

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Ave.
September 21, 2020 12:00 p.m.
Minutes**

Members Present: Craig Beardsley Wynn Butler
Linda Morse Marvin Rodriguez
BeEtta Stoney Robert Ward
Barry Wilkerson

Absent:

Staff Present: Director Dennis Butler Assistant Director Kurt Moldrup
Captain Rich Fink Captain Erin Freidline
Captain Tim Hegarty Captain Josh Kyle
Captain Derek Woods

Recorder: Victim/Witness Coordinator Lisa Hafliger, Riley County Attorney's Office

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

II. Pledge of Allegiance: Director Butler led the Riley County Law Enforcement Agency (Law Board) in the Pledge of Allegiance.

III. Consent Agenda:

- A. Approve August 17, 2020 Law Board Meeting Minutes
- B. Approve 2020 Expenditures/Credits
- C. Juvenile Transport Reimbursement
- D. RCPD Related County Expenditures- (*Review*)
- E. Riley County Jail Average Daily Inmate Population- (*Review*)
- F. Monthly Crime Report- (*Review*)

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

Ward inquired if the \$66,000 to Assurance Partners (item #9003 on page 10 of the expenditure report) is for the range. Director Butler shared that it's their annual payment to the broker firm that manages their self-insured health insurance fund.

Ward asked about the payment to Hali Rowland (item #9050 on page 15 of the expenditure report) as she is no longer with the RCPD. Director Butler shared that she has done some consulting work regarding logistics/analytics and responding to social media trends while they were transitioning to a

new Public Information Officer (PIO). They have a contract with her for services, as needed, with no set duration.

Ward inquired about the \$388 for drone repair (item #9247 on page 21 of the expenditure report) and if something specific happened. Director Butler commented that they have three drones in total and he isn't certain which one needed repair (could be battery replacement, software issues, etc.), but he could find out if needed.

IV. General Agenda:

G. Additions or Deletions: Director Butler introduced the new Public Information Officer Aaron Wintermote. Aaron shared that and he worked in the public relations department for KSU athletics for two years prior to graduating in December of 2019. He was working for USA softball in Oklahoma City from January until July of this year. Officer Pate has been training him and he will take over full-time in a few weeks.

Beardsley commended Officer Pate for a job well done in the interim and commented it was a seamless transition after Hali left. Director Butler concurred with Beardsley's comments regarding Officer Pate and mentioned that she has filled in on an interim status two times since he's been here.

H. Public Comment: None

I. Fraternal Order of Police Lodge #17 Comments: Director Butler shared that FOP Lodge #17 President Brian Johnson is attending a training/conference that he could not miss so he was unable to attend today.

J. Board Member Comments: Ward commended the entire police department for how they handled the incident in Aggieville a few weeks ago and that this should serve as a model for other police departments on how to handle things on the street and in the media.

Director Butler added that this was a good example of how having Ms. Rowland as a consultant was helpful in getting information out to correct any inaccurate perceptions.

K. Promotion Announcement Captain Derek Woods: Director Butler and Assistant Director Moldrup announced the promotion of Interim Captain Derek Woods to the position of Captain. Captain Woods has served the RCPD and the citizens of Manhattan and Riley County since November 21, 1999. Derek began his career with the Riley County Police Department as a Corrections Officer and is one of the few remaining officers that worked in the original Riley County Jail located at 600 Colorado Street. In 2006 Derek was promoted to the rank of Corrections Sergeant. Just a few years later, in 2009 Derek was promoted to the newly created rank of Corrections Lieutenant. Then in June of 2018 Derek was asked to serve as the Interim Corrections Captain where he remained until his promotion today as Captain of the Riley County Jail.

Derek has been an active member of the of the police department working as a Corrections Training Officer and serving on various volunteer committees such as the Policy Review Committee and

multiple hiring boards. In 2006 Derek was selected by his peers as the Corrections Officer of the Year and in 2013 and 2019 he was nominated for Supervisor of the year.

Derek is a graduate of two command level schools sponsored by the American Jail Association (AJA). The first was the inaugural class of the Jail Executive Development Program, and the second was the Jail Executive Leadership Command Academy. As a lieutenant, Derek saw the need for area jail commanders to meet together and discuss common issues in the field of corrections. As a result, he started what is known today as the Kansas Jail Administrators Consortium. Derek's commitment to improving the professional training of corrections officers was also recognized at the national level. In 2019 Derek was asked to serve on the AJA's Conference Planning Committee where he reviews and approves prospective courses for their national training conferences. Derek Woods was accompanied by his wife, Jennifer, and three children Seanna, Tyler and Jostin, all of whom assisted Director Butler with the pinning. His parents, Russ and Lynette Woods, were also in attendance.

L. 2019 Kansas Association of Chiefs of Police Valor Awards

- a) Bronze Award for Exceptional Police Service Presented to the Riley County Police Department: This award recognizes the teamwork displayed by RCPD officers during the Operation Chicago Connection investigation.

- b) Bronze Award for Exceptional Police Service Presented to Corporal Robert Dierks: The award is also related to the Operation Chicago Connection investigation. Detective Dierks was assigned to the DEA Task Force and he was instrumental in helping launch the investigation which resulted in multiple arrests.

M. Community Advisory Board Update: Chairman Smith shared that he feels honored and privileged to be the chairperson of the Riley County Police Department Community Advisory Board (CAB). He commented that over the past year they have accomplished many things, to include being available and talking to people in the community on a regular basis, communicating with each other and being more transparent. He mentioned that their last meeting was held in Ogden; there was a good turnout at the meeting and positive comments from those in attendance. They are trying to be more visible and available in the community by holding meetings in the evening and being able to talk openly with the Board about concerns or praise for the RCPD. Chairman Smith confirmed that Director Butler does share emails from community members that are sent to the Law Board with them.

N. 2019 RCPD Audit: Russell Shipley from James Gordon & Associates briefed the board on the Independent Audit Report and the Management Letter that was provided to the Law Board. He shared that there were no new accounting policies adopted by the Kansas Municipal Audit Accounting Board from 2018 to 2019. He commented that there were no difficulties encountered for the audit, even though it was completed remotely this year.

The adjustments listed are related to entries from prior years that were not recorded properly. He stated that this is not an unusual issue for many places that they work with. James shared that while all the activity is reported in the accounts, half of it is reported as a transfer and the other half was reported as receipt or expenditure, so the transfers do not balance. He stated that for the audit the transfers must balance between the funds and each fund has to be balanced individually as well as

overall. This information is being recorded by RCPD and everything is accounted for, but it has to be classified differently on the audit report.

Shiplely reviewed the recommendation letter which identified one significant deficiency that has occurred for a couple of years that relates to the segregation of duties in the accounting department. The RCPD has hired a part-time accountant so he is hopeful that next year this issue will be resolved. He also noted that some activity was being recorded incorrectly across funds, the main issue being transfers. They also recommend that they obtain an accounting software program that encompasses all the funds across the whole department to help record the expenses and transfers accurately. Law Board did approve the purchase of a software program in 2019 and the department is working on getting that implemented. Shiplely believes this will make the overall accounting cleaner and more efficient. Shiplely added that the new accounting system should also address the issue of their accounts payable ledger not matching the account payable subsidiary ledger on December 31, 2019.

Director Butler shared that they planned to have the accounting software functional by June of 2020, but COVID affected that timeline as the company was not available. They hope to have it up and running by the end of this year and be using it in 2021. They have hired a part-time accountant that should alleviate the segregation of duties issue.

Beardsley inquired if the new accounting program will assist and/or prevent the activity being recorded incorrectly.

Director Butler shared that this is why they purchased this program and that this will replace and eliminate the disparate systems that are currently being used by some divisions; the new system will be used by all command staff to address this issue.

Morse asked about the recommendation that the Law Board remain involved to provide oversight and independent review of functions and what Shiplely thinks that should include.

Shiplely stated that it seems they are doing that by reviewing the expense reports, asking questions and analyzing the information that is provided to ensure it looks reasonable, etc.

Morse inquired about any accounts that are off of this budget that the RCPD may have (an example is the BBQ trailer) and how the accounting system accounts for off-budget accounts.

Shiplely explained that everything is accounted for as they get all of that information to complete the audit. He added that he is not certain what information is provided to the Law Board and that it may not be as detailed as what they receive.

Director Butler clarified that the BBQ trailer was funded from three different sources (1/3 from seized assets, 1/3 from the Greater Manhattan Community Foundation and 1/3 from budgeted monies) and the expenditures did not all happen at the same time. All of this is in the budget information that the Law Board receives.

ShIPLEY did mention that the flexible spending account did have a negative ending cash balance, which technically could be considered a cash violation. He commented that it is a relatively small amount and is likely based on the timing of activity with that fund as it was positive shortly thereafter.

MORSE asked SHIPLEY to explain the GAAP waiver from an auditor's perspective.

SHIPLEY reported that the GAAP waiver, which they will vote on next, is to do the audit not in accordance with GAAP but instead complete it in accordance with the regulatory basis of accounting. He indicated that approximately 95-98% of all Kansas municipalities do exercise the GAAP waiver and report on the KMAAG basis. Ultimately the schedule of fixed assets would be part of the financial statements if on the GAAP basis and it requires tracking of all receivables, all accruals, and he added that the KPERS underfunded pension would show up as a liability on the financial statements. He added that it is usually much simpler to track and audit under the KMAAG basis as well as being easier to review and understand versus going through a GAAP audit which would be much larger.

SHIPLEY confirmed that all revenues and expenditures have been accounted for with the adjustments that were made. All activities were reported and there was no misuse or misappropriations of funds observed.

O. GAAP Waiver: WILKERSON moved to approve the GAPP Waiver. BEARDSLEY seconded the motion. MORSE inquired if they vote on the GAPP waiver annually; board members and Director BUTLER confirmed that it is done annually. Chairman RODRIGUEZ polled the board and the motion passed with BEARDSLEY, BUTLER, MORSE, RODRIGUEZ, STONEY, WARD and WILKERSON all voting in favor and no one voting against. The motion passed 7-0.

P. RCPD Firearms Range Planning Update: Captain KYLE shared that they are on schedule and construction of the backstop is nearing completion. A sight visit is scheduled for October 12, 2020 for County Commissioners and members of the Law Board. Construction on the range house should be starting soon.

MORSE inquired when they would be able to stop paying rent for the old range.

Captain KYLE shared that they have already vacated that property and Chairman RODRIGUEZ reported that the county is no longer paying rent on it.

Q. Overview of COVID-19 Related Funding, Grants & Awards: Captain KYLE shared that they have received two grants. One is from the US Department of Justice, it is an emergency grant that is available to law enforcement agencies across the country. They utilized the same formula (mostly based on population) that is used for the Edward Byrne Memorial Grant to determine the amount of the grant. The Riley County Police Department was awarded approximately \$62,000 to help the department purchase necessary items to address COVID-19; they have purchased cleaning supplies and equipment with these funds. The County is administering a grant through the CARES Act; RCPD received \$288,000. This grant will cover expenses related to payroll costs associated with the incident command system, communication equipment, and facility modifications to allow for social distancing, etc.

R. 2021 Police Vehicle Purchase: Captain Kyle shared that they are requesting permission to order vehicles now and pay for them with funds from the 2021 budget. They need to order the vehicles now as factories were shut down during COVID-19 and production is behind; the vehicles will not be delivered or paid for until 2021. They will purchase the vehicles through a State Contract and they used the Vehicle Replacement Index (VRI) to determine which vehicles need to be replaced. Based on the VRI, they are requesting to replace seven vehicles with the 2021 Dodge Durango Pursuit. Each vehicle is \$33,726 for a total of \$236,082. Since they are changing models there will also be some additional equipment costs; they've allotted \$8000 for each vehicle for equipment. Captain Kyle shared that their co-responder vehicle does qualify for replacement based on the VRI, but since it is a low use vehicle and there are no maintenance issues with it, they are not requesting it be replaced at this time. Captain Kyle shared that they typically replace seven to nine vehicles per year.

Ward moved to approve the purchase of seven 2021 Dodge Durango vehicles with equipment in the amount of \$292,082 under the State Contract. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Stoney, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

S. Executive Session: At 1:10 p.m. Wilkerson moved to recess into Executive Session until 1:20 p.m. for the purpose of discussing non-elected personnel matters. Morse seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

At 1:21 the open meeting reconvened.

At 1:22 p.m. Wilkerson moved to recess into Executive Session until 1:40 p.m. for the purpose of discussing non-elected personnel matters. Morse seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

At 1:41 p.m. the open meeting reconvened.

T. Affirmation or Revocation of Discipline: Wilkerson moved to affirm the Director's disciplinary actions, Ward seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

U. Adjournment: Wilkerson moved to adjourn the meeting. Beardsley seconded the motion. Chairman Rodriguez polled the Board and the motion passed with Beardsley, Butler, Morse, Rodriguez, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0. The September 21, 2020 Law Board Meeting adjourned at 1:42 p.m.