

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
May 7, 2012
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: Daniel Esposito, Ronald L. Johnson, Boyd Frederick, David Arrington, Anita Johnson, Angelina Montemurro

Others Present: Jeffrey Gentz, Mark Molinaro Jr., Ronald Frederick, Capt. Larry Apker, Lt. Mark Krueger, Rhonda Moore, Karen Johnson, Jill Vernezze, Fred Storz, Kathy Menarek, Norma Willis, Sue Tump, Leona Dobbs, Diana Gosai, Frances Manley, Celine Barnes, Jeanette Dahl, Scott Dohl, Denise Molitor, John Giannini, Denise Bell, Nathan Knautz, Ken Slater, Dennis Remus, David Christensen, Barb Zacharias, Shane Gerber, Jevon Claussen, Otis Dampier, Garrett Meader, Cindy Persson, Tiffany Horensky, Brian Horensky, Lisa Lampada, Janetta Sepanski, Annalee Sepanski, Tim Smith, Gayle Pflieger, Brent Stanley, Neil Munger, John Smith, Deb Shimkus, Rob Pallamolla, Jason Pfarr, Jay DeBoer, Carol Gonzales, Daniel Mottinger, David Stauche, Joel Claussen, Maurice Hicks, Donna Dickenson, Zola Davis, Peggy Frizzle, Anthony Molinaro, Georgette Carey, Jamie Smith

Meeting Called to Order: 6:30 p.m. by Chairman Daniel Esposito

Citizen Comments: 6:30: Fred Storz stated that after Act 10 went into effect, jailers were informed that the work schedule would change from 6 days on / 2 off to 5 on 2 off / 4 on 2 off. They were originally told there would be no short pay periods because this would be covered by working 20 minutes extra each day. In actuality, when the schedule was effectuated the result is short pay periods. This pay may only be made up by working a scheduled day off for straight time. Jailers are required to work holidays. When inquiries have been made to County Board members their responses have been that they did not know. Storz stated that even Capt. Falduto has agreed that maybe this was not explained well enough. Reference has been made comparing jailers and deputies; however, deputies receive full week payments even during short pay periods. Jailers are just asking to be treated fairly. A \$750,000 Sheriff's Dept. surplus was returned to the general fund last year. Could some of that be applied here? A recent Immigration Inspection resulted in the highest scores ever. Three vacation days and 1 sick day have also been taken from jailers; yet per the Captain, jailer performance has never wavered. Previous members of this committee stated that they wanted this corrected this year. Jailers would like this brought to the full County Board.

Anthony Molinaro commented that 12 years ago deputies' schedules were changed and they maintained compensation for holidays. They were given a 3% raise for three years as an incentive to accept the schedule change. Jailers lost 3 vacation days; 10 paid holidays; and 1 sick day. Comparison is made with the deputies but no one else is affected similarly. He would like this brought to the full County Board. Funding should be found. 2011 money was returned to the General Fund.

Carol Gonzales spoke on behalf of the Booking Clerks and Kitchen Staff. She believes these people work harder than anyone she knows. They deal with difficult people and situations. They should be paid for holidays. There was a surplus; they should be paid. It should be fair for all county employees. Over the years it just keeps getting worse. They are keeping the bad guys off the street. She would like this brought to the full County Board.

Ed Sadlowski from Council 40 commented that the show of people at this meeting indicates the importance and pride they have in their jobs. Working with Council 40, there has been much litigation regarding public safety. Jailers are currently working side by side with deputies that are not affected. Jailers are treated differently. Council 40 and AFSCME support the efforts to bring fairness. They are aware of the financial status and believe the money is there. The first quarter has already passed and they should be paid. He thought this would have been before the full County Board already.

Supervisor Comments: 6:40: Supr. Montemurro commented that this needs to be looked at from different angles.

Chairman Comments: 6:40: Doug Noble excused. The change in meeting day conflicted with another meeting schedule.

Supr. Esposito acknowledged that this is a big issue for jailers. He made sure to look into this and will discuss later.

Minutes Read: 6:41: April 11, 2012 Meeting

Motion by: R. Johnson **Seconded by:** B. Frederick **Approved:** unanimously

Resolution from the County Board Chairman:

- 1) Resolution to Approve the Appointment of Anita Johnson to Serve on the Joint Services Board

Motion by: Montemurro **Seconded by:** B. Frederick **Approved:** 5 ayes with Arrington abstaining

6:42: Esposito stated that he spoke with Anita Johnson directly and at length regarding her intentions. He sees only positive aspects and believes she would be a good addition to the Board. Her resume shows her skills. In the past, things have occasionally been tumultuous with the City and he believes she will communicate well.

Supr. Molinaro attended the meeting to express his opposition to this appointment. He stated that tradition would not have her appointed. She is a new supervisor on two Boards. He has reservations and would like the County to come in with the strongest position possible. Four million dollars plus in expenditures for Joint Services is coming up and someone with broader knowledge of County Government is needed. Experience is needed. Molinaro believes other supervisors feel the same way. He will express the same concerns before the full County Board.

Supr. Gentz also attended the meeting and stated that he made the appointment for some of the same reasons Molinaro stated. He believes that she will work together with all involved. Joint Services represents all taxpayers in the County and the City. He has read her resume and credentials and believes she has exactly what is needed. Other longer standing candidates may have acquired their own agendas. He believes that Johnson has what is needed to bring people together.

She has handled big budgets. She took a five hour tour today and has much passion. She should not be punished for being new.

Resolution from the Kenosha County Sheriff's Department:

1) FY12 Law Enforcement Justice Assistance Grant (JAG)

Motion by: B. Frederick ***Seconded by:*** R. Johnson ***Approved:*** unanimously

6:52: Lt. Krueger presented the resolution to accept \$14,420 from the US Dept. of Justice, Office of Justice Assistance. This is an agreed upon split with the City of Kenosha. These funds will be used to purchase law enforcement equipment including six more defibrillators that will then equip almost all squads; flashlights; and a computer software program that is designed for crime and accident reconstruction for the Detective Unit. No local match or levy funds are needed. Arrington stated that we need to approve and accept any opportunity for funding. He thanked Lt. Krueger for applying for and preparing this.

Informational Discussion of Country Thunder Event:

6:55: Capt. Apker asked to be on this agenda because he will not be able to attend next month's meeting. He has been in charge of Country Thunder since 2005 when the Sheriff's Department became actively involved in the event. There have been no big problems with Country Thunder for several years. Apker will still prepare the necessary resolutions. The Conditional Use permit must go to Land Use first. There were delays with getting the necessary permit from Randall Township. The next Land Use meeting is the same night as the next Judiciary & Law meeting. Apker asked if possibly Judiciary & Law could meet a little later than 6:30 so Land Use can approve first. It would be too late to wait until the regularly scheduled July meeting for Judiciary & Law. Esposito asked if there is always a problem with timing. Apker replied no, it is usually OK. Arrington asked if any financial impact is expected. Apker explained that a cash bond of \$110,000 is deposited with Kenosha County and all expenses are taken from that. This amount has always been more than sufficient with some refund going back to Country Thunder. Services are rendered by the County, City, Parkside, etc. and all of the expenses are paid from the cash bond.

Esposito stated that he is aware of the process and that last month it was approved by Land Use to go to Randall. Gentz asked how long it would take Land Use to deal with this. Apker stated that the item is 8th or 9th on the agenda. Esposito expects they should be done by 7:30. Gentz suggested this be at the end of the Judiciary & Law agenda. Esposito stated that the June Judiciary & Law meeting will be at 7 p.m.

Re-Cap of Jailers' Holiday Pay and Schedule:

7:02: Esposito reported that he met with Bob Reidl and Sheriff Beth regarding this issue. Changes were made after the enactment of Act.10. Hours were changed according to federal guidelines. After meeting with Administration; their position was that everyone had to give up something. Things are different than years ago. To move forward and be fair there must be an understanding of both sides; this is not something to be rushed. Esposito wants everyone to be comfortable with what is going on first. He believes that the jailers have given a lot. It is reported that the changes effect a better distribution of manpower. To date there has been a significant savings: \$46,452 over seven pay periods. The eight hour shortage during the pay period can be made up. He stated that he would like to get the other side of the story; he only has administration now. Capt. Falduto told Esposito that the County Board voted to allow ample time to see if the schedule works and saves money. Esposito stated that he doesn't believe enough time has passed to

evaluate fairly. He would like to speak with Fred Storz. This seems to be working for administration, however, is it fair? The County Board told the Sheriff's Dept. to cut their budget and this is what they did. The schedule change gives administration flexibility. Comments have been made that jailers took the biggest hit; Esposito does not know if this is true. He would like Capt. Falduto and Bob Reidl to attend the next meeting.

Supr. Arrington stated that he completely disagrees with the changes; he is not happy. If one gives all give; team concept. As long as he is on the Board, he will do all he can to equalize. It is obvious jailers are not happy and comfortable with the decision. He believes County Board members are in the dark regarding all the facts. He will look into this himself to see where money went and how to put back. We do not have to agree with what came from Madison. He doesn't agree with anything that has come from Madison. Esposito reiterated that this topic deserves due diligence; not to be rushed into; and to be fair.

Supr. Montemurro questions if at any time Administration indicated that only jailers be looked at and not the whole Sheriff's Dept. budget.

Supr. Ronald Johnson stated that we know this saves money but is this fair to employees because it is at their expense.

Supr. B. Frederick stated that he would like to look at the financial aspects. He would like Dave Geertsen at the next meeting.

Supr. Anita Johnson questions whether possibly this was an oversight by the Sheriff's Dept., or was it intentional? Possibly this was not well planned.

Arrington stated that he does not recall on what resolution these changes were proposed; he would like to see where these changes were explained. B. Frederick explained that this was within the total budget; this item was not specified.

Fred Storz stated that the overtime policy has nothing to do with the loss of holidays. The overtime policy proposed would have resulted in having to work 1 ½ days over 40 hours to get paid overtime. The County Board said no to this so the 30 minute paid lunch was taken away as well as the holidays. As far as the schedule itself, he likes it. Storz stated that Capt. Falduto has admitted in the past that these effects were not specified. Three contracts expired in December. The two other contracts kept their holidays. Reference is made to include jailers with deputies but they take away from jailers, not deputies. In the past jailers were told that nothing would work except the old 6/2 schedule. They would have consented to the 5/2;5/3 change through contract negotiations if they would have known this was possible. The Sheriff's Dept. generated \$9,000,000 in revenue last year for housing federal inmates. Jailers are subjected to diseases and dangerous criminals. They now get tested for Tuberculosis only because of Immigration Standards. Esposito stated that supervisors need to understand that the federal revenue is down so far this year. Storz stated that through the budget process, daily housing projections of federal inmates was increased from 235 to 250 in order to balance the budget. Montemurro asked if the 9 million is for the Sheriff's Dept. Esposito replied that it is for the entire county. Federal inmates are not guaranteed. They like our proximity to Chicago and Milwaukee. This is revenue so we comply with federal requests. Storz added that per the regional director of Homeland Security; 24,000 detainees are in custody on any day nationwide. The average daily rate paid is \$110/day throughout the country. Kenosha's rate is \$70/day. He wonders why the County did not ask for a raise instead of cut jailers' compensation. Asking for an increase to \$81/day would increase revenue by 1.5 million. Immigration detainees get more of many things than county inmates do, even clothing. Jailers received a 12% cut and everyone else received 5.9%. Montemurro asked how long we have been housing federal inmates.

Anthony Molinaro responded since 9/11. Revenue has always gone up. Storz stated that if they had been told up front they would have at least known and not felt like it was snuck in the back door.

Supervisor Ronald Frederick stated that this came to the former Committee members in March. He has saved and has everything he has gathered. He believes that neither County Board members nor employees knew about this. Esposito stated that this will be addressed but needs to be understood fully first. Ronald Johnson stated that many supervisors not on this committee do not know about this. B. Frederick stated he would like contact information for Fred Storz. Montemurro asked all in attendance at the meeting to be sure to sign in for a count. Storz stated that the \$47,000 savings to date is due to employees working straight time on their scheduled days off instead of getting overtime.

Gentz stated that he would like this on the next agenda with Sheriff Beth, Capt. Falduto, Bob Reidl, and Dave Geertsen in attendance. Arrington stated that he would like the JLEC Chair to report on this at the County Board meeting. The entire Board should know about this. Details were not specified and a historical background is needed. B. Frederick stated that he would report on this to the Finance Committee. Esposito stated that he would report on this to the County Board but not to this extent; he will give a condensed version. Montemurro asked if supervisors could meet before the next County Board meeting. Esposito stated that he would have to check with Corporation Counsel.

AUDIO OF THIS MEETING IS AVAILABLE ON THE KENOSHA COUNTY WEBSITE

Any Other Business Allowed by Law: 7:57: Arrington explained that the reason he abstained on the appointment resolution was because he feels he does not have enough information on this. It was nothing personal. Once he gets all information, he may support the resolution.

Meeting Adjourned: 7:58 p.m. on motion by Arrington, seconded by B. Frederick.

Respectfully Submitted,

Donna L. DeBree