

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE

October 13, 2010

KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: William Michel II, Bob Haas, Ronald Johnson, David Singer, Ronald J. Frederick, Alice Wei (YIG), Emily Kenney (YIG)

Others Present: Sheriff David Beth, Chief Deputy Charles Smith, Capt. Larry Apker, Capt. Paul Falduto, Lt. Ed VanTine, Mary Beier, District Attorney Robert Zapf, Kathy Kemen, Rebecca Matoska-Mentink, Bethany Lofgren, Judge Mary K. Wagner, Distr. Court Adm. Andrew Graubard, Comm. John Plous, Comm. James Fitzgerald, Comm. Jon Mason, Judge Chad Kerkman, Judge Michael Wilk, Sgt. Ken Urquhart, Nancy Otis, Pam Brumbach, Ben Schliesman, Al Swartz, Pat O'Connor, Rolend Iwen, Steve Hansen, Steven Krause, Peter Parker, Paul, Guilbert, Michael Tarasik, Ray Mazzarelli, Val Jensen, Donna Adams, Aaron Emond, Angela Visconti, Rick Weeks, Roberta Schuldt

Meeting Called to Order: 6:05 p.m. by Vice-Chairman Bob Haas

Citizen Comments: Somers Fire Chief Steven Krause spoke representing all EMS departments regarding the transfer of Emergency Management to the Sheriff's Department. Emergency Management has always been independent and easily accessible from and to other agencies. It is important to maintain an impartial relationship for grants and training for all agencies. Drills are performed through Emergency Management. All Hazmat and SRT is largely funded by grants from Emergency Management. He expressed concerns that if Emergency Management is part of another department, they may favor their own department. \$390,000/year has been brought in from grants. Dedication towards getting smaller grants may be compromised and slower. Revenue equaling twice the entire budget for Emergency Management has been brought in. Krause would like to know why the independent department is being dissolved. If KSD puts the same effort forward, there would be no cost savings. KSD has too many responsibilities already. All Kenosha County Emergency Response Departments are concerned. They would like the County Board to reconsider.

Sheriff Beth responded to Chief Krause that one full-time Lieutenant and the same clerical would be available. They would have additional help and support. More time would be dedicated to agencies. This would be a benefit to Kenosha County. This would be addressed further during the Sheriff's Dept. Budget Presentation.

Supervisor Comments: Supr. Frederick commented that he would like to know if the merger would result in a financial savings or increase.

Chairman Comments: None

Minutes Read: August 11, 2010

Motion by: Johnson

Seconded by: Singer

Approved: unanimously

Resolution from the Division of Emergency Management:

1) Resolution to Approve the Appointment of Michael Tarasik to Serve as a Member of the Local Emergency Planning Committee

Motion by: Frederick

Seconded by: Singer

Approved: unanimously

Lt. VanTine presented the resolution. This is a referral by the County Executive for a 3-year term. Mr. Tarasik attended the meeting. Supr. Singer asked where the vacancy came from. Ben Schliesman responded that it is required by law to have members from various areas. Mr. Gloss retired

and was a Water Utility/Business person so this is his replacement. Frederick asked how many are on the Committee now. Schliesman believes 15. There is no limit to how many; however, there is a minimum requirement.

Resolution from Finance & Administrative Services:

1) An Ordinance to Repeal and Recreate Section 4.40(1)(a) of the Municipal Code of Kenosha County Entitled "Jail Maintenance Costs"

Motion by: Johnson ***Seconded by:*** Singer ***Approved:*** unanimously

Al Swartz and Nancy Otis presented the resolution. Last year the rate increased from \$5.50 to \$13.00, however, did not graduate from there because the City asked to address this as part of the Governmental Agreement. This is now being brought forward again because it is no longer part of the Governmental Agreement.

Presentation of 2011 Budgets:

1) Juvenile Intake

Motion by: Johnson ***Seconded by:*** Singer ***Approved:*** unanimously

Mary Beier distributed a handout itemizing the changes. Total tax levy needed for 2011 is \$946,000. This is a decrease of \$126,000 or 12%. There are minimal changes. The most significant change is for Other Professional Services. As of 1/1/10 beds are paid as needed with Washington County at \$115/day. Usage has been lower than projected. Budget for 2011 has been projected at 12 beds/day.

Meeting was turned over to Chairman Bill Michel at this time

2) District Attorney

Motion by: Singer ***Seconded by:*** Frederick ***Approved:*** unanimously

DA Robert Zapf and Kathy Kemen presented the budget. This is a bifurcated budget that is funded by both the State and County. Attorneys are funded by the State and Supporting Personnel is funded by the County. This is the County portion. There is no control over salaries. Expert Witness fees were increased by \$23,000 primarily to cover expenses expected with the change of Medical Examiner. This is estimated because there is no history; it all depends on the number of cases. Supr. Michel asked if the Human Services Budget would consistently go down the \$20,000 for Medical Examiner. Zapf said he did not know; he was just told to add this to the budget. They are also looking to Milwaukee and Waukesha Counties for Medical Examiner services.

They are exploring an automated voice message system to save costs and time to keep victims and witnesses informed. Funds have been allocated in the Information Systems 2011 budget and they hope to be able to begin this process in 2011.

They continue to look for grant money. In February of this year their office was awarded a Sexual Assault Prosecution Grant that allowed for a half-time Victim/Witness Advocate. Although the program is only funded through March 2011, they have received feedback that the program may be continued to at least the end of 2011.

The proposed 2011 overall levy increase from 2010 to 2011 is at 7.08%. Michel commented about the proposal to keep budget increases to 2.75%. Even if the \$23,000 was eliminated, the increase would still be 5%. If this is allowed to go through, where else can be cut? Zapf responded that personnel costs are 4.22% greater.

Al Swartz commented that the Medical Examiner cost should be in the District Attorney budget. DA asks them to come in. When we had the Medical Examiner, this was part of their job. Swartz said they look at all departments as a whole; they can't hold each to a 2.75% increase. This is especially challenging for smaller budgets. Michel said approximately \$50,000 would need to be eliminated to get to 2.75%. Supr. Singer commented that it is not the DA's fault that an area was transferred to his budget. Singer doesn't expect the County will get to a AAA rating. They need to keep close to 2.75% but need to do so responsibly. He asked Zapf if anything bothered him about the budget. Zapf replied

All requirements have been met and fees paid. Angela Visconti attended the meeting for Cross Lake Inn.

4) Additional Funding from Organized Crime Drug Enforcement Task Forces Strategic Initiative for Overtime Support

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

Nancy Otis presented the resolution for Round 3 funding. This is for \$9,000 to the Sheriff's drug unit, K-DOG, to cover overtime costs incurred while assisting in Organized Crime Drug Enforcement Task Forces investigations, strategic initiatives and prosecutions. Spending ends on October 30 but they will get this on the books in time.

Presentation of 2011 Budget:

1) Sheriff's Department

Motion "As Amended" by: Frederick **Seconded by:** Haas **Approved:** unanimously

Sheriff Beth distributed handouts. Emergency Management was added to their budget for 2011. This eliminates the Director of that division and adds a Lieutenant. The cost washes. There will now be more than the previous two employees to pursue grants. Lt. VanTine has been the Deputy Director for Emergency Management. KSD opened the EOC for emergencies. There will be a backup lieutenant. A lieutenant will be able to activate all resources. Plans are to put more time into researching grants. KSD works well with other departments. Sheriff realizes that the many representatives at the meeting from other Emergency Response Departments were there to support their friend from all these years. KSD will work the same. There will be over 300 people available for backup. He does not like eliminating Ben Schliesman's position.

Budget adds five Direct Supervision Officers (DSO) for the Detention Center to help relieve overtime hours. This does not happen overnight because they have to go through training. There will not be a cost savings by adding extra people but it will improve moral and eliminate much of the time and a half and double time. This budget funds three Deputy Sheriff Positions that are currently unfunded. These will be used for a Traffic Interdiction Unit (TIU). People feel roads are dangerous. When this unit was previously implemented, departments were not prepared for the work. Now all is electronic so staff can keep up. This also makes the roads safer. Sheriff also believes other departments will benefit from additional citations. He does not believe other departments have budgeted high enough for this revenue. Haas commented that he has seen \$10,000/week revenue. Otis added that revenue was \$60,000 in one month when the unit was in force before. Frederick asked if there are lists already to get TIU going right away. Sheriff responded yes, they are ready to go with this. They would start the unit before the new deputies are ready. Haas asked if DSO's are burned out. Sheriff replied that there are not as many issues as before. The economy has helped people to keep working.

One detective position is changed to be funded with tax levy. Currently they are backlogged. They would like the emphasis on computer crimes. Michel asked if this is back up to 14. Sheriff replied ½ up. Michel asked if the Sheriff was asking for anything additional beyond what the County Executive put in. Sheriff replied yes. They are also asking for an additional clerical position to be funded by tax levy. Foreclosures are seriously increasing. At times there are three clerical working on foreclosures and processing. We supervise KDOG and need clerical there. There is paperwork that needs to go to the State and Federal governments. Funding would be for ¾ full-time starting in April.

Singer asked if grant writers have to be deputized. Sheriff replied no; the department knows the language and is good at getting grants. Michel asked if there is currently one person in the Sheriff's Dept. that writes grants or a group. Sheriff replied that they have four grant writers and all are sworn people. Haas commented that his municipality has gone to Capt. Falduto for help.

Chief Deputy Smith said that there are thirteen clerical support. If someone is out they have to pull from other areas and then that job gets shut down. They service three buildings. It is difficult to relieve positions. Sheriff reported that revenue is up \$70,000 in process.

Michel stated that the Sheriff has asked for additional staff and says due to Federal Inmates but the 2011 projected revenue for Federal Inmates is down. Al Swartz commented that hopefully this will wash due to decreased overtime. Swartz said they do not want to be dependent on federal inmate revenue. Singer asked where we were at for revenue this year. Sheriff replied that they have already given back one million and will possibly give another half million. Michel said that it has been stated that if federal inmate revenue is lost, positions would be lost. Swartz replied that even if this occurred there would still be about 2 million in increased expenses. Frederick commented that revenue may be about 2 million over projected for 2010 but you are decreasing projections for 2011. Is 2010 surplus going to the General Fund? Swartz explained that the surplus is going to fund other shortfalls. Singer commented that people don't have money for just in case; budget needs to be done realistically based on what is expected. Frederick said that shortfalls should be put where they actually are, not on the Sheriff's Dept. Haas said there has to be some surplus to fall back on. Frederick said that any department with personnel has surplus due to vacancies.

Michel said the question is whether to leave the revenue as the County Executive says or raise it. Swartz said he doesn't like to increase revenue with unsure revenue. Michel said we have a good relationship with the Feds; no negative comments; consistent; accommodating. He thinks we need to be true to constituents and maybe raise it \$750,000. Chief Deputy stated that we have never had a substantial decrease in inmate numbers. The Feds are trying to reduce the number of facilities they use. We are only 1 of 2 facilities with Video Conferencing. We comply with rules and regulations. We have no written contract but are as close as can be. Prime location. Could still be pulled out but not probable. Sheriff said they are looking at us to be the hub for the Midwest; this will be brought up at a later meeting. Singer said he took 2009 6.7 and 7.5 for 2010 and came up with 7 million. Frederick said he would feel better with a little less, maybe \$750,000. Sheriff said the average number this year is 277. Chief Deputy said you need to be careful not to average based on top-off point. Sheriff said the local population is holding steady but if local numbers go up we would not have space. Beth said 245/day would be needed for the \$750,000 increase. We are at capacity now so if local numbers go up would have to decrease federal inmates.

The following motion was made:

Increase Federal Inmate Revenue Line #445801 by \$750,000 to \$6,762,900

Motion by: Singer

Seconded by: Frederick

Approved: unanimously

Chief Deputy said there is a lot of work involved in maintaining federal inmates; more rules. The higher the number the more work. Michel said that the new five DSO's should be helpful. Sheriff said they could always use more. Chief Deputy said employees have a higher than average Workers Compensation Fund due to the nature of work. Sheriff said we will eventually hit a wall and an increase from the tax levy of 10% or more will be needed. Haas said services would have to be cut if not approved. People want to see deputies/services; if they do they do not complain so much. Michel said that if it comes to a point we are taxed out of our homes, services won't matter. We have to be honest with our constituents and give accurate projections. Supr. Johnson commented that if the Sheriff can maintain services with increasing the revenue; he approves.

Sheriff reported that a \$60,000 increase is budgeted for Probation & Parole but inmate phone revenue is down \$60,000.

Michel asked if the County Executive eliminated Emergency Management of if the Sheriff asked for it. Sheriff replied that they were asked to take it. Michel asked what the advantage is; why change? Sheriff responded that the Sheriff's Dept. has resources to back up. Lt. VanTine has been backup. He will have command authority to move any necessary people. KSD has several grant writers. Michel asked why the County has to pay more, why a patrolman or Sergeant couldn't run the program. Sheriff explained that lieutenant is the lowest level of command staff with authority to command equipment and personnel. Public Information Officer will be used for both. VanTine has already been running the EOC on many occasions. Haas asked if municipalities would be informed of grants and not excluded. Sheriff insured that all will be kept very informed and included. They are

looking forward to working closer with departments. Michel said they cannot tell the County Executive that they must have an Emergency Management Director. Haas said that they can also not tell the Sheriff how to run his department. Michel said that if a Sergeant was added the pay scale is more equal. Haas said that this should be debated on the County Board Floor. Sheriff said that the new lieutenant coming in would not make the same salary as Lt. VanTine. Haas said that he believes the trend is towards eliminating individual Emergency Management Departments. Singer asked the Sheriff if when he was asked to take over, did they then decide or were they told how. Sheriff replied that when this was brought up, the natural decision was for Lt. VanTine to take over because he was already there.

Any Other Business Allowed by Law: None

Meeting Adjourned: 8:45 p.m. on motion by Johnson, seconded by Haas.

Respectfully Submitted,

Donna L. DeBree