emergencies such as riots, tornados, etc.

Gillespie explained that there are various degrees of definitions as to what constitutes an emergency. The Department cannot supplement budgeted funds with money from the emergency reserve. If a tornado were to devastate the Riley County Law Enforcement Center then he would advise the Department to use the fund to become operational once again while the insurance companies battle it out.

Account 36: Kansas Police & Fire: State legislature and KPERS actuaries determine the Department's rate for KP&F. The Department proposes budgeting \$884,461 for 2010, a \$68,240 increase over the 2009 approved budget.

Account 37: KPERS: The Department proposes budgeting \$220,001 for Line 37, Kansas Public Employment Retirement System (KPERS), a \$8,010 increase over the 2009 approved budget.

Johnson asked if the Department was aware of any discussions pertaining to adjustments to KPERS.

RCPD Accountant Annette Moran responded to Johnson's inquiry. She said KPERS will be making changes for members who were hired on or after July 1, 2009. Those members will be covered by a tier two KPERS plan and pay 6% instead of 4%. She is not certain what will

be done with the employers share as that has not been made clear at this time. Another change is that KPERs will no longer require members to wait one year to contribute. Annette said she will receive the 2010 projection in May or late April 2009.

Johnson asked what the employer's share is for KP&F.

Moran said the Department pays 13.51%.

Account 38: Social Security: Social Security rates are determined by administrations outside the control of the Department and have not changed for many years. The amounts are based strictly on the salaries paid to eligible employees and are expected to continue to rise. Over the years, the Department's accountant has been very close in her projections for this account. The Department proposes budgeting \$337,982 for 2010, a \$20,378 increase over the 2009 approved budget.

Account 39: Health Insurance: Expenditures in this account have risen steadily and significantly in past years. The Department anticipates a 15% increase to this account for 2010 and recommends budgeting \$1,654,516.

Account 40: Workers Compensation: Doehling explained that the Department continues to review causes of work place accidents and injuries, and attempts to implement corrective actions. The Department's acquisition of Electronic Control Devices (ECDs) commonly known as tasers will also assist in reducing job related injuries. In 2008 the Department changed insurers and realized significant savings. He recommends the Department budget \$340,700 for 2010, a \$116,060 reduction from the 2009 approved budget.

Schoen added that Human Resources Coordinator Christine Robinson will more than likely serve on the Workers Compensation Board which will allow the Department to better project future costs.

Account 41: Unemployment Compensation: The Department proposes budgeting \$9,750 for Line 41, Kansas Unemployment Compensation, a \$688 increase over the 2009 approved budget.

Johnson wished to clarify that the budget brought before the Board excludes the proposed increase in corrections staff required to operate the jail expansion.

Schoen said yes.

Johnson said that per contract with the FOP, there will not be a Cost of Living Allowance (COLA) for 2010.

Schoen said that is correct. In October 2008 he spoke with FOP President Brian London and Chief Negotiator Carla Swartz about the matter. They are well aware that there will be no 2010 COLA.

Johnson commented that the carryover from 2008 should reduce the ad valorem.

Schoen said that is correct.

Wilkerson asked if a manpower assessment has ever been conducted for officers. He also inquired if there is a standard assessment available.

Schoen said a manpower assessment was conducted about seven years ago. Many agencies like to do a per capita approach to an assessment, but not RCPD.

Hooper explained that the number of law enforcement officers authorized for a department is usually based off of available or unaccounted for time. The national average is about 22-23% in which the officer is free to do self initiated, proactive activities. The last manpower assessment revealed that on average, RCPD officers have between 12-13% of available time. That shows that RCPD officers are working harder, and are on calls longer than that of the national average.

Hatesohl said the public wants the police out on the streets. Some will be upset that the budget is increasing, but they want what the Department needs in order to protect them. Hatesohl said he is pleased with the budget that has been proposed to the Board. He is not certain if the Department could reduce it a little bit, but he does not believe that the public will complain about a 6% budget increase.

Schoen said last year the Board requested the Department sharpen the pencil and return with options illustrating a 0.5, 1, and 1.5% reduction in the budget. Schoen looked to the Board for instruction on how to proceed.

Since Bruce Snead and Mike Kearns were unable to attend the meeting Johnson suggested the Board review the information provided and schedule a work session before or at the next Law Board meeting. He is certain that both Board members would like to provide input.

Schoen stated it may be prudent for the Department to look at a 0.5% and 1% reduction to the proposed budget and provide it to the Board at the next meeting. He will contact Mr. Snead and Mr. Kearns to schedule a time to meet prior to the regularly scheduled April meeting to brief them on the budget that was presented today.

Urban complimented the Director Schoen, Assistant Director Doehling and Accountant Annette Moran on the thoroughness of the presentation.

J. Adjournment: Wilkerson moved to adjourn the meeting. Hatesohl seconded the motion. The motion passed 5-0. The March 12, 2009 Special Law Board meeting adjourned at approximately 7:30 p.m.