

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
October 11, 2006
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: William Michel II, Joseph Clark, Bob Haas, Ruth Booth, David Arrington

Others Present: Terry Rose, Anita Faraone, Sheriff David Beth, Chief Deputy Charles Smith, Capt. Gary Preston, Sgt. Horace Staples, Nancy Otis, Ben Schliesmann, Terry Markowski, Fred Patrie, Mary Beier, Gail Gentz, Bethany Lofgren, Bob Zapf, Rebecca Mentink, Louis Tricoli, Ray Mazzarelli, Ronald Burnett, Gerald Guptail, Emily Ayshford

Meeting Called to Order: 6:00 p.m. by Chairman William Michel II

Citizen Comments: Ronald Burnett, 3214 – 86th Pl., a bailiff for Kenosha County, stated that the bailiffs were told they may receive a raise, however, it was taken out of the budget. He would like the raise reinstated. He believes they should be raised to at least \$60 per day. He mentioned that County Board Supervisors have commented that bailiffs should get raises, as do other employees.

Raymond Mazzarelli, 4921 – 76th St., a bailiff for Kenosha County, stated that their day begins at 7:00 a.m. and sometimes goes until after 5:00 p.m. with no extra pay. They must go back and forth between courts and buildings. He believes the bailiffs deserve a raise because they have not had one the past four years.

Supervisor Comments: Supr. Clark said that in response to a phone call he received, he checked into past raises for bailiffs and found that there have not been raises for the past three or four years. He was not aware if raises were proposed and subsequently taken out in the past. He said that this would be the responsibility of the Clerk of Circuit Court to bring forward and that this would be addressed at the time of their budget presentation.

Chairman Comments: None

Minutes Read for Approval: September 13, 2006

Motion by: Clark **Seconded by:** Haas **Approved:** unanimously

Resolution from the Division of Emergency Management:

1) Homeland Security Law Enforcement Terrorism Prevention Program

Motion by: Clark **Seconded by:** Booth **Approved:** unanimously

Ben Schliesmann reported that Emergency Management was previously approved for a Homeland Security Law Enforcement Terrorism Prevention Program Grant totaling \$88,852. The grant is being used in a pilot project to develop a web site that will be a single point of access to justice information stored on incompatible computer systems operated by local law enforcement, prosecutors, courts, corrections, and other justice-related organizations. County of Kenosha sole sourced the overseeing of the development of this website to Kenosha City/County Joint Services because they are charged with the responsibility of maintaining law enforcement records for the Kenosha County Sheriff's Department and the Kenosha City Police Department. Joint Services

sole sourced the programming for this project to ComSys, Inc. Original funding for this project, which is near completion, has been utilized. This \$20,000 offer is for additional funding to complete the project. No tax levy is required. Supr. Clark asked what information would be available. Schliesmann replied all that law enforcement has.

Resolutions from the Kenosha County Sheriff's Department:

1) Probationary Cabaret License – Tricoli's Birchwood Grill

Motion by: Clark ***Seconded by:*** Arrington ***Approved:*** unanimously

Chief Deputy Smith presented the resolution. The owner, Louis Tricoli, was present at the meeting. Birchwood Grill is on Hwy. 50, west of I-94. Application was made in July. All requirements have been met. Building inspection has passed. Fees have been paid. Supr. Arrington, being new to the County Board, asked what a cabaret license was. Chief Deputy explained that per County Ordinance, a cabaret license is required for establishments to have entertainment such as bands, DJ's, karaoke, comedians, etc. Restrictions apply as to type of entertainment, noise level, stage requirements, etc. Clark commented that the owner is from out of state and asked if the owner and/or manager has to be a local resident. Chief Deputy replied that they do need a local agent and that the manager, Stephanie Walkanoff is a local resident. Louis Tricoli added that Walkanoff is at the business every day.

2) Cabaret License – Siebert's Pub

Motion by: Arrington ***Seconded by:*** Clark ***Approved:*** unanimously

Chief Deputy explained that this is a conversion from a probationary cabaret license to a regular license. The probationary period began March 21. All requirements have been successfully met to proceed to a regular license. No violations have occurred.

3) Cabaret License – Great Lakes Dragaway

Motion by: Arrington ***Seconded by:*** Clark ***Approved:*** unanimously

This is also a conversion from probationary to regular. Chief Deputy reported that there have been no major incidents for the past six months. All requirements have been complied with. Arrington asked if a license would come back to the County Board if criminal incidents arise after a regular cabaret license is granted. Chief Deputy replied yes.

4) FY'05 Homeland Security Program Grant Award

Motion by: Clark ***Seconded by:*** Haas ***Approved:*** unanimously

Sgt. Horace Staples presented the resolution to accept \$4,615 from the State of Wisconsin Office of Justice Assistance for projects pertaining to the federal Homeland Security Grant Program. The funds will be used to reprogram squad and portable radios and to train all sworn deputy sheriffs on proper mutual aid channel usage. No local match is required for this grant.

Acceptance of the 2007 Kenosha County Sheriff's Department Budget:

Motion by: Booth ***Seconded by:*** Clark ***Approved:*** unanimously

Sheriff Beth explained that although the remodeling of the Industry Area at the Kenosha County Detention Center is not under the 2007 Sheriff's Dept. budget, he asked Fred Patrie to attend the meeting to explain the project. This project went to the Building & Grounds Committee the night before this meeting and passed. Patrie explained that all major projects are included in the Capital Improvements Budget. Plans for this remodel project to add stainless cells, bunks, and showers were originally in the 2003 budget. This was predicated on the basis that the Sheriff's Dept. would house inmates from outside the County. Patrie showed architectural plans to the

Committee. Currently the Industry Area is only used as a storage area. KSD stopped the original plans due to a potential significant reduction in the number of federal inmates housed. The remodel would add 120 beds. KSD is now receiving information from the federal government that they want additional space for BICE inmates, consequently, confident that the beds can be rented out. Patrie would now like to bid the project. The price of steel has increased 21% in the last 2 ½ years and is expected to continue rising. If approved, the architect will again be consulted for changes in building codes; then bids would be sought; and the bid awarded. The total cost of the project is expected to be about 2.9 million. The possibility of selling a parcel of land to the east of the Detention Center for about \$500,000 is being looked into to offset the cost. 1.6 million is already in capital reserves and can only be used for detentions expansion or debt reduction. The remaining cost would have to come from general fund carryover.

Supr. Arrington asked how many cells would be added. Capt. Preston responded 60 cells, 120 beds. Supervisor Rose commented that he doesn't see a need demonstrated for 120 beds and that the discussion needs to be centered on need. He said local needs are currently being met. He recalls the County being against State Prisoners in the past due to the amount that they would pay being inadequate. Federal prisoner numbers are up and down. A few months ago KSD was pessimistic. The numbers are based on international politics. Rose said guarantees, contracts, or commitments are needed. He is not impressed with the argument that the addition should be built now because costs will be higher in the future.

Supr. Clark said he would like to understand the financing and appropriations made in the past. Patrie said he would have to speak with Finance for all the details. He said that when they borrowed money for the Detention Center, that money could only be used for the Detention Center. An extra 1.6 million has been carried over from this.

Sheriff Beth said that the federal inmate numbers have varied; however, now they have a four-year history. KSD has kept levy money needed very low with the income from housing federal inmates. KSD came back to the County Board to hold the project before. They were looking at State inmates and the State dropped out. Current population has been growing at the rate of about 5-½% every year for the past four years. In August 2006, they had the third highest population of all time, an average of 731 inmates. Kenosha County has a capacity of 770, however, can not always house this many for reasons such as only females can be housed in female dorms. Sheriff reported the average number of federal inmates in 2006 as 128 in January; 131 in February; 112 in March; 104 in April; 90 in May; 97 in June; 115 in July; 136 in August; and 131 in September. Our numbers have gone back up because the numbers held in other counties have been reduced. Other counties are not as willing to accommodate federal requirements as we are. Sheriff believes Kenosha is number two on the list behind McHenry County for holding the most federal inmates in the Midwest. The Federal Government has told them that President Bush has authorized more money to hold more federal inmates. Because we are at or near capacity, we have turned down the opportunity to generate more revenue several times. We are paid \$70/day and the approximate cost to feed and house these inmates is about \$10/day. This revenue offsets the tax levy and is important to everyone in Kenosha County. KSD is operating as a business trying to generate revenue. If they do not keep increasing the numbers they will no longer be able to keep tax levy down and turn money back to the County. Over the past four years they have generated just under \$13 million in federal revenue. They turned back a total of \$3.9 million to the General Fund over the past 3 years. A month ago KSD was asked by BICE to house 56 inmates and KSD temporarily converted the gymnasium into a dorm to accommodate them. KSD is often asked to take around 30 or 50 inmates because BICE is doing a sweep, however, they can only take 5 or 10. They do not have the capacity to generate the revenue they'd like. If repairs need to be done in a certain area there is nowhere to put the inmates. They are not looking for additional staff at this time even though the Sheriff thinks

they need a few more Correctional Officers even with the numbers they have right now. The revenue will be used to cover the overtime. There will be no cheaper time to build with the costs of building materials going up. They hope to finish the project in 2008.

Chief Deputy added that there were never enough hard cells built. These are made for several reasons, primarily segregation or discipline. With 731 inmates, many do not behave. There are only 22 segregation cells at KCDC and 8 Downtown. The past week they had to close down a whole block, losing 10 general population beds, to accommodate inmates that acted out. They are proposing to put cells in, not add to the building. The Industry Area is currently wasted space that is not being used. KCDC does have a warehouse for storage. The week they held the BICE inmates in the gym generated about \$7,000 after they offset the overtime. Supr. Michel asked if these new cells could be used for segregation. Smith replied yes, when needed. Downtown had to do a shower repair project and the project was delayed for months until numbers went down and they over-filled other housing units to proceed. The ability to move inmates around and to have segregation is critical to a jail operation, especially if dealing with maximum-security inmates.

Sheriff provided the following inmate population numbers: 1997 - 5,439; 1998 - 5,959; 1999 - 6,169; 2000 - 6,714; 2001 - 6,471; 2002 - 7,007; 2003 - 7,506; 2004 - 8,331; 2005 - 8,103. Rose asked what the numbers were excluding federal inmates. Sheriff responded that he did not have that information with him. Sheriff said that it would cost about \$6 million to add a pod to house 64 inmates. KCDC was designed to allow the addition of pods for an expansion of up to 1,400 inmates. \$2.9 million is needed to add 120 beds in the existing Industry area. Jail population and revenue show a substantial need.

Supr. Clark said that he supported the project before because it made sense with the federal inmates and he hasn't changed his opinion. However, he is very disappointed that according to minutes back to May, this has not come back to this Committee. Now it is here at budget presentation when we are suppose to be following a schedule. His criticism is with Administration not bringing this forth earlier. Clark agrees the County should be run as a business and should justify everything that is done. He does not think he can support this at this time with the information provided until he has more data, investigation, and discussion. Haas explained that they had a similar situation with the Wheatland School District. There are no guarantees of federal inmates just like there were no guarantees that Wheatland would get more students and now the school is almost bankrupt. It is hard to approve this without proof or guarantees and nothing is in writing. Haas also mentioned that it has been reported that crime has gone down in Kenosha County. Sheriff said violent crimes have gone down. Haas said he could support this if proof is provided regarding an increase in local inmates. Supr. Arrington said he would be in support of the project if there were guarantees and/or assurances that federal inmates would use these 120 beds. He would also like to see federal vs. local numbers. Clark said he recognizes there are no guarantees of federal inmates. Revenue generated has kept Sheriff's Dept. increases in tax levy dramatically lower than other departments and benefited the County as a whole, including turning money back to the General Fund. Clark calculated the number of additional federal prisoners that would be needed for a 1-year pay back of the 1.3 million to be 62. He believes anyone would spend the 1.3 million if the payback could occur even in 3 years, which would require an additional 21 prisoners/day. He said that the Building & Grounds Committee approved this the night before this meeting so he wasn't sure where they could go with this. Supr. Michel said that this is not under the Sheriff's Dept. budget, it would be under Public Works.

Rose said that ultimately this would come to the Finance Committee, however, they would like to know the position of the Judiciary & Law Enforcement Committee. Rose said that the reason housing federal inmates in the past has been so profitable is because available space was used with no building required. If building/renovating is required to accommodate federal inmates, they

become more expensive. Clark said that he would like a meeting possibly the next week to address this issue. Haas asked if extra personnel would be needed and if layoffs would occur if federal inmates were lost. Sheriff said that there are no plans to hire extra personnel so no one would be laid off. Chief Deputy said that this area would not be filled immediately. They are not saying that they would be able to accept 120 more inmates without extra personnel. This is an opportunity to create an extra 120 beds and take advantage of opportunities to house federal inmates that they have not been able to on numerous occasions and to plan for their own needs as they occur. They want to expand for future needs. Sheriff said he would attend another meeting and present any numbers requested. If we end up with too few cells for federal inmates due to local growth, we may lose federal inmates altogether.

Haas asked if any surrounding counties are adding on to their jails to house federal inmates. Sheriff said no. Chief Deputy said that the federal government, as well as the attorneys representing federal inmates, like our location because it is close to Chicago and Milwaukee. The federal government pays for transportation costs, staff for transportation, and medical care.

Budget Presentation: Sheriff reported that their budget proposal for 2007 minimizes capital expenditures, maximizes department generated revenues, requiring a modest increase in tax levy support. They have been able to maintain the quality level of law enforcement services and programs historically provided and add the role of Courthouse Security to their department responsibilities. Revenues increased by \$211,000. They increased the average expected daily number of federal inmates from 119 to 127. Personnel Costs include the cost of adding two Deputy Sheriff positions to their department in order to staff and administer Courthouse security. They are able to afford the positions using the \$85,000 that had been earmarked for a court security contract and utilize a cost savings of \$55,000 in their personnel costs due to retirements that they re-directed within their budget to the two new positions. On Contractual Services, they'll have an increase in inmate medical service contracts; an increase in the budget for off-site medical care for inmates; and a reduction in Radio Maintenance contract spending, because they severed their relationship with BIO-Key. They have a new DATARADIO system up and running. This system is currently under warranty and they've worked in the cost for future service contracts with DATARADIO when they entered into this capital project a few years ago. Under Supplies, the fuel budget will increase substantially. In prior years they had been able to propose a lower level of funding for fuel because they anticipated that the department may generate surplus revenues that would support increases in spending, however, they do not have that luxury this year. They are proposing a fuel budget that more closely meets what they feel they will actually spend. Food/Groceries increased by \$30,000 because of a dietary requirement for providing milk three times a day, from two times a day. Capital Expenditures have been paired down to include only vehicle replacement. This results in a significant reduction over 2006. The federal dollars that support their drug unit decreased, however, they will continue to fund the two positions for 2007 using a mix of federal dollars and forfeiture funds, no levy dollars. It is anticipated that the federal funding will be restored in 2008. Overall, the Sheriff's 2007 expenditure budget including capital expenditures, increased by 3.4% over the 2006 adopted plan.

Clark commented about the projection figures for the rest of 2006 and asked if they would go over budget. Sheriff said that 2006 should break even. Clark asked about capital projects, the replacing of eleven squads. He asked what fleet falls in this category and what the rotation is. Chief Deputy responded that the patrol fleet of about 34 marked cars is rotated one-third every year. By the time they trade the cars in they have between 100-140,000 miles on them. At this time they are no longer cost effective to keep and the trade-in value decreases substantially if kept longer. They usually get good trade-in value because the vehicles are well maintained. Clark said his

concern is whether we are cutting back on required capital expenditures based on a budget of \$402,000 vs. going to \$275,000 and would it cause future problems. Chief Deputy said that last year they purchased 3 or 4 unmarked cars. These are not replaced as often as the marked cars because they are not driven as hard. \$379,000 of surplus revenue was used to purchase vehicles last year. Michel asked if we are using our vehicles to transport federal inmates. Chief replied yes, they reimburse us for mileage and staff. Clark asked what the communications equipment project is. Chief Deputy explained that 4 base stations need to be maintained and upgraded for compatibility. Michel asked if there was anything in the budget for Hwys 45 & 50 dispatch. Chief Deputy replied no. Haas asked about communications and if there was funding from Homeland Security in the event our communications system was damaged that another county could take over. Sheriff said they have the AC 1000, a trailer that can be patched into any frequency. Ben Schliesmann added that if a system goes down there is a satellite link that would allow another city to take 911 calls. Clark asked what numbers were used to reach the \$3,474,850 revenue projected. Sheriff said they increased the average daily number of federal inmates from 119 to 127. Clark asked about the sundry revenue going from \$25,000 to \$116,000 and back to \$25,000. Nancy Otis explained that \$98,000 from County Thunder was put in sundry and then used to offset salaries. Clark asked for a clarification on overtime; we are projecting 1.4 million but are budgeting 1 million. Are we making up the difference from vacancies? He wanted to be sure this is not understating the expense that would require offset by the general fund. Otis said that this is offset by vacancies and is the general way personnel budgeting is done. Chief Deputy said that in his 13 years they have never had to request money from the County for overtime.

Clark asked what has occurred since the July discussions about the Sheriff's Dept. taking over courthouse security to advance this change. Sheriff said that part-time or retired deputies could not be used. There may be caselaw that says the Sheriff must provide security so this has been sent to Corporation Counsel for review. Clark asked how this would be staffed. Sheriff said they initially planned on 3 deputies, however, based on current coverage believe only 2 are needed. Conveyance and sergeants will be available to cover breaks, lunch, etc. Rose commented that he believes there is no need to spend this kind of money when what is currently in place is adequate. He said he couldn't support this. Haas said he disagrees with Rose, he feels the situation is an accident waiting to happen. If something happens the County would be accountable. Clark said that deputies can now retire at the age of 50 or 53 and that he thinks they would be willing to do the job. He's afraid that if they agree to deputies today they close the door on retiree possibilities. He would like law enforcement but thinks there is a cheaper way. Sheriff explained that they have a hard time getting retired deputies to do trips, there are not many to do this. Retirees move away. They even went to the City Police Dept. to ask for retirees. Chief Deputy said that often retirees do not want police work any longer. They've only had 2 in the past year and a half. Arrington said they have to decide if they are willing to live with a decision to not use sworn officers because they wanted to save money. If lives are taken they made the decision as a Board. Deputies could already be there to diffuse situations. The public may be angry because the County Board wanted to save money. Booth said that money is never more important than a life. Possibly some of the newer officers that are less expensive could be used. Sheriff said that new people usually go to 2nd or 3rd shift. Michel said that with what he sees currently he's not sure there is a need for 2 officers all the time. Chief Deputy said that if there is not a need for 2 at some time, there will be more flexibility to use deputies elsewhere and they can respond to courtrooms. Rose commented that bailiffs were originally sheriff deputies. More problems may occur in the courtrooms than at the door. He believes private security is adequate to check bags. If a deputy responds to a courtroom who is at the door? He believes current service should be maintained.

Acceptance of the 2007 Division of Emergency Management Budget:

Motion by: Arrington ***Seconded by:*** Clark ***Approved:*** unanimously

Ben Schliesmann distributed a handout outlining all line item budget changes. The overall increase is 1.53% with a tax levy increase of \$2,821. Bonding is for the installation of 2 new outdoor warning sirens for areas without current coverage. These sirens would be located by the municipal airport and at Hwys 45 & 50. The sirens historically put in are the largest made with the largest area of coverage. Some grants have ended; there are some minor line item increases. Clark asked about Other Professional Services, if this was where money came in as a grant and was then sub-contracted. Schliesmann replied exactly.

Acceptance of 2007 Juvenile Intake Budget:

Motion by: Clark ***Seconded by:*** Arrington ***Approved:*** unanimously

Mary Beier distributed a handout of proposed increases/decreases in the 2007 budget. The overall budget request is \$1,235,191, an increase of \$11,447 or less than 1% requested levy increase. The greatest increase is for personnel (\$14,327) with minor increases in pager service (\$32), office machine & equipment maintenance (\$40), and mileage & travel (\$448). The reduction of \$3,400 under furniture/fixtures is because in 2006 they needed a copy machine and this year they do not any new equipment.

Michel asked when the contract expires for Racine Juvenile Detentions. Beier responded 12/31/06. Since May of this year, Dennis Schultz, the Human Services Director, and the County Executive have been in contract negotiations with Racine County to renew another 3-year contract. The confirmed word at this time is that they want to offer Kenosha County a contract the same as we have with no increases for 2007. This would continue with the 18 beds. In the following 2 years there would be a slight increase of between 2 or 3 dollars per day per bed. The budget for 2007 has not been increased based on this word. She will probably be bringing a resolution regarding the contract to the next Judiciary & Law Committee meeting. Faraone asked if we are using all 18 beds. Beier said we have been using an average of 12 to 13 with the summer months peaking at 17. This year we are paying \$127 per day per bed. Rose asked that with the average being 12 to 13, should this number be contracted down? Beier said she has considered this and expressed her thoughts to Dennis Schultz. She doesn't believe that Racine County wants to do this. She said that Mr. Schultz would be the better one to discuss what is happening in negotiations with. Rose asked Beier what number she proposed. Beier replied that when negotiations began in May she recommended 16, however, when the summer month's came the number needed went up. She said they also rotated judges August 1.

Clark asked who Beier reports to. Beier said that the judges appoint her to her position and she reports to the juvenile judges, currently Judge Wagner and Judge Milisauskas. The judges do her performance evaluation. Booth asked what 990 clerical staff is. Beier explained that these are all the clerical people that work throughout Kenosha County. She has an office associate that covers the day to day clerical tasks and a restitution community service work coordinator that manages community service work restitution that is ordered. Michel said that the costs for transportation are crucial relating to distance and staff. Rose asked what the rate would be without a contract. Beier said that 3 years ago when they negotiated the contract they were told it would be \$165/day. She is not sure what it would be today. Rose asked if Kenosha and Racine are the only counties using the facility. Beier said that they were accepting some federal placements and placements from Walworth County. She hasn't checked on this status in over a year.

Acceptance of 2007 Clerk of Courts Budget:

Motion by: Clark ***Seconded by:*** Haas ***Approved:*** unanimously

Gail Gentz and Bethany Lofgren presented the budget. Gentz distributed a 2007 Circuit Court Budget Summary. Under Personnel Appropriation, no additional personnel are allocated. Temporary salaries are increased to continue imaging court records. Temporary staff will work on this project. This will help with the storage space. Imaging allows them to dispose of paper files in a better timeframe. There is one reclassification of an account clerk position to an office associate position. The raise of \$6,874, which equates to \$3/ day for the bailiffs was cut from the budget by the County Executive. The bailiffs are now paid \$58/day. Under contractual expenses there was a proposed 1% raise for guardians ad litem totaling \$2,376 that was cut by the County Executive. Guardians ad litem are paid \$3,296/month. Supplies have increased because of the retirement of the Clerk of Courts. The new Clerk will require new file stamps, etc. Under fixed charges, some forms will be replaced with the name of the Clerk of Courts. Wisconsin statute books will be ordered. Revenues will increase in 2007 by \$190,934. Interest revenue increased by \$122,598. This is based upon a couple of factors, interest on old debt from the collection agency and the correct calculations on interest from the Circuit Court bank account. Guardian ad litem revenues increased by \$37,870. This is based upon more collections through Circuit Court and the collection agency. Total Budget Projection: The total budget increased the county levy by \$4,248.00. Increased revenues and levy project funds offset increased personnel costs of \$152,827. This allowed the small levy increase. In 2007, \$30,000 in levy project funds was taken out of the Circuit Court budget. In turn, the courts have the ability to transfer funds between accounts without board approval. Issuing monthly GAL checks will be approved as part of the budget. The Courts are researching the ability to contract for advocate counsel attorneys at this time.

Attached to the Budget Summary was also information on the State budget requests. The State wants to make changes in some of the reimbursement that comes back to the counties. Some is for interpreter reimbursement. They want to allow interpreter reimbursement for all case types regardless of whether or not the client is indigent. Currently, we are only reimbursed for criminal cases and if the client is indigent. Reimbursement would be at the rate of \$30/hour for non-certified interpreters and \$40/hour for certified interpreters. If this goes through, this would start when the State's fiscal year starts in July. Another change they want to make is to the court support grant money we get. Right now we are collecting about \$22.3 million more in the court support grant money than is actually given back to the County. If the changes are implemented the County will get more revenue from the State. Revenue is not budgeted for these because if the State doesn't pass this it will not come to fruition. Hopefully if this does occur, the Clerk of Court will be able to turn money back to the County. Michel asked if we could charge for interpreters. Gentz said that we rarely charge, only if the Court orders it. Most clients are indigent. Lofgren added that sometimes if a client does not show up for a hearing and an interpreter is there, the Judge will order the client to pay. Rose asked why on pg. 39 they are projecting less revenue in 2007 than they project to close with in 2006. Gentz said that the 2006 projections were done in June so the 2006 amount is not correct. Rose asked then what is the accurate amount? Lofgren said that they do not receive some revenues every month such as child support and interest revenue that they receive quarterly. Rose said that he just wanted to know an accurate 2006 projection for revenue. Gentz said she could not provide this and would have to get more information. Rose said this is good for County Board Supervisors to know that they do not always get accurate revenue projections and said he would bring this up at the Finance meeting. Rose asked Gentz to get accurate to date projections for the Finance meeting.

Rose said that the bailiffs should get a pay increase. Increases asked for are per day, not per hour. They are in courtrooms in potentially dangerous situations. Rose said he believes they are worth \$100/day. Gentz said that the bailiffs can only work 600 hours/year and there is no state retirement paid. Haas said he thinks the raise should be greater than \$3/day. He has also seen what

goes on in courtrooms. Arrington asked if what is being proposed is \$100/day and if so they would need a total impact amount. Rose said this is his opinion of what he thinks the job is worth; it is up to JLEC to decide what it should be paid. Rose was urging the Committee to do something because nothing has been done for years. Haas said \$100 is too much and \$3 is too little. He suggested maybe \$75/day. Clark said that the \$6,874 increase divided by \$3 is 2,291 days. If they increased the rate to \$75, the total increase would be around \$62,000. \$2/day would be a 3.4% increase. Clark thinks it is wrong that the bailiffs haven't been receiving increases every year just like everybody else, represented and non-represented. He would agree to an increase of \$3/day, that it's just a matter of how they are going to do it. Where should it be taken from or are they going to do a reserve carryover. Rose said he believes that the Clerk of Courts could increase their projected revenues because historically they collect more by year-end than they project at year beginning. Clark said he believes that if the Clerk thought revenues would be higher they would have reported them as such. When he looks at a budget he looks for when revenues are overstated and expenses are understated. Faraone asked how many bailiffs there are. Gentz replied about 40. Michel commented that the number fluctuates due to vacations or if there are jury trials. Michel commented what about other contractual employees. Guardians ad litem were taken out but he believes that in the past they have gotten raises when the bailiffs did not. Gentz said the bailiffs last got a raise in 2002. Guardian ad litem got 1% last year and nothing the year before. Rose asked Clark to figure a total impact at \$65/day for bailiffs. Clark replied about \$16,000 for this \$7/day increase.

Clark had a couple more questions, before deciding on the bailiff fee, to possibly discover where the money could come from. Clark asked about the salaries temporary going from \$32,000 to \$60,000, is this for the scanning project? Gentz said yes. County Ordinance and Fines reports an actual of \$175,000 and then a projection of \$139,000, he asked what is happening here. Gentz said that this is the account they split, all the revenue does not come to the Circuit Court. Some goes to the Sheriff's Dept. and the District Attorney. Clark said bond defaults for the County were projected to be \$274,000 and are going down to \$180,000. Gentz said that again these projections are done in June. She said they would go over this years' budget in bond defaults. Clark commented on the significant difference in the amounts and wonders if the projected \$180,000 should be higher. Gentz said that her hesitation about this account links to Act 442 that was passed and could change cash bond defaults. It has to do with restitution. She believes Legislature is going to take this up again and hopefully correct their error in this legislation. As it reads now, cash bonds go to restitution first and if the person doesn't show up, instead of forfeiting the cash bond to the County it's suppose to go towards recompense. No one has given her any direction on how to deal with these and it could dramatically affect the bond default account. Rose asked if they are now paying into restitution. Gentz said if the judge orders it but no one has ordered it yet. Michel asked about signature bonds. Gentz said they forfeit signature bonds, this is only for cash bonds. Clark asked about the interest on court investments. Gentz said there is a dramatic increase because of the County banking as a whole. The Clerk of Courts used to have their own accounts but starting about 5 years ago they were combined with other agencies for a larger total. Finance was shorting the Clerk in the past, Gentz discovered it, and things were changed. Also, old debt has been collected that had interest. Clark asked if Finance supplies them with this number. Gentz replied yes.

Motion to accept the Clerk of Circuit Courts recommendation for an increase of \$3/day to bring the rate to \$61/day, increasing the bailiffs' salary line by \$6,874. If we need an offset for this entry this should come from a reserve or carryover.

Motion by: Clark

Seconded by: Booth

Approved: unanimously

Acceptance of the 2007 District Attorney budget:

Motion by: Clark **Seconded by:** Arrington **Approved:** unanimously

Robert Zapf and Rebecca Matoska-Mentink presented the budget. Zapf explained that the District Attorney's Office basically has 2 budgetary components. One is that all of the Assistant District Attorney's are paid at the state level. That budget is prepared by Dept. of Administration at the State level. The other piece is the County piece that is presented tonight. This consists of clerical staff and other programs offered at the County level. The Office of the District Attorney is responsible for prosecuting all of the criminal violations in the State. They also prosecute county ordinance cases and juvenile court prosecutions due to delinquency petitions, CHIPs matters, and TPR's. A grant covers the TPR prosecutor. Another grant covers a gun prosecutor. They are in the 3rd year of the grant to cover gun-related cases. They are anticipating that this grant will expire 6/30/07. The other program for the District Attorney is the Victim-Witness program. In regards to an overview, line items are basically consistent except one. This request is for a half-time office associate. They are in great need of a filing clerk that would do lower end tasks that are currently being done by higher level staff. Clark asked if the full-time staff is staying the same. Zapf said yes. Mentink said the bottom line is the same, but there is an error and there should only be 8 paralegals and 1.5 Office Associates. Clark asked about the federal gun grant of \$114,000 this year. Mentink said there is carryover language in the budget modification. They drew down all of the funds and are now spending it so that is what remains to be used for the reimbursement to the State for their prosecutor. Clark asked what the \$66,000 under Other Professional Services is for. Mentink replied that this is for the IV-E grant attorney position.

Haas asked if when someone is incarcerated with a medical condition could the District Attorney work with KSD to help keep their budget down. Haas referred to a recent case that resulted in excessive costs for guarding and care. He mentioned the ankle bracelet. Zapf responded that the Sheriff's Dept. originally thought they could accommodate this inmate so a cash bond was recommended with an amount the inmate could not meet to be released. After this bond was set, KSD said that after an evaluation they could not maintain the inmate. Zapf said this left him in a difficult position to now go back to court and argue for a bond that is different than was originally argued for. He felt that the original cash bond amount was appropriate. Zapf asked if there was the alternative of an ankle bracelet. The Sheriff's Dept. did not have this in place, however, did procure an arrangement with Probation & Parole. The defense attorney then said he would not agree to the ankle bracelet.

Any Other Business Allowed by Law: Meeting set for Monday 10/16/06 at 4:00 p.m. at the Kenosha County Detention Center to take a tour and discuss the expansion of the Industry Area at the Detention Center.

Meeting Adjourned: 8:55 p.m. on motion by Clark, seconded by Haas.

Respectfully Submitted,

Donna L. DeBree