

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Ave.
Manhattan, KS
January 18, 2022 12:00 p.m.
Minutes**

Members Present: Chairperson Linda Morse Vice Chairperson Robert Ward
Secretary Barry Wilkerson (Left at 2:02 p.m.) Member Kathryn Focke
Member John Ford Member Patricia Hudgins
Member BeEtta Stoney (Attended Virtually)

Absent:

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

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

I. Establish Quorum: By Chairperson Morse 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
 - 1. December 16, 2021 Special Law Board Meeting
 - 2. December 20, 2021 Law Board Meeting
- B. Approve 2021/2022 Expenditures/Credits
- C. Juvenile Transport Reimbursement
- D. RCPD Related County Expenditures (*Review*)
- E. Riley County Jail Average Daily Inmate Population- (*Review*)
- F. Reports- (*Review*)
 - 1. Monthly
 - a) Monthly Crime Report

Vice Chairperson Ward inquired about Voucher #13018 payable to the International Association of Chiefs of Police (IACP) in the amount of \$31,500.00.

Director Butler responded that following a bid process, the IACP was selected to conduct promotional assessment centers for the ranks of personnel to be promoted. Those individuals selected for promotion will be recognized under item M. on the General Agenda.

Vice Chairperson Ward moved to approve the Consent Agenda as presented. 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.

Director Butler noted that members of the Law Board, public and media were provided with copies of an amended agenda for the January 18, 2022 Law Board Meeting. The number and letter sequencing were out of order on the agenda that was published the week prior. The only other change was the addition of promotee Justin Borge to the position of Corrections Sergeant. Director Butler noted that the amended agenda will be posted to the RCPD website following the meeting.

IV. General Agenda:

G. Selection of Hearing Officer: Vice Chairperson Ward moved to appoint Riley County Attorney Barry Wilkerson as the Hearing Officer for 2022. 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.

H. Additions or Deletions: Director Butler requested the addition of Corrections Sergeant Justin Borge to the General Agenda under item M. Promotion Announcements. He commented that he would not be asking the Board for an executive session to discuss non-elected personnel matters.

I. Public Comment: None.

J. Fraternal Order of Police Lodge#17 Comments: Rachel Pate, President, Fraternal Order of Police (FOP) Lodge #17, briefed the Law Board on the Cops N' Kids and the Special Olympics Polar Plunge fundraising events. Cops N' Kids was held in December and raised over \$12,000 in donations from community sponsors and RCPD employees. The FOP was able to support 106 children. She noted that the date for the Special Olympics Polar Plunge has been pushed back to March 26, 2022. Organizers for the Polar Plunge are hoping to hold the event at Tuttle Creek State Park which would allow participants to take the more traditional plunge into the lake. More information will be made available as the date approaches.

On behalf of the FOP membership, Pate commented on General Agenda items S. Elimination of Recruit Pay and T. General Order 2021-070 Entry Level Probation. She voiced that the FOP was in support of the elimination of recruit pay and changing the probationary period for sworn officers from twelve months to six months. Overall, the FOP membership believes that these changes will assist with employee recruitment, address some of the current manpower issues, increase employee morale and allow the RCPD to be a more competitive department.

K. Board Member Comments: After three years leading the RCPD, Director Butler attended his final formal Law Board Meeting. Members of the Board took a moment to publicly thank Director Butler for his leadership of the RCPD and service to the community.

Vice Chairperson Ward stated that it has been an absolute pleasure having worked with Director Butler. It is hoped that he remains involved in law enforcement in some fashion, perhaps as a lobbyist for a law enforcement organization. He wished Director Butler and his wife Kerri the best in their future endeavors.

Member Ford echoed the comments made by Vice Chairperson Ward and thanked Director Butler for agreeing to speak on January 20, 2022 to the Kansas Legislature on a matter that is very important to the RCPD and Law Board.

Member Hudgins added to the previous comments by emphasizing Director Butler's positive impact on the RCPD and community. She thanked him for his leadership over the past three years.

Secretary Wilkerson added that he had the opportunity to work with Director Butler on the Sexual Assault Kit Initiative. He wished Director Butler the very best in his well deserved retirement. He noted what an honor it has been to work with him these past years.

Member Stoney reiterated the comments made by other Law Board members. She commended the Director and RCPD staff on the many positive changes that have been made for the community in north county and Manhattan. During his tenure, Director Butler brought about many changes that have bettered the community and police department.

Chairperson Morse echoed the sentiments expressed by the Board. She stated that she was very impressed with Director Butler's level of professionalism and city and county involvement over the last three years. Although she wished he was not leaving, she understood his personal decision to retire and wished him the very best.

Director Butler thanked the members of the Board for their kind comments. He stated that when he arrived in Riley County he had high expectations, but what he saw far exceeded what he had expected to find. Shortly following his appointment as Director of the RCPD, he surveyed the employees and asked what they felt was important in terms of services that are provided to the community. The results of the survey were taken very seriously and a plan was formed to address the suggestions provided by employees. Committees and working groups were formed to work on those suggestions. Employees rolled up their sleeves and did an excellent job. Every decision that he made was made with the intent of benefiting both the employees and the community. That said, all of the things previously mentioned by the Law Board are because of the employees and their families who support them. Director Butler said without their commitment, drive, desire and dedication the community would not have what he considers to be the best police department in the state of Kansas.

L. Award Presentation

1. Veterans of Foreign Wars Law Enforcement Officer of the Year 2021 Award Presented to Detective Shawn Goggins by Commander Daniel Watkins, VFW Post 1786: Daniel Watkins, Commander, Veterans of Foreign Wars (VFW) Post 1786, presented Riley County Police Department Detective Shawn Goggins with the VFW Officer of the Year Award. The award was presented to Detective Goggins who has demonstrated exceptional skills, bravery and loyalty throughout his law enforcement and military career. Watkins added that Detective Goggins will receive the Officer of the Year 2021 Award at the district level which consists of twenty-one posts and he is being considered at the state level as well. As another way to show their appreciation, Officer Goggins will become a life member of Post 1786 at their next monthly meeting.

M. Promotion Announcements: Director Butler and Assistant Director Moldrup announced the following promotions of the Riley County Police Department.

- 1. Corrections Sergeant Justin Borge:** Justin Borge was presented with a Corrections Sergeant badge that was pinned on his uniform by his fiancé Nuvia Guerra and son Jantzen Borge.
- 2. Corrections Sergeant Erika Hahn:** Erika Hahn was presented with a Corrections Sergeant badge that was pinned on her uniform by RCPD Corrections Officer Lauren McClenton.
- 3. Corrections Sergeant Alex Mills:** Alex Mills was presented with a Corrections Sergeant badge that was pinned on his uniform by his mother Nancy Mills and his father retired RCPD Police Lieutenant Jay Mills.
- 4. Corrections Sergeant John Mould:** John Mould was presented with a Corrections Sergeant badge that was pinned on his uniform by his fiancé Ida Smith.
- 5. Corrections Lieutenant Jason Deehr:** Jason Deehr was presented with a Corrections Lieutenant badge that was pinned on his uniform by his husband Kurt. Corrections Lieutenant Deehr was joined by his mother Debbie Seiler who was in the audience.
- 6. Corporal Janelle Compagnone:** Janelle Compagnone was presented with a Corporal badge that was pinned on her uniform by her husband Curt and daughter Lily. Corporal Compagnone was joined by her mother Janet Jenkins who was in the audience.
- 7. Corporal Steven Miller:** Steven Miller was presented with a Corporal badge that was pinned by his wife Lindsey and son Owen. Corporal Miller was also joined by his youngest son Luke.
- 8. Corporal Rachel Pate:** Rachel Pate was presented with a Corporal badge that was pinned on her uniform by her grandparents Jack and Rosemary Landes. Corporal Pate was joined by her parents David and Debbie Pate and her fiancé Patti Noriega who were in the audience.
- 9. Police Sergeant Jamie Dickson:** Jamie Dickson was presented with a Sergeant badge that was pinned on her uniform by her mother Rhonda Dickson and father Bill Dickson, retired Kansas Highway Patrolman and former Sheriff of Washington County, Kan. Sergeant Jamie Dickson was joined by her boyfriend Joe Kvacik who was in the audience.
- 10. Police Sergeant Robert Dierks:** Robert Dierks was presented with a Police Sergeant badge that was pinned on his uniform by his girlfriend Alana Martinek. Sergeant Robert Dierks was joined by his mother Joy Prunteny, brother Hayden Dierks and his youngest daughter Adley who were in the audience.

11. Police Sergeant Michael Dunn: Michael Dunn was presented with a Police Sergeant badge that was pinned on his uniform by his wife Lacey Dunn. Sergeant Michael Dunn was joined by his daughter Allison and son AJ, parents William and Molly, and grandparents Bill and Judy Loucks who were in the audience.

12. Police Sergeant Jared Hayes: Jared Hayes was presented with a Police Sergeant badge that was pinned on his uniform by his wife Adrienne and son Jaxon.

13. Police Lieutenant Richard Deutsch: Richard Deutsch was presented with a Police Lieutenant badge that was pinned on his uniform by his wife Kathy Deutsch.

N. Online Crime Reporting: Captain Jager explained that effective January 3, 2022, the RCPD began offering an online reporting feature through the Department's website (www.rileycountypolice.org). It is believed that this service will make it more convenient for citizens who wish to report minor crimes (e.g., theft, identity theft, criminal damage to property or vehicle) that have occurred in Riley County or the portion of the city of Manhattan that is in Pottawatomie County. The online form is very intuitive and guides the public through the reporting process. Captain Jager noted that the RCPD already purchased the software from which the form was created; therefore, the Department was able to implement the service for a very minimal cost. He reported that since January 3, 2022, roughly seven reports have been filed online.

Member Ford wished to know if the online reporting service could be utilized for emergency accident reporting during severe weather.

Captain Jager said that option has not been explored at this time, but it is worthy of review.

O. 2022 Impaired Driving Deterrence Program (IDDP) Grant: Included in the Law Board packet was the Riley County Police Department's application for the Impaired Driving Deterrence Program (IDDP) Grant from the Kansas Department of Transportation. Director Butler explained that RCPD has participated in the program for the past several years. The grant covers employee overtime to participate in statewide coordinated enforcement efforts expressly designed to detect and deter impaired drivers. If approved, the program will run through September 30, 2022.

Secretary Wilkerson moved to accept the IDDP Grant. Vice Chairperson Ward seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse, Ward and Wilkerson voting in favor, and no one voting against. The motion passed 6-0 (Member Stoney was not present for the vote).

P. 2023 Budget Preparation Timeline: Provided to the Board was the proposed 2023 Budget Preparation Timeline developed in accordance with the statutes of the RCPD and Law Board. The statutes call for final budget certification no later than the first Monday in July. Captain Kyle recommended the following:

At the January 18, 2022 Law Board meeting, discuss, modify as necessary and approve the 2023 budget development timeline.

During the month of March conduct special Law Board meetings, as the Board deems necessary, to begin preliminary budget discussions and obtain Law Board guidance.

At the April 18, 2022 Law Board meeting, update the Board on budget development and provide a draft 2023 budget. Determine the need for additional special Law Board meetings as necessary for budget development.

At the May 16, 2022 Law Board meeting, approve a budget of expenditures for publication prior to the mandatory public hearing, unless additional special budget meetings are deemed necessary.

No later than June 11, 2022 publish the proposed 2023 budget of expenditures with the City and County Revenue Neutral Rate (if available) in the Manhattan Mercury.

At the June 21, 2022 Law Board meeting, conduct a public hearing on the 2023 budget of expenditures and formally adopt the budget.

On or before July 4, 2022 certify to the Riley County Board of County Commissioners and the City of Manhattan a budget of expenditures for the 2023 operation of the Riley County Law Enforcement Agency/Riley County Police Department.

The Law Board voiced no objections to the 2023 Budget Preparation Timeline as proposed.

Q. Professional Liability Insurance Impact on 2022 & 2023 Budget: Captain Kyle briefed the Law Board on funding needed to address law enforcement, auto, property and liability insurance limit increases and their impact on the 2022 and 2023 RCPD budgets. He explained that costs have been substantially increasing and are projected to continue to do so. The broker for the RCPD advised that law enforcement agencies across the country are experiencing significant increases. In response, the broker recommends increasing the law enforcement liability (general liability) limit from \$3M to \$5M dollars and auto liability limit from \$500K to \$2M dollars. Together they represent an increase of \$37,645. In order to move forward with the quote, the Department would need to take action by the end of January. The other option is to address the increases during 2023 budget discussions.

Director Butler clarified that there is no option with regard to property liability insurance. The new quote listed on page 79 of the Law Board Packet is what will be needed to maintain coverage. The Department will need to fund the increase to the premium in the amount of \$29,092.

Vice Chairperson Ward was not as concerned with the increase to the auto liability insurance limit as he was the law enforcement liability insurance limit. The suggested increase from \$3M to \$5M results in an increase to the premium in the amount of \$32,129. He stated that in today's environment, the RCPD and Law Board would be remiss if they did not increase the law enforcement liability insurance now so that it would be in effect for 2022.

Member Ford wished to know how the Department would fund the increase for 2022.

Captain Kyle replied that there are a couple options to fund the increase; however, he believes the most appropriate option at this time would be to utilize unused personnel funds for 2022. The Department would then have to address the increase in the 2023 budget in order to continue the coverage.

Though not opposed to the recommendations made by the broker, Chairperson Morse and Member Focke proposed funding a lower amount to cover the increase in liability insurance limits.

Captain Kyle explained that the RCPD being a nationally accredited agency helps quite a bit with liability exposure. As a police department, the risk exposure is high and the broker felt it would be more prudent to have a \$5M law enforcement liability and \$2M auto liability limit in place should an unfortunate accident occur.

Director Butler commented that the RCPD has to do their due diligence to protect not only the Department but the funding entities that fund its operations so that they do not cause incredible spikes in jury awards that insurance cannot cover or that the Department does not have the funding internally to cover. That is why staff listen to the brokers on these important issues and ask questions. He added that a vote is not required to utilize unused personnel funds to cover the increase for 2022. He and staff simply wished to bring the information forward and obtain guidance from the Law Board prior to making a decision to stand pat, seek a quote for different coverage amounts or defer this to 2023. The matter will become voteworthy during 2023 budget discussions and future budget requests. Director Butler said that the Department may move forward to fund the increase to the auto liability insurance because the amount of money involved is fairly minimal.

R. Salary Survey Conducted by the Arnold Group, A Human Resource Company: Director Butler explained that within his first year at the RCPD, he and staff selected The Arnold Group, A Human Resource Company, to conduct an employee salary survey. Due to COVID-19, The Arnold Group was extremely delayed in providing staff with the initial results of the survey. The results were presented to staff around the middle of 2021.

Director Butler said that during the process, a review of the job description for each position within the RCPD was conducted and updated if needed. Those job descriptions were taken to the market and compared with similar positions in other organizations, both private and public. He noted that it was not always an apples-to-apples comparison, but the vendor did their best to match the job descriptions with others and make a recommendation regarding compensation to the RCPD.

Phil Hayes, Vice President, The Arnold Group, will be invited to attend a future meeting to provide a presentation to members of the Law Board regarding the methodology used for the salary survey as well as to provide his recommendation and answer questions. Director Butler stated that Mr. Hayes provided staff with a dollar figure on what it would take to have all of the positions meet market standards. During those discussions, Mr. Hayes indicated that up until now he had never seen such volatility in salaries around the country.

Director Butler commented that the figure to implement the results of the survey can look pretty shocking at first. It would be the intention of the Department to develop a strategy to implement the salary recommendations over a two or three year period. He noted that the mid-year salary adjustment that was provided to employees in July as well as the Cost of Living Allowance (COLA) that is based on the

Consumer Price Index for All Urban Consumers (CPI-U) in the Midwest will actually reduce the cost to bring all of the positions up to standard. It would not be a COLA plus.

Director Butler stated that as part of the agreement with The Arnold Group, provisions were included to have Mr. Hayes return to the market each year for five years to make adjustments to his initial results. This will ensure that the data is as current as possible for five years and the Department will not have to commission a whole new study.

S. Elimination of Recruit Pay: Captain Kyle explained that approximately fifteen years ago, the RCPD fundamentally changed how it trained new employees, specifically police officers, corrections officers and dispatchers. The training emphasized employee problem solving skills which significantly increased the amount of time employees were being trained. Despite the extra time, the Department found the training to be quite beneficial as it produced better employees who were ready to take on the duties of their position following the training period. To incentivize new employees to complete their training program, the Department created what is referred to as recruit pay. Essentially, newly hired employees are placed into recruit status and started at a lower paygrade on the salary schedule. The recruit would advance to the next higher step on the salary schedule following successful completion of the training program (e.g., recruit officer to police officer).

Captain Kyle said that although the program was successful, it had one unforeseen flaw that has impacted current recruitment efforts. When advertising vacant positions, the Department could only publicize the starting salary of the recruit position. In order to attract applicants, the Department recommends the removal of recruit pay from policy and the salary chart so that they may publicize and hire individuals at the standard police officer, corrections officer and dispatcher paygrades. He added that the change will not have an impact on the budget because the authorized positions are already budgeted for at the police officer, corrections officer and dispatcher paygrades. This is done because staff cannot predict how long it will take the employee to successfully complete the training program and advance out of recruit status.

If approved by the Law Board, the policy (General Order 2021-070 Entry Level Probation) will eliminate recruit pay from policy and change the probationary period for sworn employees from twelve months to six months.

T. General Order 2021-070 Entry Level Probation: Vice Chairperson Ward moved to approve General Order 2021-070 Entry Level Probation as recommended. Secretary Wilkerson 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

U. Hazardous Duty Stipend for All RCPD Employees: In an effort to address extreme challenges in recruitment and retention and recognize the hard, often stressful and hazardous work of RCPD employees throughout the pandemic, Director Butler recommended authorizing a one-time hazardous duty pay/stipend for all employees. Director Butler reported that other jurisdictions have used American Rescue Plan Act (ARPA) funds to provide stipend payments to public employees. In addition, other agencies have provided a stipend or extra day off for employee vaccinations, etc. Director Butler informed the Law Board of his intention to provide a one-time stipend in the amount of \$250.00 to each employee as a gesture of appreciation for their work over the past nearly two years. Monies for the stipend (roughly \$67,000) will come from unused personnel funds and be included in the January 31st payroll. He

remarked that as the Director of the RCPD, he did not include himself in the final figure to receive the stipend.

The Law Board was in support of the one-time hazardous duty stipend for all RCPD employees.

Though not a voting item, Vice Chairperson Ward moved to authorize the one-time hazardous duty stipend to be paid to the Director. The motion failed for lack of a second.

V. American Rescue Plan Act Update: Member Ford announced that Treasury has released the Final Rule for the program which will take effect on April 1, 2022. Funds can be used in a very flexible manner but does not include debt servicing for political subdivisions of taxing authorities or new correctional facilities. Ford explained that law enforcement is included among the eligible entities to receive ARPA funding. Ford has reached out to the National Steering Committee and both legislative associates to obtain clarification and additional information.

W. Executive Session: At 1:56 p.m. Vice Chairperson Ward moved to recess into Executive Session until 2:11 p.m. to discuss non-elected personnel matters with Law Board Attorney Michael Gillespie present. Secretary Wilkerson 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 2:11 p.m. the open meeting reconvened.

At 2:11 p.m. Vice Chairperson Ward moved to recess into Executive Session until 2:26 p.m. to discuss non-elected personnel matters with Law Board Attorney Michael Gillespie present. Member Hudgins seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse and Ward voting in favor, and no one voting against. The motion passed 5-0.

At 2:30 p.m. the open meeting reconvened.

At 2:30 p.m. Vice Chairperson Ward moved to recess into Executive Session until 2:45 p.m. to discuss non-elected personnel matters with Law Board Attorney Michael Gillespie present. Member Hudgins seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse and Ward voting in favor, and no one voting against. The motion passed 5-0.

At 2:45 p.m. the open meeting reconvened.

At 2:45 p.m. Vice Chairperson Ward moved to recess into Executive Session until 3:00 p.m. to discuss non-elected personnel matters with Law Board Attorney Michael Gillespie present. Member Ford seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse and Ward voting in favor, and no one voting against. The motion passed 5-0.

At 3:00 p.m. the open meeting reconvened.

Director Butler thanked the Law Board for their continual support during his tenure. He expressed what an honor and privilege it has been to serve as the Director of the RCPD. He extended his appreciation to the

men and women of the police department for the work they do and challenges they encounter each day. He stated that due policy and the structure of the governing body (Law Board), the Department will be in good hands until a selection is made for the next director.

X. Affirmation or Revocation of Discipline: This item was removed from the agenda.

Y. Adjournment: Vice Chairperson Ward moved to adjourn the meeting. Member Hudgins seconded the motion. Chairperson Morse polled the Board and the motion passed with Focke, Ford, Hudgins, Morse and Ward voting in favor, and no one voting against. The motion passed 5-0. The January 18, 2022 Law Board Meeting adjourned at 3:03 p.m.