

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Ave.
Manhattan, KS
May 16, 2022 12:00 p.m.
Minutes**

Members Present: Chairperson Linda Morse Vice Chairperson Robert Ward
Secretary Barry Wilkerson Member Kathryn Focke
Member John Ford Member Patricia Hudgins
Member BeEtta Stoney (arrived at approximately 12:20 p.m.)

Absent:

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

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

I. Establish Quorum: By Chairperson Morse at 12:03 p.m. Chairperson Morse announced that due to technical difficulties, the Law Board Meeting would not be broadcast live on the City of Manhattan's website or Cox Cable Channel 3.

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

III. Consent Agenda:

- A.** Approval of Minutes
 - 1. April 18, 2022 Special Law Board Meeting
 - 2. May 2, 2022 Special Law Board Meeting
- B.** Approve 2022 Expenditures/Credits
- C.** 2021 & 2022 Adjusted Financial Journal Entries
- D.** Juvenile Transport Reimbursement
- E.** RCPD Related County Expenditures (*Review*)
- F.** Riley County Jail Average Daily Inmate Population- (*Review*)
- G.** Reports- (*Review*)
 - 1. Monthly
 - a) Monthly Crime Report
 - 2. Quarterly
 - a) 1st Quarter Uniform Crime Report (82.1.4)
 - b) 1st Quarter Traffic Accident & Enforcement Analysis (61.1.1 A&C)
 - c) 1st Quarter Seizure & Forfeiture Report (84.1.8)

Captain Freidline addressed the increase in the number of aggravated assaults and battery incidents reported in the Monthly Crime Report. A total of 17 aggravated assaults/batteries were reported during the month of April. Through the work of the Investigations and Patrol Divisions, 12 of the reports resulted in an arrest. Of the 12 arrests, 8 were domestic violence related and one was the result of a DUI injury accident. Captain Freidline felt it important to mention that within the last month only two of the reported assaults involved a firearm. Captain Freidline also addressed the 1st Quarter 2022 Uniform Crime Report (UCR) noting a 2.3% decrease in Part 1 violent crimes when compared to the same period last year. She added that several arrests for the abovementioned crimes and others are being investigated by case detectives that will hopefully have a resolution.

Vice Chairperson Ward inquired about Voucher #5041 payable to Hali Rowland for Public Information Officer (PIO) consultant services. Given that the Department has a full-time PIO, he wished to know how long the Department intended to contract with Mrs. Rowland for these services.

Interim Director Moldrup explained that Mrs. Rowland performs a number of functions to include filling in for the full-time PIO when he is on vacation or out of the office. In addition to filling in when needed, she conducts thorough reviews of applicant social media accounts as a part of their background investigation. Command Staff have found her service and this review to be fairly critical as it can bring to light some things that the Department or public may find concerning.

Captain Kyle echoed the comments made by Interim Director Moldrup and added that the PIO is on call 27-7. When the PIO requires time off, the Department must have someone who is competent to handle the duties of the position. He commented that Mrs. Rowland not only serves as backup to the current full-time PIO, but she has and continues to assist with the approaching website redevelopment and background investigations involving social media that the Department would otherwise be unable to do.

Vice Chairperson Ward inquired about Voucher #5229 for GT Distributors Inc. in the amount of -\$18,234.25.

Interim Director Moldrup responded that the Department purchases handguns through GT Distributors Inc. When the weapons are to be retired, they are sold back to GT Distributors Inc. and the Department receives a credit. Sworn officers are given the opportunity to purchase their weapon through the company. The RCPD cannot sell the weapons directly to the employee as it is not a federal firearms dealer.

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, Ward, and Wilkerson voting in favor, and no one voting against. The motion passed 6-0.

IV. General Agenda:

H. Additions or Deletions: None.

I. Special Announcement: Chairperson Morse announced that today they officially "kick off" the search process for the next Director of the Riley County Police Department and announce the selection of the Screening Committee. It is the goal of the Riley County Law Board to ensure they identify and select

the best candidate to become the next RCPD Director. They have chosen a thorough path as opposed to a swift path.

Chairperson Morse explained that experiences throughout the country in the last several years demonstrate the importance of carefully selecting the best person to lead the Riley County Police Department. It is not only their goal but obligation to hire a person who is respected and trusted by all the citizens who live, work and go to school in Riley County and the City of Manhattan.

Chairperson Morse said that in order for any law enforcement agency to effectively serve the community, it is imperative the Board select a Director who understands the need to serve all members of the community and to instill trust within the diverse population. The Riley County Police Department is a consolidated law enforcement agency. The former Riley County Sheriff's Office was consolidated with the former Manhattan Police Department and Ogden Police Department. In addition to Manhattan, there is a significant rural population, as well as the cities of Riley, Randolph, Leonardville, and Ogden. Kansas State University and Ft. Riley also make up significant populations to be served by the Riley County Police Department. In each of these communities there exists diversity; all citizens must be able to trust the Riley County Police Department to provide to them a professional level of service.

Because of this reality, the Law Board did not hire an outside agency or search firm. Instead, to the best of their ability, they identified representatives of the various stakeholders in the community to serve on the Screening Committee. The Law Board has selected members who they believe represent a cross section of the communities to be served by the Riley County Police Department.

Chairperson Morse said that the Law Board and now the Screening Committee will do many of the tasks a search firm would have undertaken had they chosen to hire an outside private firm. The Law Board believes the approach they have taken, not only saved taxpayer money, but it also allows the Board to obtain the direct feedback and input from the many different communities that make up Riley County.

Chairperson Morse stated that in addition, a luxury that has been extended to the Law Board, is Interim Director Kurt Moldrup's willingness to serve as the Director through the end of the year. His longevity with the Department and his steadfast support, gives the Law Board the ability to proceed in a manner that will allow the best chance to select the best candidate for this community.

Chairperson Morse said that while no process is perfect, they have from the beginning, as a Law Board, believed it was more important to be thorough and deliberate in their approach as opposed to trying to move quickly and hire someone who is not suitable to lead the Riley County Police Department. In order to have a law enforcement agency that will serve the community, build and preserve trust with all members of the community, it is the obligation of the Law Board to hire a Director who will lead the Department with the vision of trust, transparency, compassion and professionalism that the citizens of Riley County expect.

Screening Committee Members:

Linda Morse, Chair

Robbin Cole

Steve Hargrave

Patricia Hudgins

Mike Kearns

Deb Klutz
Lorenza Lockett
Rachel Pate
Bob Pence
Kathy Ray
Alan Riniker
Robert Ward
Corey Williamson

Chairperson Morse noted that the advertisements will be distributed for publication beginning Tuesday, May 24. The plan is to accept applications until the position is filled. They expect to have open interviews of the finalists, but will release more information in the future.

J. Public Comment: Citizen Gary Olds, 3308 Frontier Circle, Manhattan, Kansas, 66503, expressed his concerns with the roughly 8.5% increase in the proposed 2023 RCPD budget, which in his estimation is fairly significant. He addressed the substantial increase in valuation (approximately 12-15%) as reported by the late Riley County Appraiser Greg McHenry and the 80/20 City/County funding split for the RCPD budget. As a taxpayer he encouraged the Law Board to sharpen their pencils, review the budget request, and reduce it substantially. He opined that a 25 million dollar budget is significant and not sustainable.

K. Fraternal Order of Police Lodge#17 Comments: Corporal Rachel Pate, President, Fraternal Order of Police (FOP) Lodge #17, thanked the Law Board allowing her to be a member of the Screening Committee to search for the new Director of the RCPD. She stated that she looks forward to working with the other committee members to select the best candidate for the position to lead the RCPD.

Corporal Pate informed the Law Board and public of the Annual Law Enforcement Torch Run benefiting the Special Olympics Kansas tentatively scheduled for June 26, 2022. The location has yet to be determined. Corporal Pate stated that she and members of the FOP hope to have representatives from the Kansas State University Police Department and Pottawatomie County Sheriff's Office participate in the fundraiser this year.

Corporal Pate discussed the proposed 2023 RCPD budget and concerns of the FOP membership and RCPD employees. She explained that the rise in inflation has caused stress on employees. Employee paychecks have remained the same while the price for gas, groceries, and other amenities to live comfortably in Manhattan have increased. Another stress on RCPD employees is low manpower, specifically in the Jail and Patrol Divisions. The low manpower has required officers to work longer hours to make up for those who are not currently on shift. Corporal Pate addressed the need for the RCPD to remain competitive with other agencies to attract quality applicants. She mentioned that multiple agencies have provided a 7% or higher increase and/or fourth quarter bonuses to employees.

L. Board Member Comments: Vice Chairperson Ward commented that while recently traveling for a personal family emergency, he and his wife witnessed a number of billboards and electronic signs advertising for police officers. He said that he knows the RCPD is experiencing difficulty filling position vacancies within the Patrol and Jail Divisions. He simply wished to let staff know that it appears to be an issue many agencies are presently experiencing.

Member Focke referred to the comments made by Mr. Gary Olds during the public comment portion of the meeting. She stated that prior to the passing of Riley County Appraiser Greg McHenry, he provided a presentation to the Riley County Board of County Commissioners on the increase property valuation. During the presentation McHenry cautioned that the increase in valuation does not necessarily translate into a similar increase in ad valorem taxes.

M. Community Advisory Board Recognition: On behalf of the Law Board, Riley County Police Department and Community Advisory Board (CAB), Interim Director Kurt Moldrup presented Marissa Lux and Carl Taylor each with a plaque in recognition of their dedication and service to the citizens of Riley County, Kansas and men and women of the RCPD.

N. 2021 Kansas Association of Chiefs of Police Valor Awards: The Kansas Association of Chiefs of Police (KACP) will host the 2022 Leadership Conference May 23-26, 2022 at the Hilton Garden Inn, Manhattan. Recipients of the KACP 2021 Valor Awards will be announced the evening of the 25th. The awards will honor activities, accomplishments and performance of employees which occurred in 2021. The following employees will be recognized at the Valor Awards Banquet.

Silver Award

Police Officer Josh Berard
Police Officer Jake Shailer
Dispatcher Teresa Taitano

Gold Award

Police Officer Nicholas Coffey
Police Officer Matthew Horne
Police Officer Jason Krause
Sergeant (Ret.) Doug Wood
Police Officer Stephen Zapatta

O. Public Safety Communications Accreditation Program through the Commission on Accreditation for Law Enforcement Agencies: Captain Jager announced that the RCPD has begun the process for the Public Safety Communications Accreditation Program through the Commission on Accreditation for Law Enforcement Agencies (CALEA). The program provides the communications center with a process to systemically review and internally assess its operations and procedures. As part of the process, the RCPD communications center must comply with 207 standards of the program. The Department is presently in the second phase (self-assessment) of the five phase process. The RCPD has 24 months to complete the self-assessment phase following which a final quality review will be conducted by CALEA assessors. Captain Jager added that he and a group of employees meet regularly to review the CALEA standards and write policy. The new polices will be brought to the Board for review at a future meeting.

P. Approval of General Order 2022-016 Social Media – Personal Use of Social Media: Interim Director Moldrup explained that the RCPD separated the existing social media policy into two separate policies: department use and personal use of social media. The policy before the Law Board for approval provides information of a precautionary nature as well as prohibitions on the use of social media by Department members. Interim Director Moldrup said that it is a fine line between freedom of speech and

working for a public agency, specifically a law enforcement agency. There is a delicate balance to be made when putting information out on social media as it has the potential to impact officer testimony and the interests of the Department.

Vice Chairperson Ward moved to approve General Order 2022-016 Social Media - Personal Use of Social Media as recommended. 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

Q. 2023 Budget Development: The Law Board were provided copies of the 2023 RCPD Budget Presentation as part of their packets. Captain Kyle discussed the Department's mission statement and touched on the four long-term (strategic goals), annual planning cycle, and needs assessment developed by members of Command Staff.

Captain Kyle stated that the RCPD is a lean agency in that it has fewer officers per population than the state and national average. In addition, the RCPD is an evidence based and intelligence led police department. The RCPD takes the resources it has and concentrates them where crime and disorder occur by using techniques that have been proven through research to work. This allows the Department to be nimble and keep crime down while at the same time have fewer personnel out on the street.

Captain Kyle explained that as a result of the needs assessment and the desire of the Manhattan-Riley County Coalition for Equal Justice (CEJ) Fair and Impartial Policing (FIP) Working Group for the RCPD to have more face-to-face contacts with the community, RCPD staff were prepared to request additional police officers as part of the 2023 budget proposal. However, that was prior to post-COVID job market issues and increases in inflation. As a result, the Department is seeking Cost of Living Adjustments for personnel and the implementation of the salary survey (half in 2023 and half in 2024) which was the culmination of a lot of work over multiple years.

Captain Kyle explained that post-COVID, recruitment and retention have become significant issues for the region and across the country. Applicants have access to a tremendous amount of information that they can immediately access regarding compensation and benefits offered in the job market. As a result, the RCPD is competing with organizations that it had not competed with before. He stated that the RCPD, once a market leader, has since lost its position and staff are seeing the consequences of that in the areas of recruitment and retention.

Prior to the pandemic, staff recognized the need to conduct a salary survey. The last survey was conducted approximately ten years prior and was limited in scope. Staff agreed that it was time to take a look at the salaries to determine if they were competitive. A Request for Proposal (RFP) for services to conduct a salary survey for the RCPD was sent out and The Arnold Group (TAG) was selected who ultimately agreed that the RCPD has fallen behind and is no longer a market leader in this area.

Captain Kyle reported that as of the beginning of March, the RCPD had 22 vacant positions, the majority of which were in the Jail Division. He reported on the manpower for the Department with the Jail Division at 66%, Dispatch 79%, and Patrol 85% staffing levels. He added that in order to maintain safety and security within the Jail Division, corrections officers have gone to 12 hour shifts.

Finance Manager Jennifer Reifschneider addressed the 2022 base adjustments and implementation of the salary survey as recommended by RCPD Administration. She reported that due to turnover, scheduled retirements, and more senior employees leaving the RCPD being replaced by junior employees, the Department will experience a budget decrease of \$254,544 (-1.1%) over the 2022 approved budget. In addition, there will be a decrease in KPF and KPERs employer rates resulting in a budget decrease of \$37,259 (-1.26%) over the 2022 approved budget. Taking these factors into account along with anticipated steps and longevity pay, the total 2023 base adjustment will be a \$133,418 (.58%) increase over the 2022 approved budget.

Finance Manager Reifschneider explained that the results of the salary survey revealed that all positions within the RCPD need an adjustment of some kind. If approved, the RCPD recommends implementing the salary survey over two years (2023 and 2024) with equal steps to meet the “market” salaries across all positions within the Department. The cost to fully implement the salary survey is \$3,400,000.

Finance Manager Reifschneider explained that the first half of the implementation in 2023 would include a 5.1% Cost of Living Allowance (COLA) for employees with up to a 5.9% adjustment to employee salaries. The cost to implement the first half of the salary survey (54%) would be \$1,848,000. The second half of the implementation would be accomplished in 2024 and cost \$1,552,000. Finance Manager Reifschneider stated that it presently unknown what the COLA will be for that year.

Member Focke requested staff provide an estimated COLA to serve simply as a placeholder when discussing the 2024 budget. Doing so would provide the Law Board and public a better picture of what the overall increase might look like.

Finance Manager Reifschneider replied that the information could certainly be provided to the Board if desired. Riley County Police Department staff wanted to focus on the first half of the salary survey implementation for the 2023 budget which is before the Law Board for consideration.

Interim Director Moldrup stated that he would be reluctant to guess what the COLA might be for the end of 2022. The proposal before the Law Board is for the 2023 budget which is what will be voted on today. The overall increase for the 2024 budget will be the figures that have been provided to the Board plus the COLA once it has been released.

Member Focke stated that she would prefer to have the whole picture. She estimated the COLA to be at least 5% of not more.

Captain Kyle estimated the 2022 COLA to be in the neighborhood of 1-1.1 million dollars, budgetarily speaking. With the estimated COLA, the Law Board would be looking at roughly 4.5 million dollars to fully implement the budgets for 2023 and 2024.

Captain Kyle stated that he recognizes the budget request is no small amount. Generally, RCPD staff come before the Law Board with a 3-4% increase. The budget proposal and salary survey represent an investment in the police department. It is time for the RCPD to adjust employee salaries to be competitive in the market to ensure that it can attract quality applicants to provide the types of services the community has become accustomed to and deserves. Captain Kyle recognized that the matter of property tax is a sensitive

topic for many. Unfortunately, the only access to budgetary funds for the RCPD is through property taxes. Realistically, the Department does not have any meaningful access to COVID funds.

Interim Director Moldrup and Captain Kyle commented on the Flint Hills Regional Leaders Retreat they both attended on May 12-13, 2022. During the retreat, a number of topics were discussed to include the roughly \$700,000,000 in local economic growth, Back 9 development, and Scorpion Biological Services which is slated to bring 500 professional level jobs to the region. Interim Director Moldrup stated over the span of the two-day retreat, none of the conversations included issues related to safety and security. The companies were not concerned about crime in Riley County.

At the May 9, 2022 Special Law Board Meeting Mr. Gary Olds posed the question of how much law enforcement should cost. Interim Director Moldrup professed that this question caused him to ponder. It is a good question. However, the question in Interim Director Moldrup's mind really should be how much should be invested in law enforcement and what should that investment be. He went on to state that the RCPD is a lean agency due to consolidation. It is also a very professional agency. The public hears about the RCPD very little in the news and does not hear about use of force incidents or lawsuits involving the Department. That is not by accident. It is by intention because the RCPD hires quality people and provides quality training programs to teach employees how to be problem solvers. The Department needs to continue to focus on attracting and recruiting the same quality people.

Interim Director Moldrup reported that in 2020 the RCPD accounted for 10.8% of the budget for the City of Manhattan and 10.54% in 2021. In 2021 the RCPD accounted for 7.12% of the County's budget and 6.06% in 2022. He stated that while the budget for the RCPD is growing, it is growing at a slower rate than the City and County budgets. He noted that the mill levy is often discussed, specifically with regard to how much goes to the RCPD. Unfortunately, that is something for which the RCPD has no control because it is the Departments only source of funding. The City and County have other avenues of revenue. Interim Director Moldrup encouraged the Law Board to approve the 2023 RCPD budget proposal as presented. He recognized that it is a lot, but not unreasonable.

Secretary Wilkerson recalled other agencies that fell behind with regard to wages roughly 15 years ago that are still struggling to fill positions and maintain a quality level of talent. He commented that a career in law enforcement is difficult. He has known officers who have been shot at and employees who have been in some very dark places having dealt with unspeakable crimes against women, children and others. It is a lot for the employees to take home each night. If the community is to keep people who are willing to do that kind of work day in and day out, then everyone has to be willing to pay those people so it is worth the emotional toll that it takes on them and their families. It is certainly a lot of money that is being considered, but it is an investment. For those reasons, he was in support of the proposed 2023 RCPD budget for publication.

Member Ford explained that he would be in favor of voting on the budget for publication today in order to comply with the 2023 budget preparation timeline regardless of the Revenue Neutral Rate (RNR). He stated that the County is in the same position with regard to employee salaries. It is a lot at this point when the County has to make some decisions and the City has to make some decisions. There are a lot of challenges and elements that the County will have to weigh through over the next month.

Chairperson Morse asked the board if they had any guidance to provide RCPD staff regarding the 2023 budget.

Member Ford asked if there is a mid-year process in which RCPD staff could provide the Law Board with a guestimate on what the unused personnel funds might be for 2022. With regard to the 2022 COLA, there is no way to figure that out at this time. Member Ford explained that quality of life and affordability in this community will always be intertwined. Entity needs and wants will also be based off of whether or not the public can still afford to remain in the community.

Chairperson Morse expressed her interest, and perhaps that of the taxpayers, in discussing cost savings associated with having a consolidated law enforcement agency at a future meeting.

R. Public Comment: None.

S. 2023 Budget for Publication: Secretary Wilkerson moved to approve RCPD 2023 Budget Draft 1 for publication which represents an 8.366% increase over the 2022 approved budget. Member 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.

T. American Rescue Plan Act Update: At the April 18, 2022 Law Board Meeting the Board authorized the Chair to sign letters to be sent to the to the Manhattan City Commission and Board of County Commissioners requesting Coronavirus State and Local Fiscal Recovery Funds (SLFRF) be used by the RCPD to institute a hiring incentive of \$5,000 for new corrections officers, police officers, and dispatchers through 2023. Due to delays on the part of the RCPD, the letters were not sent out until May 16, 2022. Captain Jager had no update to provide to the Law Board.

U. Executive Session: At 1:52 p.m. Secretary Wilkerson moved to recess into Executive Session until 2:12 p.m. to discuss non-elected personnel matters. 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.

At 2:12 p.m. the open meeting reconvened.

V. Affirmation or Revocation of Discipline: Secretary Wilkerson moved to affirm the Director's disciplinary actions. 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.

W. Adjournment: The May 16, 2022 Law Board Meeting adjourned at 2:12 p.m.