

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
April 16, 2018 12:00 p.m.
Minutes**

Members Present:

Craig Beardsley	Mike Dodson
Usha Reddi (Left at 2:13 p.m.)	Marvin Rodriguez
BeEtta Stoney	Ben Wilson
Barry Wilkerson	

Absent:

Staff Present:

Director Schoen	Assistant Director Doehling
Captain Fink	Captain Hegarty
Captain Hooper	Captain Kyle
Captain Moldrup	

- I. Establish Quorum:** By Chairman Beardsley at 12:00 p.m.
- II. Pledge of Allegiance:** Director Schoen led the Law Board in the Pledge of Allegiance.
- III. Consent Agenda:**
 - A.** Approve March 26, 2018 Law Board Meeting Minutes
 - B.** Approve 2018 Expenditures/Credits
 - C.** Juvenile Transport Reimbursement
 - D.** County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
 - E.** Riley County Jail Average Daily Inmate Population- (*Review*)
 - F.** Monthly Crime Report- (*Review*)

Dodson moved to approve the Consent Agenda as presented. Reddi seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Reddi, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 7-0.

IV. General Agenda:

G. Additions or Deletions: Reddi inquired about Voucher #4220 payable to Dale Carnegie Leadership Training Course in the amount of \$2,000.00, and Voucher #4251 payable to Dale Carnegie Leadership Course in the amount of \$570.40. She stated that Riley County Police Department (RCPD) officers already receive police oriented professional development training such as Narcotics Officer Training, and FBI-LEDA Supervisor Leadership and Command Leadership training, to name a few. The cost to attend the Dale Carnegie Training Course is expensive. She simply did not want to duplicate training that the officers receive.

Doehling responded that Voucher #4220 payable to Dale Carnegie Leadership Training Course in the amount of \$2,000.00 was to register two employees to attend the ongoing, approximate eight week training in Manhattan, Kansas. The Department was approached by local organizers of the training and an internal selection process among supervisors was conducted. Two individuals were selected to attend the training which focuses on professional development and how to be an effective public speaker. With respect to Voucher #4251, Jennifer Hitschmann, Accountant, Riley County Police Department, was not certain, but she believed the expense was related to lodging, as the first few days of the training is held in Wichita, KS.

H. Public Comment: None.

I. Fraternal Order of Police Lodge #17 Comments: None.

J. Board Member Comments: None.

K. National Correctional Officers' Week Proclamation: Chairman Beardsley read the National Correctional Officers' Week Proclamation declaring that all citizens of Manhattan and Riley County observe the week of May 6th through May 12th, 2018 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. Riley County Police Department Corrections Lieutenant Travis Freidline, Corrections Sergeants Craig Kennedy and Joshua Spencer, and Corrections Officers Kendra Baker and William Feathers accepted the proclamation on behalf of the Department.

L. National Police Week Proclamation: Chairman Beardsley read the National Police Week Proclamation declaring that all citizens of Manhattan and Riley County observe the week of May 13th through May 19th, 2018, as National Police Week to commemorate those police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

He further called upon all citizens of Manhattan and Riley County to observe Tuesday, May 15th, 2018, as Peace Officers Memorial Day in honor of those police officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty. Riley County Police Department Lieutenant Brad Jager, Sergeants Scott Hajek and Patrick Tiede, and Police Officers Jamie Douglass and Amy Wallace accepted the proclamation on behalf of the Department.

M. 2019 Budget Development: In January 2018, Wilson sought information regarding past years' significant year-end expenditures, the budget lines the funds are taken from and where they were expended. Provided to the Law Board was a list of low, midrange, and significant year-end RCPD expenditures for 2013-2017. Director Schoen briefed the Board on each of the expenditures.

Members of the Board were provided copies of the RCPD 2019 Budget Narrative, and Budget Drafts 2 and 3 as part of their packets. Draft 2 includes the 2019 base personnel budget, a 1.7% Cost of Living Allowance (COLA) for all personnel, the addition of 3 corrections officers and 1 video clerk, and the

reduction of 1 court security screener. These options represent a 4.29% increase over the 2018 approved RCPD budget when the 2017 carryover is applied. Budget Draft 3 includes the 2019 base personnel budget, a 1.7 COLA for all personnel, the addition of 1 video clerk, and the reduction of 1 court security screener. These options represent a 3.76% increase over the 2018 approved RCPD budget when the 2017 carryover is applied.

Assistant Director Doehling briefed the Board on the non-personnel budget line items, and budget options A through D. A brief description of each budget option to include non-personnel and personnel related costs, and the percent increase over the 2018 approved RCPD budget are depicted in the chart below.

			<i>Option A</i>	<i>Option B</i>	<i>Option C</i>	<i>Option D</i>		
	2018 Base	2019 Base	+1.7% COLA	Video Clerk	6 Corrections Officers	3 Corrections Officers	2019 Proposed Draft 2 2019 Base Plus Options A, B, D	2019 Proposed Draft 3 2019 Base Plus Options A, B
Personnel (\$)	17,759,600	18,042,252	247,981	38,518	220,102	110,051	18,438,803	18,328,752
Non-Personnel (\$)	2,942,400	3,170,900	0	0	0	0	3,170,900	3,170,900
Total (\$)	20,702,000	21,213,152	247,981	38,518	220,102	110,051	21,609,703	21,499,652
% Change to 2018	-	+2.47%	+1.20%	+0.19	+1.06%	+0.53%	+4.39 Carryover of \$20,000 Reduces Change .10% to +4.29%	+3.85 Carryover of \$20,000 Reduces Change .09% to +3.76%

Schoen responded to questions from the Board regarding changes to the total payroll as a result of turnover of senior employees and estimated payouts for retiree leave accumulations.

Doehling replied to questions from Reddi regarding the Department's leave program, specifically the maximum allowable accumulation of leave time for employees. Doehling explained that upon separation from the Department, employees are compensated for their accumulated leave time up to the maximum allowable accumulation which is 488 hours for employees with ten years of service or more. Employees who have accumulated the maximum allowable and not used any leave time by the end of the year could be paid roughly 800 hours upon their separation.

Per policy, employees accrue sick leave at a rate of eight hours per month of service. However, each new calendar year employees are only allowed to carry-over the maximum of 1,120 hours. The Department will pay an employee who has completed twenty years of service with the Department and leaves in good standing an amount equal to the value of 50% (1/2) of the employee's accumulated hours of sick leave at the time of their retirement/separation. An employee with less than twenty years of service with the Department who leaves in good standing will be paid an amount equal to 33 1/3% (1/3) of their accumulated hours upon separation.

Reddi wished to know how the Department arrived at a 1.7% COLA.

Doehling responded that the Department uses the December Consumer Price Index (CPI-U) for the Midwest region.

Reddi explained that many institutions, Kansas State University (KSU) being a prime example, did not receive a COLA for several years. She would like the Department and Law Board to look at the COLA a little closer.

Reddi inquired about the overtime salaries line item. Since 2014, overtime has increased yet the budget request has remained the same. She wished to know if it is possible to hire more part-time officers in an effort to reduce overtime.

Doehling explained that the Department utilizes Police Service Aides (PSAs) which are part-time civilian positions who fulfill some of the duties of police and corrections officers. The Department also has part-time dispatchers and one accountant.

Schoen stated that since switching to a squad based schedule in the patrol division, there has been roughly a 48% reduction in overtime for officers assigned to Aggieville compared to 2017. It is unknown at this time if the reduction in officer overtime will continue throughout the year.

Schoen explained that the Department no longer has part-time police officers with arrest powers, otherwise known as reserve officers. The Commission on Accreditation for Law Enforcement Agencies (CALEA) requires part-time police officers to be trained to the same standard as full-time officers. The state of Kansas also has specific training standards in order for officers to be certified and have arrest powers. If the Department elected not to train part-time police officers to the same standard as full-time officers it would have to forgo its accredited status. Therefore, a part-time police officer would cost the same as a full-time police officer with respect to training.

Schoen explained that when the Department began the PSA program, administration had to first define what it was the PSAs were going to be able to do in order to not cross them into sworn officer territory. Schoen added that it might be possible to expand some of the duties of the PSAs, but not to the point to where they could do the same things sworn officers do. There a number of reasons why that is a bad idea and on a practical level, the cost to train part-time and full-time police officers is the same.

Reddi stated she couldn't imagine that a sworn officer would be needed for every single thing. She asked that administration to look at the possibility of utilizing additional part-time employees a little closer.

Doehling said that the vast majority of police officer overtime is unplanned and unpredictable. It is unknown when a crime is going to happen or when an officer will have to respond to a call for service thirty minutes before his/her shift is scheduled to end. In the case of a homicide, virtually all detectives come in to work the investigation.

Dodson stated his preference for a balanced budget; one that reflects actual anticipated expenditures for the year.

Doehling replied that the initial 2019 Budget Narrative more accurately reflected projected expenditures for the personnel and non-personnel line items. However, following the March Law Board Meeting, administration went back and reduced the individual accounts because they quickly realized that that a 7% increase would not be palatable to the Law Board.

Doehling explained that the Department budgets and strives for full employment throughout the year. There is a time-lag between when an employee resigns and the time it takes to hire and train a new employee which results in unused salaries. The Department makes use of unused salaries for those accounts that are under budgeted. The Department must budget for full employment to ensure that if there is full employment, the Department will be able to pay its employees. If they do not budget the money and the Department is at full employment then the result is not paying other bills.

Doehling added that the City and County each have a Reserve or General Fund that they can use if needed. The Riley County Police Department does not have a Reserve Fund to use for budgeting shortfalls.

Reddi agreed with Dodson regarding the need for a more balanced budget. In many of the accounts, the actual was more than what was budgeted. It seems as though there is a different fund from which RCPD is getting its money. Perhaps the Department should budget closer to what the trends have shown to be. Maybe there are places in the budget that need to be decreased.

Reddi stated that as a teacher, they are constantly decreasing and making cuts. She does not see that happening at RCPD. She wants a safe community. She also wants educators to be paid well and no cuts in employee salaries at Kansas State University or anywhere else. She does not see the Law Board challenging RCPD with the budget in the same way that they would with other agencies.

Wilson said it was his understanding that one difference between RCPD and other agencies is that the police department cannot carryover money to be used in future budget years.

Schoen said that is correct.

Reddi felt that the budget “ask” was a lot. She voiced a desire to reduce overtime either by hiring additional part-time employees, contracting with outside agencies, or some other means. Paying officers time-and-a-half does not seem like a cost effective way of doing business. She would be comfortable with a budget option that included the addition of one corrections officer and one video clerk. She also would like to continue discussions regarding the COLA at a future Law Board Meeting.

The Board recessed for ten minutes.

Chairman Beardsley called the meeting back to order at 2:13 p.m.

Dodson stated his preference to decrease the proposed \$900,000 RCPD budget increase to 1 mil (approximately \$560,000). He explained that this could be further mitigated by the increase in revenue from property due to new construction and increased property valuation. He suggested RCPD administration discuss the matter with Kiel Mangus, Assistant City Manager, City of Manhattan and Jason Hilgers, Deputy City Manager, City of Manhattan.

Dodson explained that he would prefer to bias toward a reduction in personnel rather than cut back on step increases and COLA. He asked the Department provide the Law Board with a general assessment of manpower and risk. He requested the inclusion of charts to cover the last five years of total manpower of RCPD (broken down by sworn and non-sworn) against the various categories of crime (such as overall crime rate, serious crime rate, and petty crime rate). He would also like the creation of a “risk chart” that shows four levels of risk (moderate risk, some risk, no change, reduced risk) to the Department and citizens of Riley County that shows four levels of manning (both sworn and non-sworn) against the same categories of crime as those in the charts above.

Beardsley concurred with Dodson.

Schoen agreed to return to the Board with the requested information at the next Law Board Meeting.

Wilson appreciated how much administration cut from the initial RCPD budget proposal. He was not opposed to Budget Draft 2 or 3. However, prior to making a final decision he wanted to know more about the mil levy and what the County budget will look like.

Stoney also agreed with Dodson. She stated that she did not want to see cuts to the budget or personnel, but she keeps asking herself “at what point are we going to stop?” It is a lot of money that is being requested. She stated that Kansas State University has experienced complete budget cuts, loss of faculty and administrators, and lack of opportunities as far as a COLA, but they have had to figure out how to make it work.

Rodriguez agreed with the comments made by Wilson. He would like to know what the County budget will look like prior to making a decision. He noted that the County is also requesting a 1.7% COLA.

Wilkerson explained that there are things that cannot be controlled, officer overtime being one of them. Most homicides and sexual assaults happen on the weekend or late at night. Detectives are called in to investigate cases. There have been times when more detectives could have been called in to work, which would have created additional overtime. The Department does not know how many fatality accidents will occur within the next eighteen months. Court also plays a large role in officer overtime. Officers are subpoenaed to testify often during their days off. He explained that a limit cannot be placed on the number of cases detectives investigate in an attempt to lessen overtime expenses. That said, the Board and Department should continue to look at resource and personnel allocation.

A consensus was reached among the Board to remove Budget Option C from consideration.

Beardsley thanked Doehling for the work that went into preparing the 2019 RCPD budget.

After additional questions and comments from the Board, a consensus was reached to identify potential dates during the week of May 7, 2018 to schedule a Special Law Board Meeting for the purpose of continuing budget discussions.

N. Director Selection Process: Chairman Beardsley announced that a Request for Proposal (RFP) was sent out to five vendors to conduct a national search for the next director of RCPD. The

Law Board received proposals from two firms; KRW Associates and McGrath Human Resources Group. It was the decision of the Law Board to conduct interviews with both of the firms, either telephonic or via video conferencing, which would give the Board the opportunity to ask questions. Beardsley will coordinate with each of the firms to schedule said interviews.

O. Executive Session: At 3:13 p.m. Wilkerson moved to recess into Executive Session until 3:43 p.m. for the purpose of discussing non-elected personnel matters and attorney client privilege. Stoney seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 6-0.

At 3:44 p.m. the open meeting reconvened.

At 3:44 p.m. Wilkerson moved to return to Executive Session until 3:49 p.m. for the purpose of discussing non-elected personnel matters and attorney client privilege. Rodriguez seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 6-0.

At 3:49 p.m. the open meeting reconvened.

P. Affirmation or Revocation of Discipline: Wilkerson moved to affirm the Director's disciplinary actions. Dodson seconded the motion. Beardsley polled the Board and the motion passed with Dodson, Wilson, Stoney, Rodriguez, Wilkerson, and Beardsley voting in favor, and no one voting against. The motion passed 6-0.

Q. Adjournment: The April 16, 2018 Law Board Meeting adjourned at 3:50 p.m.