

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
April 15, 2013 12:00 p.m.
Minutes**

Members Present: John Matta Dave Lewis
 Richard Jankovich Wynn Butler
 Robert Boyd Barry Wilkerson (left at 1:00 p.m.)
 Ron Wells

Absent: None

Staff Present: Director Schoen Assistant Director Doehling
 Captain Hooper Captain Moldrup
 Captain Nelson Captain Hegarty
 Captain Fink

I. Establish Quorum: By Chairman Matta at 12:00 p.m.

II. Pledge of Allegiance: Led by Director Schoen

III. Consent Agenda:

- A.** Approve March 25, 2013 Meeting Minutes
- B.** Approve 2012 & 2013 Expenditures
 - a) 2012 Budget Expenditures
 - b) 2013 Budget Expenditures
 - c) Juvenile Transports
 - d) Seizure Expenditures
- C.** County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
- D.** Riley County Jail Average Daily Inmate Population- (*Review*)

Lewis moved to approve the consent agenda as presented. Jankovich seconded the motion. On a roll call vote, motion carried 7-0.

IV. General Agenda:

E. Additions or Deletions: Chairman Matta wished to address the 2014 RCPD Budget Development following item H. National Police Week Proclamation on the general agenda.

F. Public Comment:

Kathern Overly, Owner of American Eagle Bail Bonds: Kathern Overly addressed the Law Board regarding her concerns with the current RCPD bonding procedure. She explained that some time ago Director Schoen put in to effect a procedure that, from her understanding, required bail bonding companies to advertise in the AT&T Yellow Pages. While going through the booking process, RCPD Correction Officers provide an inmate with the AT&T Yellow Pages from which

he/she is to select a bonding company. Overly stated that the procedure seemed like a good idea at the time; however, bonding companies are now experiencing issues with AT&T with respect to advertisement placement and cost. No matter how much money the bonding company spends on the advertisement, AT&T cannot guarantee a higher placement on the list.

Overly said that she understands certain bonding companies are always going to complain about something and there will never be a perfect system. She simply wanted to make the Board aware of the issues that the bonding companies are facing with regard to the current procedure.

Boyd wished to know if RCPD has the authority to require bonding companies to advertise in the AT&T Yellow Pages.

Wilkerson responded that RCPD can provide inmates with the phonebook and ask that they select a bonding company from the list. He went on to explain that the topic has been discussed multiple times over the years by the Law Board. At one point in time RCPD maintained a rotating list of bonding companies. The companies were listed alphabetically and rotated to the bottom once they bonded an individual out of the jail. Complaints began to stream in and RCPD discontinued use of the list because the bondsmen began creating multiple companies with different names so that they would appear at the top of the list more often. It was at that time that the decision was made to provide the inmate with the AT&T Yellow Pages to select a bonding company.

Schoen agreed with Overly in that there will never be a perfect system. RCPD Administration has been through countless iterations of how to do this. Schoen said eventually he became tired of attempting to manipulate a system to try to keep all of the bonding companies happy. In his opinion, RCPD is a governmental agency and it should not be in the business of ensuring that everyone gets an equitable share of bonds.

Boyd asked if the bondsmen register with RCPD.

Schoen responded that the bondsmen register through the court. He noted that at the time the decision was made to use the AT&T Yellow Pages he extended an invitation to the bonding companies to get together, develop a system that they could all agree upon and bring it back to him for discussion. Unfortunately they were unable to do that due to varying interests. Schoen said that he would be willing to entertain that discussion again if they could come back with a system that is amenable to everyone.

Matta stated that Director Schoen has previously tried different approaches that were eventually worked around by certain bonding companies. He agreed that the best course of action would be to have the bonding companies get together and propose an alternative to the Director for discussion.

Butler concurred with Chairman Matta.

G. National Correctional Officers' Week Proclamation: Chairman Matta read the National Correctional Officers' Week Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of May 5th through May 11th, 2013 as National Correctional Officers' Week, in honor of the men and women whose diligence in supervising incarcerated individuals and effectively providing custody and care ensure our public safety.

RCPD Correction Lieutenant Derek Woods and Correction Officers Sharlene Beverly, Sylvia Zappas, Allie Kline, Glenn Campbell, Daniel Zoeller and Shalondra Booker accepted the proclamation on behalf of the Department.

H. National Police Week Proclamation: Chairman Matta read the National Police Week Proclamation proclaiming that all citizens of Manhattan and Riley County observe the week of May 12th through May 18th, 2013 as National Police Week in honor of those police officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

RCPD Captain Kurt Moldrup and Sergeant Scott Hagemeister accepted the proclamation on behalf of the Department.

Members of the Law Board and the public were encouraged to attend the Law Enforcement Memorial Ceremony on Friday, May 17, 2013 at 11:00 a.m. at the Riley County Law Enforcement Center. A barbeque will immediately follow the ceremony and it is open to all who wish to attend.

I. 2014 RCPD Budget Development: At the April 11, 2013 Special Law Board Meeting the Board was provided with copies of the Riley County Police Department 2014 Budget Narrative and Budget Drafts 1A and 1B for consideration.

Chairman Matta commended Director Schoen, Assistant Director Doehling and staff for their work developing the 2014 budget options. He opened the floor to the Board for comment.

Lewis stated his preference for 2014 Budget Draft 1B. He explained that his desire to have consistency between the City, County and RCPD with respect to the Cost of Living Allowance (COLA) weighed heavily in his decision.

Matta said that historically the Department and Fraternal Order of Police used the December Consumer Price Index (CPI) for the Midwest urban area to determine the COLA when negotiating salaries. The December CPI was 1.8%; therefore, he was in favor of Budget Draft 1A.

Wilkerson moved to approve RCPD Budget Draft 1A for publication. Jankovich seconded the motion. A roll call vote was taken. The results are as follows:

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|--------|----|-----------|-----|
| Wells | No | Wilkerson | Yes |
| Boyd | No | Jankovich | Yes |
| Lewis | No | Matta | Yes |
| Butler | No | | |

The motion failed 3-4.

Wells moved to approve RCPD Budget Draft 1B for publication. Lewis seconded the motion.

On a roll call vote, motion carried 7-0

Jankovich requested RCPD provide the Board with a monthly report on budget credits received as part of the consent agenda.

J. Fake Patty's Day Overtime Totals: Director Schoen provided the Board with the final overtime expenses for RCPD and agencies that assisted with the 2013 Fake Patty's Day event. He noted that a few agencies included time worked by administrative personnel in their operating costs. Therefore, the final figure is not purely overtime expenses.

K. Range Briefing: Director Schoen explained that the current lease on the RCPD range will expire at the end of June 2019. The topic is being brought before the Law Board now in an effort to give the County time to address the issue before the lease expires.

Captain Hegarty provided a brief presentation to the Board outlining the construction phases for the proposed range. He explained that RCPD contracted with TRS Range Services to perform a site visit to the proposed location of the RCPD multi-purpose training facility. The proposed site for the facility is located on Hunters Island which is County property. The proposed facility includes a 100 yard shooting range with a bullet trap and covered staging area, 300 yard shooting range, simmunitions training facility, classroom facility, Explosive Ordinance Disposal (EOD) area and Emergency Vehicle Operations Course (EVOC) capable of providing training facilities for emergency vehicles (police, fire, and ambulance) as well as non-emergency vehicles. Concerns for this site include the excessively sandy soils adjacent to the Kansas River and the potential for flooding in the area. The proposed multi-purpose facility is estimated to cost 1.5 million dollars over the span of 5 years.

Hegarty said that TRS Range Services is scheduled to provide an estimate of what it would cost to upgrade the existing RCPD range should that be the direction the Board would like to go. He anticipates having that information in a month. Hegarty cautioned that should the Board elect to renovate the current location, the facility and equipment would stay at the site with the property owners if RCPD eventually leaves.

Jankovich asked if RCPD has the option of renewing the contract with the property owners of the existing facility.

Wells stated that the Board of County Commissioners is currently in negotiations with the property owners to see if that is a possibility. The owners offered the option to renew an additional 25 years, but at an increased fee.

Wells requested the Department provide the Board with an estimate of what it would cost to develop a facility on Hunters Island equivalent to that which is located at the existing site.

Hegarty said he could have that information to the Board by the end of May.

Lewis informed the Board that the County Commission met with the property owners adjacent to the current shooting range. The property owners stated that there have been incidents in which ammunition has fallen outside of the containment area onto their property. That is one of the factors that will be taken into further consideration during this process.

Butler inquired if RCPD has explored funding opportunities from area agencies should the new range be used as a regional facility.

Schoen said that the FBI has expressed interest in using the facility. He would certainly be willing to engage in discussions with other agencies to determine if there is the potential for some fiscal contribution.

Lewis thought it would be beneficial to provide a visual of the existing range to those Board members who have not had the opportunity to visit the site.

Hegarty said that he would include that as part of his presentation on the cost to update the current facility.

L. Volunteers in Police Service Program: Captain Hooper informed the Board that RCPD recently registered with the Volunteers in Police Service (VIPS) Program. The goal of the program is to enhance the capacity of state and local law enforcement to utilize volunteers. The program is managed by the International Association of Chiefs of Police in conjunction with the Bureau of Justice Assistance. The Department hopes to use the program to receive volunteer assistance with duties that are more administrative or clerical in nature. It is a good program that will not only benefit the Department, but the community as a whole.

M. Executive Session: At 1:02 p.m. Jankovich moved to go into executive session for the purpose of discussing attorney client privilege and non-elected personnel matters not to exceed 15 minutes. Lewis seconded the motion. On a roll call vote, motion carried 6-0.

At 1:17 p.m. the open meeting reconvened.

N. Affirmation or Revocation of Discipline: Lewis moved to affirm the Director's disciplinary actions. Jankovich seconded the motion. On a roll call vote, motion carried 6-0.

O. Adjournment: Jankovich moved to adjourn the meeting. Lewis seconded the motion. On a roll call vote, motion carried 6-0. The April 15, 2013 Law Board Meeting adjourned at 1:18 p.m.