

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
January 19, 2021 12:00 p.m.
Minutes**

Members Present: Craig Beardsley (Outgoing) Kathryn Focke (Incoming)
John Ford (Incoming) Pat Hudgins (Incoming)
Linda Morse Marvin Rodriguez (Outgoing)
BeEtta Stoney (via phone) Robert Ward
Barry Wilkerson

Absent: Wynn Butler (Outgoing)

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

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

- I. **Establish Quorum:** By Chairperson 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. Approval of Minutes
 - a) December 18, 2020 Special Law Board Meeting
 - b) December 21, 2020 Law Board Meeting
 - B. Approve 2020 & 2021 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*)

Ward inquired about the \$200,000 payment to Axon and if that is a new taser contract (page 15).

Director Butler shared this is an upgrade to their existing contract that was included in their year-end expenditures that was presented to the Board at the last meeting. The contract added new equipment and new software modules.

Ward also inquired about the Inland Marine Policy under the Assurance Partners (page 23) and what it covers.

Captain Kyle stated that it's just the name of the company and it covers a lot of their equipment when it is away from the facility; he clarified that it has nothing to do with marines.

Morse commented that the average jail inmate population has gone down to 60%, which is pretty major. She emphasized that with COVID the numbers seem to be declining; she anticipates that they will increase as we recover from COVID.

Morse moved to approve the Consent Agenda as presented. Ward seconded the motion. Chairperson Rodriguez polled the Board and the motion passed with Beardsley, Morse, Rodriguez, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 6-0.

IV. General Agenda:

G. Swear in Law Board Members: Riley County Clerk Rich Vargo swore in Kathryn Focke, John Ford, Pat Hudgins, Linda Morse, BeEtta Stoney, Robert Ward and Barry Wilkerson. Their terms will expire December 31, 2022.

Vice Chairperson Morse welcomed and introduced all of the members of the Law Board.

H. Reorganization/Election of Officers: Secretary Wilkerson called for nominations for the position of Chairperson. Ward nominated Morse for Chairperson, Stoney seconded. Wilkerson inquired if there were any other nominations and seeing none he called for a vote. Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

Wilkerson called for nominations for the Vice Chairperson position. Stoney nominated Ward for Vice Chairperson, Hudgins seconded. Wilkerson inquired if there were any other nominations and seeing none he called for a vote. Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

Wilkerson stated that they should elect someone for the position of Secretary and that he has held that position as a matter of tradition, but they could change that. Ford nominated Wilkerson for Secretary, Stoney seconded. Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

I. Selection of Hearing Officer: Morse shared that typically the County Attorney has taken this role as their legal knowledge will help steer them in the right direction when there is an appeal. Ward moved to nominate Wilkerson as the Hearing Officer. Ford seconded the motion. Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson all voting in favor and no one voting against. The motion passed 7-0.

J. Law Board Member Recognition: Director Butler shared that it is a tradition to provide a token of appreciation to Board members when they conclude their service. He mentioned that there is no compensation for serving on the Law Board and it has some challenges. Director Butler presented Marvin Rodriguez and Craig Beardsley each with a plaque that included their years of service. Rodriguez served from 2017 – 2020 and held the position of Vice Chairperson and Chairperson, Beardsley served from 2015- 2020 and served as the Chairperson for two years. Wynn Butler was unable to attend.

Craig Beardsley commented that this is not a hard job because the City, County and RCPD are great organizations that make the job easier. He added that there are a lot of good men and women involved that support the community.

Marvin Rodriguez shared that he has a lot of thanks to give, especially to the Executive Assistant Nichole Glessner who has always been helpful and ensures they have everything they need. He added that it is a team effort and that it has been an honor to serve.

Morse thanked Beardsley, Butler and Rodriguez for their service. She shared that the Law Board is typically a collection of civilians that are not police specialist and they do put in a lot of time outside of the meetings.

K. Additions or Deletions: None

L. Public Comment: Director Butler welcomed the new members to the Law Board and expressed his interest in getting to know them better.

Morse shared that as the chairperson she intends to have an orientation for the new members and suggested that an existing member participate.

Director Butler stated that he has briefed the new members about that opportunity and they will work on getting that scheduled.

M. Fraternal Order of Police Lodge #17 Comments: Rachel Pate, President, Fraternal Order of Police (FOP) Lodge #17, shared that they made a lot of positive connections with the drive-thru Cops & Kids program in December. They are currently in the process of updating their social media pages in hopes of creating more interaction with the community and providing more updates of their activities.

N. Board Member Comments: Stoney welcomed the new members to the Law Board. She stated that it has been a difficult year for our county and the nation as a whole, but she commends the Director and his staff for the work they have done and for the support they have received from Riley County.

Ford shared that he appreciates the opportunity to serve on the Board and is looking forward to working with RCPD and the community.

O. Promotion Announcement: Corrections Lieutenant Joshua Spencer: Director Butler and Assistant Director Moldrup announced the promotion of Joshua Spencer to the position of Corrections Lieutenant. Joshua Spencer has served the Riley County Police Department and the citizens of Manhattan and Riley County since August of 2012. Joshua was hired as a Corrections Officer, but was quickly promoted to the rank of Sergeant in December of 2015. On July 3rd, 2019 Joshua was selected to serve as the Interim Corrections Lieutenant and served in that capacity until October of 2020. Then two months later on December 27th Joshua was again promoted to the rank of Lieutenant and given a permanent assignment as a Watch Commander in the Jail.

Lt. Spencer has demonstrated his commitment to excellence through his certification as a Correction Training Officer. As a result, he has been able to leave a lasting impact on the department by shaping and molding many of our current corrections officers. Joshua has also been very active in the Department by volunteering to serve on the Multi-purpose Committee, the Policy Review Committee and numerous Correction Officer Oral Boards. He is also a trained medical officer and in 2016 Joshua was nominated by his peers for the Corrections Supervisor of the Year.

Lt. Spencer is not a stranger to service, prior to being hired as a Corrections Officer he served our country in the United States Army as a UH-60 Black Hawk Crew Chief and was deployed to 3 different combat regions flying over 1200 hours in a combat environment. He is also a 2012 graduate of Kansas State University where he holds a Bachelor's of Science degree in Technology Management.

Lt. Spencer has two children, Khloe and Ryker. His wife, Brevia Spencer, assisted with the pinning and his parents Richard and Robin Spencer joined him in the audience.

P. Meritorious Service Award Presented to Officer Mark Cusimano: Director Butler and Assistant Director Moldrup presented the Meritorious Service Award to Officer Mark Cusimano for his dedication to duty and the actions taken responding to a citizen in distress.

On August 20, 2020 the Riley County Police Department Communications Center received a 911 call regarding a 6-year-old female believed to be choking on a piece of candy. The child's father was attempting to dislodge the obstruction utilizing the Heimlich maneuver, but the method proved ineffective. After arriving on scene, Officer Cusimano provided the father instructions on how to properly perform the maneuver, and after adding his assistance, the child began to breathe freely again. Officer Cusimano continued to care for the small child by keeping her calm and instructing her to cough in an effort to keep her airway open until Emergency Medical Services personnel could arrive.

Officer Cusimano's calm in the face of a family's medical crisis reflects great credit upon himself and the Department. For his care and service to this family in their time of need, the Meritorious Service Award is presented to Officer Mark Cusimano.

Q. 2020 Dispatch Vacancy Report: Director Butler stated that this is not a routine report that is in the monthly packet, but he wanted to share this report with the Law Board. He stated that in 2019 he noticed they had a chronic shortage of dispatchers, typically 5-7 vacant positions, due to high turnover. He presented a plan to the Law Board in December of 2019 requesting funds to address this issue, which was approved unanimously. They launched their plan in January 2020 and had

anticipated that it would take approximately two years to achieve the gains that are reflected in this report; they have already reduced the vacancy rate by 50%.

Ward inquired if there is one significant strategy that caused the change.

Director Butler said that in addition to a very slight pay increase for the unit, he believes that the personal approach and strategies used to reach out to potential employees has helped. They also have some new leadership and are utilizing a more hands-on approach. He feels that it may be too early to know the reasons why, but the plan they brought to the Board last year, which included reclassifying positions, seems to be making a difference as there may be less pressure for new employees to learn everything at once. New employees now start as a call-taker and once they have mastered that position, then they can move into a dispatcher position which involves another phase of training and a slight pay increase. Director Butler feels that breaking up the training and having two tiers of employees in the communications center has helped.

R. RCPD Firearms Range Planning Update: Captain Kyle shared that everything is going well and moving forward as scheduled. They anticipate a turnover date of March 15th and they are planning a ceremony for around that time, which will likely include tours of the facility.

Director Butler shared that they plan to have a ribbon-cutting and open house for the public, to include members of the Law Board. They will publicize that information once the date and details are confirmed.

Morse suggested holding an annual event so that the public has an opportunity to visit it.

Ford added that working on this project over the past two years as a County Commissioner, he appreciates their patience as some things took longer than they had wanted. He believes it will be a good addition and he's glad they were able to move forward with it.

S. 2022 Budget Preparation Timeline: Director Butler shared the memo on page 52 which outlines the proposed budget timeline and includes opportunities to schedule special meetings, as needed.

Wilkerson inquired when they started the process last year. Director Butler shared that he believed it was in March. Wilkerson shared that if they start the process earlier it may reduce the number of special meetings that are needed.

Hudgins inquired if the timeline will be affected by The Mercury changing their publication dates.

Director Butler shared that June 11, 2021 is when the proposed budget must be published and that on June 21, 2021 the Law Board will hold a public hearing. The budget must then be certified by the Riley County Commissioners and City of Manhattan on or before July 5, 2021.

Director Butler clarified that it's really up to the Law Board to decide if they want to discuss this at the regular Law Board meeting in March or if they want to call any additional special meetings to discuss the budget. He shared that typically at the first budget meeting they propose what they would like to

see in the budget, division by division, and then they build on that information in hopes of making it easier to follow. After they present their proposed budget and receive feedback from Law Board members, they then make adjustments and create additional options up until the time it is published. Director Butler shared that by February he hopes they have an idea of what they want the March meeting schedule to look like.

Wilkerson suggested they start looking at the budget in March.

Morse stated it's possible they may not know the direction of the budget for the City and County by March, but agreed that it would be good to start focusing on it at that time.

Director Butler shared that the RCPD budget is typically decided by the Law Board prior to the City and County deciding their budgets.

Ford inquired if there is a different set of legalities and statutes for e-publishing versus print publishing since the Mercury is only doing three print publications per week and the rest are online.

Captain Kyle shared that the statute was created before the internet, but it gives you ten days that you have to publish and you have to publish in the largest paper in the County.

Ford asked for clarification regarding whether it actually has to be in print version, or if an electronic version covers them as well.

Mike Gillespie shared that the term publication when the statutes were written in the 1970's referred to the newspaper. It also has to be published in the newspaper with the largest circulation in the county. He believes that as long as they publish in the paper in accordance with the statute, then they are fine. Since the Mercury is transitioning to more electronic publications, his preference would be to publish in the Mercury and the Riley Countian. He added that as long as it is in the print edition, they should be fine.

T. Executive Session: At 12:51 p.m. Ford moved to recess into Executive Session until 1:01 p.m. for the purpose of discussing non-elected personnel matters. Ward seconded the motion. Chairperson Morse polled the Board and the motion passed with Ford, Focke, Hudgins, Morse, Stoney, Ward, Wilkerson and voting in favor, and no one voting against. The motion passed 7-0.

At 1:04 p.m. the open meeting reconvened.

At 1:04 p.m. Wilkerson moved to return to Executive Session until 1:24 p.m. for the purpose of discussing non-elected personnel matters. Ford seconded the motion. Chairperson Morse polled the Board and the motion passed with Ford, Focke, Hudgins, Morse, Stoney, Ward and Wilkerson and voting in favor, and no one voting against. The motion passed 7-0.

At 1:25 p.m. the open meeting reconvened.

U. Affirmation or Revocation of Discipline: Wilkerson moved to approve the Director's disciplinary actions. Ford seconded the motion. Chairperson Morse polled the Board and the motion

passed with Ford, Focke, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0.

Wilkerson moved to schedule a Special Law Board meeting prior to the February meeting. Ford seconded the motion. Chairperson Morse polled the Board and the motion passed with Ford, Focke, Hudgins, Morse, Stoney, Ward and Wilkerson and voting in favor, and no one voting against. The motion passed 7-0.

V. Adjournment: Wilkerson moved to adjourn the meeting. Hudgins seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Stoney, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 7-0. The January 19, 2021 Law Board Meeting adjourned at 1:28 p.m.