

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
February 16, 2021 12:00 p.m.
Minutes**

Members Present: Kathryn Focke (Virtual) John Ford
 Patricia Hudgins Linda Morse
 BeEtta Stoney Barry Wilkerson
 Robert Ward

Absent: Captain Greg Steere

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

Recorder: Executive Assistant Nichole Glessner, Riley County Police Department
 (RCPD)

I. Establish Quorum: By Chairperson Morse at 12:00 a.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
 - 1. January 19, 2021 Law Board Meeting
 - 2. February 8, 2021 Special 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. Reports: Synopsis- (*Review*)
 - 1. Monthly
 - a) Monthly Crime Report
 - 2. Quarterly
 - a) 4th Quarter Uniform Crime Report (82.1.4)
 - b) 4th Quarter Traffic Accident & Enforcement Analysis (61.1.1 A&C)
 - c) 4th Quarter Seizure & Forfeiture Report (84.1.8)
 - 3. Semiannual
 - a) Semiannual Alcohol Enforcement Report
 - 4. Annual
 - a) Annual report of Asset Seizure & Forfeitures

b) Annual IA/AA Report (26.2.5)

Vice-Chairperson Ward proposed an amendment to the February 8, 2021 Special Law Board Meeting minutes. The minutes should read “At 5:05 p.m. Ward moved to recess into Executive Session until 5:45 p.m. to conduct an annual performance evaluation of the RCPD Director pursuant to the sections set forth in K.S.A. 75-4319 (b)(1) ~~along with discussion of personnel matters among elected personnel.~~ *for a discussion of non-elected personnel matters.*”

Vice-Chairperson Ward inquired about Voucher #14217 payable to Lexis Nexis Risk Solutions in the amount of \$7,711.07.

Director Butler explained that the RCPD contracts with Lexis Nexis Risk Solutions for the embedded crime analyst position. The crime analyst is an employee of Lexis Nexis Risk Solutions who has a workspace at the RCPD and is a part of the Department’s Criminal Intelligence Unit. Among other duties, the crime analyst compiles and interprets data to identify crime trends, and authors the Monthly Crime Report. The RCPD pays a monthly fee to Lexis Nexis Risk Solutions for crime analyst services.

Vice-Chairperson Ward sought additional information regarding Voucher #2006 payable to EMC Risk Services (loss fund January) in the amount of \$20,199.28.

Director Butler responded that EMC Risk Services is the insurance company that provides the Department’s workers compensation coverage.

Member Stoney referred to Voucher #2244 in the amount of \$850.00. The expenditure description states that the funds were used for a teaching diversity course. She wished to know if it was a course that the RCPD sent officers to or if they had an instructor come to the Department.

Director Butler stated that a new sergeant was recently assigned to the Training Unit. The aforementioned training opportunity will allow the sergeant to become a certified instructor and provide diversity training to RCPD employees.

Member Ford moved to approve the Consent Agenda as amended. Member Stoney 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.

G. Additions or Deletions: None.

H. Public Comment: None.

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

J. Board Member Comments: Vice-Chairperson Ward stated that as the new Vice-Chair of the Law Board, he thoroughly researched applicable Kansas statutes and other sources to better understand the responsibilities of the position. Other than filling in for the Chair when needed, his search yielded very little. Ward stated that he has taken it upon himself to meet with the RCPD Community Advisory Board (CAB) at their monthly meetings. He noted that he attended his first meeting in February and found the

atmosphere to be very relaxed and pleasant. It is his hope to be a liaison between the Law Board and the CAB.

Vice-Chairperson Ward observed that the word “playbook” is used frequently in RCPD reports. He sought clarification regarding the meeting of the term.

Director Butler explained that the RCPD relies heavily on proactive policing initiatives. When a crime trend is identified in the community, the Patrol Division develops a strategy to address the particular issue. The Playbook contains plays that address specific problems and are built from knowledge about effective strategies, tactics and techniques combined with law enforcement experience. Officers assigned to the Patrol Division direct their uncommitted time to address those issues in an effort to reduce crime and also improve relations with members of the community.

Member Ford took a moment to thank the RCPD and staff for their efforts February 15-16th, 2021 at the warming center located at the Four Points Sheraton in Manhattan.

Director Butler pointed out that much of the credit goes to Assistant Director Moldrup for coordinating those efforts on behalf of the RCPD.

K. Annual Ka-Comm., Inc. Police Radio Maintenance Agreement: Captain Freidline explained that the Ka-Comm., Inc. Maintenance Agreement is renewed annually to maintain the Department’s police radios. The agreement was significantly revamped this year due to the County’s effort to install the new radio system. She noted a significant reduction (\$28,374.00) in the proposed 2021 maintenance agreement compared to the 2020 agreement. She went in to state that with the newer technology, Ka-Comm., Inc will not have to perform as much annual maintenance on the radios as they have in the past.

Vice-Chairperson Ward moved to approve the agreement between Ka-Comm., Inc. and the RCPD for police radio maintenance for 2021. Member Ford 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.

L. RCPD Firearms Range Planning Update: Captain Kyle reported that the RCPD firearms range is progressing and construction remains on schedule to be completed around March 15, 2021. At the end of March, the Department should be using the range for its intended purpose. After the range is fully operational (springtime), the Department will host an open house for members of the Law Board and community to attend.

M. Fake Patty’s Day: Assistant Director Moldrup informed members of the Law Board that there will not be a Fake Patty’s Day event this year. He explained that there were a few factors that played a part in the elimination of this year’s event to include the pandemic, Kansas State University’s altered spring schedule which eliminated spring break, and the decision of the Aggieville Business Association (ABA) to no longer promote the event.

Dennis Cook, Executive Director, Aggieville Business Association, echoed the comments made by Assistant Director Moldrup and stated that the ABA will no longer support and plan for any future Fake

Patty's Day event. He added that the ABA has discussed the matter with bar owners and it (Fake Patty's Day) is something that everyone wants to let go.

Member Ford asked if there is a plan or strategy to address house parties that spread to the surrounding neighborhoods.

Assistant Director Moldrup responded that the RCPD will have staffing levels that are typical for a weekend. During this time of year, when the weather gets warm, the number of house parties increase. The RCPD receives and responds to those calls for service already. Since there will be no scheduled spring break, he does not anticipate there being a large number of house parties on what was formerly Fake Patty's Day. If one weekend there happens to be a large number of house parties, the Department has staff available to call in to handle it.

Member Hudgins suggested the RCPD provide a statement to the Kansas State University Student Government Association to share with their leadership informing them that Fake Patty's Day is not taking place.

Director Butler said that he would mention it to the two newly appointed members of the RCPD Community Advisory Board who are K-State Student Ambassadors.

In response to the question previously posed by Member Ford, Director Butler added that the Department closely monitors social media and other sources to see if Fake Patty's Day is being planned or promoted. Riley County Police Department staff have discussed how best to prepare moving forward. Just because the event is not promoted by the ABA or their businesses does not mean that the students have decided to let it go. The Department will be as prepared as it can be.

Chairperson Morse stated that it would be important to reach out to the Kansas State University Student Body President or Vice President to let them know that the RCPD would like their cooperation at any opportunity.

Member Ford stated that use of individual social media outlets and the Public Information Officer group could be used to release a statement as well.

N. Reorganization of Human Resources: Director Butler explained that after being with the RCPD for a couple of years, he noticed that multiple employees were performing different Human Resources related activities and functions. With his experience at other police departments, he came to realize that the RCPD was quite different, but did not want to immediately rush into making large-scale divisional changes. Over time, he noticed some inefficiencies within the Human Resources function. He met with staff and the affected employees to discuss his plan to reorganize and merge trifurcated Human Resources activities, which would include the reclassification of the Human Resources Specialist to the Human Resources Manager.

Director Butler went on to explain that as part of the proposed reorganization, the Human Resources Technician and payroll functions of the Accountant would fall under the supervision of the Human Resources Manager. It would also call for the conversion of the existing part-time Finance Technician position to a full-time Payroll Technician and be part of the 2022 budget proposal. However, he would like

to make the current part-time position full-time as soon as practical which would be accomplished utilizing \$50,000 of 2021 budgeted funds with an increase to the 2022 budget in the amount of \$50,000. The Accountant's Office would be re-named the Budget and Finance Office and the current Accountant would become the Budget and Finance Officer.

Director Butler addressed the additional recommendation from the Human Resources and Accountant Offices. Staff recognized that the conversion of the part-time Accountant position to a full-time Payroll Technician would create an operational void in the Budget and Finance Office. Therefore, they request Law Board consideration to hire a part-time position redirected solely for the Budget and Finance Office to ensure the agency meets auditing requirements related to segregation of duties by creating much needed checks and balances.

Director Butler requested authorization from the Law Board to begin the reorganization process now as described above and convert the existing part-time Finance Technician position to a full-time Payroll Technician. The request to hire a part-time position to meet auditing requirements would be part of the 2022 budget proposal and not included in this request.

Vice-Chairperson Ward moved to have the Law Board authorize the Director to convert the part-time Finance Technician position to a full-time position in 2021. Member Stoney seconded the motion.

It was noted that the agenda item N. (Reorganization of Human Resources) was listed as a discussion item only and not advertised as an action item for a vote to be taken. Therefore, a call for the vote was not made and the motion failed.

Chairperson Morse stated that it is important that the Law Board and Department acknowledge the recommendation from the auditors.

A consensus was reached among the Board to allow the Director to proceed with the reorganization of the Human Resources and Accountant offices and return at the regularly scheduled March Law Board Meeting for formal vote.

O. Executive Session: At 12:40 p.m. Secretary Wilkerson moved to recess into Executive Session until 12:55 p.m. to discuss non-elected personnel matters. Member Ford 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.

At 12:56 p.m. the open meeting reconvened.

P. Affirmation or Revocation of Discipline: Secretary Wilkerson moved to affirm the Director's disciplinary actions. Vice-Chairperson Ward 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.

At 12:57 p.m. Secretary Wilkerson moved to recess into Executive Session until 1:42 p.m. to discuss non-elected personnel matters and attorney client privilege. Vice-Chairperson Ward 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.

At 1:42 p.m. the open meeting reconvened.

At 1:42 p.m. Secretary Wilkerson moved to recess into Executive Session until 1:55 p.m. to discuss non-elected personnel matters. Member Stoney seconded the motion. Secretary Wilkerson amended his original motion to include attorney client privilege.

At 1:57 p.m. the open meeting reconvened.

Q. Authorize the Chair to execute a modified Employment Agreement between the Riley County Law Enforcement Agency and Director Dennis P. Butler, beginning with the first pay period of 2021: The following motion was made by Vice-Chairperson Ward: In as much as Director Butler has met the conditions of his employment contract and is being awarded the merit increase earned by receiving an acceptable annual performance evaluation since his last annual performance evaluation of December 31, 2019, he will move from step F to step G on the Director's salary scale and be retroactive back to January 1, 2021. The Board is also mindful that a Cost of Living Allowance (COLA) and merits were not funded in the calendar year 2021 budget and no RCPD employees will receive merits nor COLAs during calendar year 2021. This too applies to Director Butler and he will not receive the increased compensation even if he receives an acceptable annual performance evaluation in his next evaluation date of December 31, 2021. This merit increase pertains to 2020 only.

Member Stoney seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Hudgins, Morse, Stoney and Ward voting in favor, and Ford and Wilkerson voting against. The motion passed 5-2.

R. Adjournment: The February 16, 2021 Law Board Meeting adjourned at 2:00 p.m.