

**MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE**  
**June 13, 2012**  
**KCAB 2<sup>ND</sup> FLOOR COUNTY BOARD COMMITTEE ROOM**

**Members Present:** Daniel Esposito, Ronald L. Johnson, Angelina Montemurro, Boyd Frederick, Anita Johnson, Douglas Noble, David Arrington, Trevor Foster (YIG), Audrey Simard (YIG)

**Others Present:** Sheriff David Beth, Capt. Paul Falduto, Joseph Cardamone, Bob Reidl, Dave Geertsen, Dennis Remus, John Giannini, Jill Vernezze, Barb Zacharias, Fred Storz, Leonna Dobbs, Denise Bell, Shane Gerber, Jeanette Dahl, Jessy Gerretsen, Dale Shimkus, Ken Davis, Neil Mounger, Georgette Carey, Rhonda Moore, Barbara Goode, Sue Barks, Diane Workman, John Smith, Andy Leiting, Mark Uelman, Jevon Claussen, Jamie Smith, Tim Smith, Janetta Sepanski, Beth DeRose, Edward Hartnell, Randy Julius, Gabriel Camara, Otis Dampier, Scott Dahl, Christine Johnson, Kenneth Moore, Steve Rea

**Meeting Called to Order:** 7:03 p.m. by Chairman Daniel Esposito

**Citizen Comments:** 7:03: Fred Storz handed out copies of previous minutes and the County Holiday Schedule. He explained that this started in January when the Union went to Personnel about jailers not receiving holiday pay and were told there was nothing they could do. In March they found out they should come to the Judiciary & Law Committee. The County Holiday Schedule includes detention employees to be paid for holidays. Storz referenced in the minutes where Capt. Falduto admitted they are not paid for holidays. They are now working two more days and getting paid for eight less days. Storz also referenced minutes where it was said that when deputies work only 72 hours they are paid for 80. Detentions staff just ask to be treated fairly. Captain has said he would pay staff if funds were available. They would like this to go to Finance. Past excess revenue turned over could fund this.

**Supervisor Comments:** 7:08: Supr. Frederick, mentor for the Youth in Governance (YIG) members, reported that they took a tour of the jail. He asked the YIG members to introduce themselves and give a little background. Audrey Simard said she is a 17 year old senior at Indian Trail. She is excited to be here. Trevor Foster will be a junior next year at Central High School. He is glad for this opportunity and enjoyed the tour.

Supr. Montemurro asked if it is legal for this Committee to change procedure and put back holiday pay. Do we have this authority? Joseph Cardamone from Corporation Counsel replied that his understanding is that this is no more legal than any other employee negotiations. There are no easy answers.

**Chairman Comments:** 7:11: Esposito welcomed the YIG members.

**Minutes Read:** 7:12: May 7, 2012 Meeting

**Motion by:** Johnson                      **Seconded by:** Arrington                      **Approved:** unanimously  
With changes of Supr. Frederick's name and deleting sentence regarding "Pacetti."

***Discussion Regarding Jailers' Holiday Pay and Schedule:***

7:14: Bob Reidl explained that the enactment of Act 10 brought profound changes and the Act 32 budget bill brought significant cuts to government. Funding was cut but they were told they were given tools to compensate. Changes should be used to balance budgets. About half of the county employees were not under contract at the time. As they went through the process everyone gave by means including pension contributions; significant changes in overtime for Highway Dept; and schedule changes. Detention staff did not want the changes proposed for overtime. Sheriff Beth said he would find the money to offset the \$200,000. Sheriff proposed the 5/2:4/2 schedule and the County Board gave permission to try it with an analysis at 2013 budget time. They only have statistics on the first quarter.

Sheriff explained that the 5/2:4/2 schedule is a fixed schedule for the whole year. Calculations can be made indefinitely. This is like the deputies. Calculations can be made for holidays off years ahead. All days are built into the schedule for the whole year. Staff wants pay for eight more days off. Sheriff estimated he would need ten more people and about \$650,000 to allow this. Budget wise this cannot be done this year because there is no money. They have not hired to full staff because federal inmate numbers are down. Montemurro asked the Sheriff if the deputies get more holiday days. Sheriff replied no. Deputies work eight hours and fifteen minutes. Supr. Johnson asked about salary pay for holidays. Previously Storz said that they have to work an extra day to get a full paycheck. Johnson asked if this would be offset if the pay period was extended. Reidl replied that segregating a group for a longer pay period would be a great impact. Capt. Falduto explained that all pay periods would be full only if they work extra. The Sheriff gave this opportunity to work. Sheriff said that eight pay periods will be 72 hours. Employees have the choice to accept short pay or to choose an extra day to work or do a double shift. Johnson asked if this was discussed prior to implementation. Sheriff replied that this was discussed before the end of the year and the schedules started. People he talked to said they would want to choose. Sheriff said he agreed about not working overtime if you're not paid for overtime. This was the offset choice. He believes they like the schedule. Sheriff stated that he said at every meeting that holidays were built in.

Supr. Arrington said they need to know from jail staff what we don't understand. Esposito stated that this is not in order. This was allowed last meeting but will not be this time. Committee members may speak with Storz or others on their own. Arrington asked how employees got the holidays or used them before. Sheriff replied that they were floating holidays for which they would choose a day off for. Arrington understands they are not in the position to negotiate but asked about needing ten officers to add the eight more days. Sheriff replied that this is an "off the hip" guess. At budget time they can give as many days as you want but it costs money.

Arrington asked if the building of the jail in Illinois will affect us. Sheriff explained that the federal government authorized to build a facility in Crete IL, however, Illinois passed a law that private jails are not allowed so they cannot build. Available federal money is down so they have lessened the number of sweeps, etc. Immigration is specific with standards and we have to live with these or not take the people. There are mixed opinions on whether federal inmates/detainees are worth it. The Sheriff believes they are. Without them there would be a 6.5 million dollar revenue loss and many layoffs. Johnson stated that there is no long term contract so how can the money be counted on? Sheriff agrees about the lack of contract but they still do count on the money. They were going to build a facility to house 600-800 but they are 99% sure this will not happen. Esposito stated that we cannot lose the focus that this could be gone – no guarantees.

Montemurro stated that during the last meeting it was reported that we get \$70/day yet others get more. Can we suggest charging more? Sheriff stated that they just put numbers together to increase the rate by about \$29/day. This raise could be authorized, however, then they may decrease the number of people they send us to compensate. Esposito asked if we could price ourselves out of the market. Sheriff explained that we are on the "A" list because we cater to them. We take sick and injured and take care of them. McHenry has a contract so detainees are placed there first. We could price ourselves out. Esposito stated that they want extras such as a new doctor. Sheriff said the biggest issue is not enough medical attention. They want two more doctor days. We've been told we are capped at 200 and a dollar amount of 200 times \$70. Esposito thanked the corrections staff; they are why we have the "A" rating.

Supr. Noble expressed that in accordance with what Corporation Counsel Representative Cardamone said regarding not being able to negotiate; we can't negotiate and need to live with what the County Board voted at the time and give this a year. Reference was made to the \$700,000 surplus but he believes this surplus is built in by Finance to secure our bond rating.

Arrington asked if employees are paid for PTO and how many PTO days they get. Reidl replied that they are paid and the number depends on length of employment. Montemurro asked if the number of days is the same whether a deputy or correctional officer. Sheriff replied that they are the same.

Frederick asked Geertsen for numbers. Geertsen explained that the change was adopted for one year with sunset to analyze for budget objectives. Savings planned:

\$146,296 Overtime  
\$167,129 Benefit Time  
\$313,425 Total Projected

If 7K overtime policy was imposed instead, would have saved more in overtime but less in benefit savings:

\$227,254 Overtime  
\$80,000 Benefit Time  
\$307,254 Total Projected

Noble asked why \$250,000 was budgeted and not these numbers. Geertsen replied that possibly they were being conservative because this is all new. Esposito reported that with the 7K they would have to work more straight time hours before getting overtime. This was initially adopted. Jailers did not want this. Sheriff said he would not mind going back to the 7K.

Johnson asked if proposed savings is \$313,000, why it would take \$650,000 to put it back in. Reidl explained that overtime is needed for replacement people.

***Resolution from the Kenosha County Sheriff's Department:***

- 1) Activity Control License – Country Thunder East, LLC

***Motion by:*** Arrington

***Seconded by:*** Johnson

***Approved:*** unanimously

8:11: Capt. Falduto presented the resolution. This event runs from July 19 – July 22.

Planning and Zoning did approve their resolution earlier this evening. Frederick asked if Planning and Zoning asked for any changes. Falduto replied that they will work with Country Thunder regarding gravel; there were no other changes. Arrington commented that this is a positive and enjoyable event. Noble stated that it wasn't so in the beginning. There were many security issues. Falduto said that things have been OK since the Sheriff imposed needed changes and required them

to pay for law enforcement to be on site. Noble asked if the money has already been posted. Falduto affirmed.

Audrey Simard asked what County Thunder is. Falduto explained that it is a Country & Western festival with big name entertainers. There are food and sales vendors as well as adjacent camping during the event. Noble suggested a tour. Falduto said this can be arranged through Esposito. They can come to the Command Post and be taken on the tour from there.

**AUDIO OF THIS MEETING IS AVAILABLE ON THE KENOSHA COUNTY WEBSITE**

***Any Other Business Allowed by Law:*** 8:17: None

***Meeting Adjourned:*** 8:17 p.m. on motion by Johnson, seconded by Frederick.

Respectfully Submitted,

Donna L. DeBree