MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
on October 20th, 2022 – Budget Meeting

KCB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: Zach Rodriguez, Laura Belsky, John Franco, Jeff Wamboldt, Brian Bashaw, Mark Nordigian, Erin Decker, YIG Alexa Didinsky

Members Excused: None

Others Present: Judge Jason Rossell, County Chair Gabe Nudo, Sheriff David Beth, Chief Deputy Marc Levin, Cpt. Justin Miller, District Attorney Mike Graveley, Sgt. David Zoerner, Clara Tappa, Ashley Lutterman, Patricia Merrill, Barna Bencs, Mary Beier, Angela Khabbaz, Rebecca Matoska-Mentink, Bethany Lofgren, Tina Burke, Ed Kubicki

Meeting Called to Order: 5:14 p.m. by Chairman Rodriguez

Citizen Comments: 5:16: None

Supervisor Comments: 5:16 None

Chairman Comments:
5:14: Chairman Rodriguez motioned to move Chairman Comments up on the agenda. Motioned by Belsky to next action item after roll call and seconded by Decker. Vote was unanimous. Chairman Rodriguez read the following statement:

“Tonight, before us we will have the consideration of budget of Circuit Court, including the budget for Office of Clerk of Courts. As I imagine everyone knows, I am a candidate for that office and if elected would be responsible for overseeing and managing the budget approved by County Board. While this creates no legal conflict or ethical conflict, I am aware that this has the potential for creating the appearance of a conflict. The potential is extremely difficult to resolve as I firmly believe the consideration of the annual budget is possibly the most important work the county does each year. I am fully committed to my responsibilities not only as a member of this board, but as a Chair of this committee. It is because I take those responsibilities so seriously, that I do not want even the potential of an appearance of conflict to become a distraction from the work that either the committee does, or the board does, as a whole. For that reason, while under no legal or ethical obligation to do so, I will not debate, discuss, or vote on the Circuit Court Budget. Further, I will pass the gavel for that portion of the meeting to our Vice-Chair Supervisor Bashaw, to handle that portion, and if I vote on the budget as a whole tonight and when it is presented to the County Board, it will reflect that I am not voting on that portion related to the Circuit Court.”

Resolution from the Civil Services Commission:
A Resolution to Approve Jeffery Swanson to Serve on the Civil Service Commission

Motion by: Belsky  Seconded by: Nordigian  Approved: unanimously

5:16: Clara Tappa, Director of Human Resources, presented. Jeff Swanson gave a summary to the committee about himself. He is a lifetime resident of Wisconsin having lived in Racine, Steven’s Point, Kenosha, and most recently in Twin Lakes. He was recently elected to the Randall School Board, which is his first endeavor into local government. Supervisor Belsky motioned to approve the resolution, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

Presentation of the 2023 Budgets:
Sheriff’s Department

Motion by: Nordigian  Seconded by: Wamboldt  Approved: unanimously with modification

5:26: Sheriff David Beth, of the Kenosha County Sheriff’s Department, presented. The Sheriff’s Department is looking at increases of the tax levy at 6.05%, Operating Expenditures at 5.6%, Revenue increase of 3.99% or $370k. The Operating Expenses in 2023 for Personnel is at a 4.2% increase, or $1.5 million, the Deputy
Sheriff’s Association has negotiated for two raises in 2023, in January it will increase by 2.75% and the remainder in July. The Sheriff’s Department is looking to add one full-time Deputy Sheriff. When Sheriff Beth started in 1982 there were 6 districts in the county and there are still 6 districts today. The reason there are more deputies on the road is because of the contracts with Somers, Paddock Lake, Salem Lakes, and a few years ago the Sheriff’s Department took over the Court House also. The calls for service have been going up dramatically and every once in awhile they need to add a Deputy Sheriff.

The Sheriff’s Department is also adding a Data Analyst and a Detective. The Sheriff’s Department has less Detectives now than they did 20 years ago. They had originally wanted three detectives including one for the Drug Unit. A year ago, the City of Kenosha Police Department put people that were in Kenosha Drug Operations Group (KDOG) and put them inside their Gang Unit. The one Detective will go to General Assignment to help with the stacks of cases that are sitting there. Sheriff Beth said that the Detectives come to serious calls or fatal accidents from home, work, or wherever. Sheriff Beth gave the example of the prank School Shooting 9-1-1 Calls that had happened earlier that day involving Bradford High School and Lakeview School. These calls are coming into schools all over the country, whom all describe the caller as a male with a thick accent, calling from a cell phone that breaks up. There were 7 schools affected from the same call in the State of Wisconsin in one day. Detectives take these calls seriously and came from home and work to Bradford and 30 minutes to Lakeview when the call came in. The Detectives are busy and active and take care of what they need to do.

Cpt. Miller spoke about adding the Data Analyst position. When building the New World software in 2014 it was a very robust program. When doing initial site visits other agencies had about 3 Data Analysts on average. They would extrapolate the data our of New World, which is robust and helps with detailing reports. Kenosha Village contracts are constantly requesting details reports on call volumes and types of calls. The Racial Equality Commission has been requesting quite a bit of data. It is time consuming to pull the information from New World for users that only use the program every once in a while. There is a lot of information that can help add tactics for certain types of calls, crime trends and patterns. The Sheriff’s Department does not have the personnel to pull the data and details for all the entities, board, and themselves. There is a lot of information in the system that goes uncharted due to lack of staffing. The Sheriff’s Department currently has none, so they are requesting one Data Analyst, but most other departments have three. Cpt. Miller stated that he spoke with Joint Services and KPD, and they are not using the product the way they really should be. This would get them closer to speed and merge into the analytics world. Cpt. Miller stated that he thought it was an important decision.

Sheriff Beth said they are reclassifying position titles and that affects 30 people at about $21k. Contractual Services is another big one. NaphCare when they came in last year when the department was trying to pay for employees and get people to work from different agencies. They underbid their employee costs and upped it to $30k a month this year, and that was to keep them from pulling the plug on the department leaving them high and dry. In 2023 the NaphCare contract increase is $470k. Sheriff Beth said they spoke to other companies and NaphCare is in the same ballpark. The department started the groundwork, just in case NaphCare backed out. There is now a contract for NaphCare, and they are trying to make sure that works and the company lives up to what they do. The Sheriff’s Department does not have any complaints about them.

Prisoner transport costs have gone up to $50k. There was a recent trip to Arizona, and the department has a company that picks up inmates and brings them back from across the country. The trip would have cost $1,000 in pervious years and the last time they sent someone to do it was $4,500. It quadrupled just in the last year for expenses. The Sheriff’s Department has sent employees out to do it thinking they could save money, and it wasn’t much of a savings, the cost has truly gone up.

Investigations have decreased by $30k due to the High Intensity Drug Trafficking Areas (HIDTA) program, which was applied to Investigations.

In Supplies the big ones are gas and pharmaceuticals which went up 9% to $150k. The gas prices have gone up the year. Pharmaceuticals are always unknown as it depends on who is in custody and what medication they require. Some medications are extremely expensive, and it has hard to know what it is going to cost. There are currently 9-10 persons in custody whose medication is very expensive, and the department has no choice but to cover it.

Capital Expenses covers motor vehicles. They are going to get the same amount of squad cars they do every year, which is 13. At this point they have been given to deputies who want them, so the goal is replace high mileage vehicles. Around 13 vehicles right now are between 160k and 304k miles. It is time to replace
about a dozen of them, but it is unknown what the amount will be. Supervisor Nordigian asked if they received the 2022 vehicles yet, to which Sheriff Beth replied a couple of them. Supervisor Nordigian asked if they would be receiving the rest this year and Sheriff Beth replied he did not know yet. Supervisor Nordigian clarified that they did not know if they would get the 2023 vehicles in 2023 but need to spend the dollars and get on the list to get them at some point. Sheriff Beth replied that was the goal but did not know if they would cancel them. They currently have one vehicle and an electric vehicle is coming to test and see how it holds up.

Machinery and Equipment is looking at a $30k increase. Revenue is estimating a $370k increase from Electronic Monitoring fees, inmate phone and tablet use, Extended Supervision fees, and the department is looking at decreasing other ones. During COVID the Sheriff’s Department was able to bring in revenue from the State of Wisconsin, because the State and Madison were not taking people. They would pay the Sheriff’s Department to hold them, but that is done now. Federal Inmate Housing line, the department lost Immigration and Customs Enforcement (ICE) housing so that revenue is also done now. When ICE left, to make the numbers better, they never reduced the revenue from the Federal Inmate Housing line. They will not make that revenue this year or next year because they do not have the numbers. They are slowly trying to bring that line item down every year. County Ordinance Fines are down, as hard as the deputies try to write ticket they are busy all the time often running from call to call. They do not write as many tickets as they used to.

Supervisor Nordigian asked about the $275k revenue from Country Thunder, which was rumored it might not come back in 2023. Sheriff Beth replied that the total was for their bond and after speaking with the General Manager she said they had planned on returning. It ends up being levy neutral as it pays for their expenses.

Chairman Rodriguez asked about the line item for ammunition on page 51. Projected for 2024 it is $72k, which is consistent with previous year, but in 2023 they budgeted only $30k. Sheriff Beth replied that in the last several years ammunition had not arrived like it should and this year they received two shipments. This makes them pretty flush for right now and in 2024 they could jump back up to $70k, but they are good for the next year.

Supervisor Decker clarified that the budget has one new full-time Deputy Sheriff, one Data Analyst, and one Detective being added, to which Sheriff Beth agreed. Supervisor Wamboldt commented what Sheriff Beth said about them not writing tickets. Supervisor Wamboldt stated that to him it was a form of prevention and if they are not to do their routine patrols that is also a problem if they are not able to provide that type of service. Supervisor Wamboldt added that even adding one deputy didn’t seem like enough. Sheriff Beth replied that he originally asked for three deputies and a Data Analyst. Angela Khabbaz, Fiscal Services Manager, added that they had started with 6 Deputies, 3 Detectives and one Data Analyst. They then cut it down to 3 Detectives, 3 Deputies, and one Data Analyst. Finally, it reached the ask of one Detective, one Deputy, and one Analyst. Sheriff Beth said that when he started he would do radar at the Ace Hardware parking lot, because west of Ace Hardware was the Pines Nursery and that was it until you got to the interstate and the gas station. From the beginning of January through the end of March there was nothing going on and he would look for things to do to get out of the car. Sheriff Beth said it is not like that anymore and calls for service keep climbing. Sheriff Beth stated that he would love for someone to make a motion to increase the department by two more deputies and to add even one more district is the equivalent of 5 deputies needed.

Chairman Rodriguez made a motion to add two Detectives and one Deputy to the Sheriff’s Department and send a letter to the Finance Committee to evaluate possible budget modifications to cover the total cost for eh two Detectives and one Deputy. Any excess monies from the modification shall be moved to the Sheriff’s Budget to fund training. By these additions the Sheriff’s Department would be gaining 6 total personnel to include: 3 Detectives, 2 Deputies, and one Data Analyst. The modification was seconded by Supervisor Belsky and the motion passes unanimously.

Clara Tappa, Director of Human Resources, spoke on the tentative agreement with the Kenosha County Sheriff’s Deputy Association. The tentative agreement was reached on September 7th and ratified by their membership this month. The term of the agreement will be three years starting January 1, 2023 and ending December 31, 2025. On January 1, 2023 there was a 3% increase and then mid-year 2023 there is an increase of an additional 2.75%. At the start of 2024 there is a 2% increase and then 2.25% increase mid-year. In 2025 there is 3.75% increase. It keeps Kenosha Sheriff’s Department’s starting rates of pay middle of the pack for the surrounding agencies, and they do not charge their members for health insurance which helps the department remain competitive. K9 pay was increased to $550 a month, prior it was $500. Clara referred to the changes made in the handout she provided on page 1 under Economic Provisions. The changes focus on time off including shortening the waiting period for accident and sickness pay, loosening some restrictions on
casual days, expanding holidays, decreasing time to earn vacation, and updating the selection process the deputies go through. There is a stipend for specialty gear beyond what it is issued by the department for deputies that are on, or appointed to, the Tactical Response Team. There are provisions to pay for hours worked over 16 hours consecutively. There is an update to the residency requirement to 20 miles to match the Civil Service Ordinance change that occurred earlier this year. They are seeking approval of the agreement through the budget process; it will be part of the budget resolution.

Supervisor Bashaw asked for clarification under 12.1 regarding the 30 calendar days for sickness, if that was per occurrence or annually. Clara replied that it was per occurrence and there is broader language in the contract, whereas this was just noting the specific language changes for this round of the contract. Supervisor Bashaw asked what was included in the sick pay, for example if they got the flu would they get 30 days off. Clara replied that they would require certification from their healthcare provider. It is similar to short-term disability policy. Supervisor Decker asked if this would be in the budget resolution and if they had to vote on it this evening. Chairman Rodriguez replied that the tentative agreement was just informational tonight.

Supervisor Nordigian motioned to approve the Sheriff’s Department Budget as modified, seconded by Supervisor Wamboldt. Motion passes unanimously with no further discussion.

District Attorney
Motion by: Belsky  Seconded by: Wamboldt  Approved: unanimously
5:53: Michael Graveley, District Attorney, presented. The reductions are in Temporary Salaries line item that allows Prosecutors to be compensated to come in and do weekend drafting of in-custodies, which allows the courts to get through complaints on Mondays in a timely fashion and allows courts to maintain their Monday appearances. Mondays are the day they have almost all the jury trial and would not have the staff to wait all weekend and then draft. It was reduced by $4k because of the expenditures over the last couple of years.

The Other Professional Services reduction is a half reduction on the Termination of Parental Rights (TPR) Contract positions. DA Graveley said that he was informed by Social Services that in June of this year it will be at the amount of standard amount of TPR’s they have had over the last decade and went down from having double the amount in the midst of the Opioid Crisis. Supervisor Belsky requested that DA Graveley explain TPR’s for the Youth-In-Governance present. DA Graveley said that there was a drug epidemic in Kenosha County, and the county, for a little over a decade. About 4 or 5 years ago the county’s Social Services, Judges, and the DA’s Office came together and decided to increase the ability to do TPR’s. Children in foster care and have someone waiting to adopt them, they need to finish that court process. It used to take more than two years to complete or more. They were able to reduce that due to the resources put in. The County Board funded an Attorney position and a Judge volunteered to increase their normal calendar to have extra TPR cases. Social Services, with the County Board’s support, hire more Social Workers in those cases. They took double the capacity in Foster Care and reduced it back to standard numbers over the last years and those cases will make it through the system by mid-year. DA Graveley said he requested to fund this for that half time until it is completed, and Social Services said they are on a steady schedule to do that. DA Graveley stated that all parts of the county government needed to work together to make this happen, and they should be extremely proud of the money saved and the personal lives impacted by bringing the children to adoption, often by a full year before that would’ve happened in other circumstances. There is a reduction of $28,300 from last year because they do now need a full position for the full year this year.

DA Graveley said that due to the paperless efforts that were funded over the last several years, they continue to make reductions every time the identify a line item that is no longer needed such as telecommunications, office supplies, and books and manuals that have online subscriptions now.

There are two increases for Expert Witnesses, most of that is the Medical Examiner’s Office. When there is a homicide in the county, they contract with the Milwaukee Medical Examiner’s Office. If they need to testify in a trial that costs between $2k and $5k per case. About a year and a half ago there was a large increase in homicides in Kenosha. Those cases are now going to trial and the cost of the cases is reflected in the fact they need a little bit more money for Expert Witnesses. Primarily, to fund the individuals in the Medical Examiner’s Office to testify, which they have to do in any homicide case.

There is an increase under Special Prosecution due to the Jensen Trial returning, this is one-time line item. DA Graveley gave an overview of the trial. The Jensen case was tried back in 2008 and was the longest criminal trial in the history of Wisconsin. It took five and a half weeks to try the case. Judge Schroeder, who is
still on the bench tried the case. Bob Jamboi, now a Steven’s Point Prosecutor, is coming back to try the case again. There is a lend-lease with Steven’s Point DA’s Office, so they do not have to pay a Special Prosecution salary. With a case that is more than 20 years old, none of the Expert Witnesses are still in business as Experts. Most are retired including law enforcement, and most have retired to Arizona or Florida. To try the case, they have to bring back people from across the country and contract with new Expert Witnesses. It is about $63k that is estimated to try the Jensen case. There is a cushion since they do now know what the cost of hotels, meals, flights, or gas will be. DA Graveley stated that he hoped never to be back with the Jensen line item, but there is no way to try the case again without the line item. The case is having to be tried again because Julie Jensen wrote a letter, which she gave to law enforcement, stating that if she is found dead she provided a name of who killed her. At the time this was found to be non-admissible in the Court of Appeals as it went through two years later after the trial in 2010. The Supreme Court made rulings that changed the hear-say rules, so under today’s hear-say law the letter would be admissible. However, the Court of Appeals can say that because it was not admissible during that split-second in time, the case has to be tried again. Even though today it would be admissible. So, there will be an identical trial, in terms of admissibility, because during one window of time it was not admissible. It is the longest trial in the history of Wisconsin and it will be tried for a second time for around $70k. Supervisor Bashaw commented that it wasn’t just the $70k, it was also DA Graveley’s time, the team’s time, and everything that reallocated for this case versus cases that the county needs to try. DA Graveley agreed and stated that he was only talking about budgetary cost not the time and attention it should bring to other cases.

The other submission DA Graveley provided showed a pattern of their finances on discretionary matters over a seven-year period to show what they had attempted in the DA’s Office in terms of budget requests. In the right-hand column, they covered over 5 years, they asked for dramatic reductions that have been a County Board adopted piece on a number of line items and had substantial reductions. If it was not for the one-time $70k line item, the discretionary budget for the DA’s Office would be dramatically reduced. To the tune of $80k less than we requested 5 years ago in terms of discretionary items not including salaries, health insurance, or those things they do not have control over. DA Graveley stated that they try to be the best steward as possible of the taxpayer’s money.

Chairman Gabe Nudo asked is if we were shorthanded because he had seen many cases from Kenosha County that are sent out to different counties. He had seen a couple cases that appeared about the same, they had tried one but not the other. DA Graveley replied that they take on special prosecutions from other counties as well. They send cases to other counties if they have substantial political issues, include county Supervisors, or other people who would have some supervision over their budget. They try not to be the prosecuting agent for those cases, as they believe there is an inherent conflict in that. There have been cases where the persons had substantial connections to the DA’s Office and done business with them, or connection to DA Graveley personally, and they try to remove those cases to another county. DA Graveley stated that there was an ex county Supervisor, whom he personally wrote letters of endorsement when he tried to become appointed, and whatever happens from the outcome of that case is best determined from another Prosecutor. The DA’s Office is attempting to keep any cases that they possibly can, but also want to be professional stewards where outcomes of cases are not heavily criticized by persons saying something was done for political reasons or because that person controls their budget. DA Graveley stated that it was both the County, in terms of outcome, and the individuals being charged that deserved to have an outcome that are not judged through that lens whenever possible. Other counties having identical issues. DA Office’s are being asked to think about the variety of cases in challenging environments. They are trying to handle each other’s cases in situations where political sensitivities might be something accused, where people might accuse that of being the primary consideration. DA Graveley said that they have not done Special Prosecutions because they did not have the resources to do it. They just changed who their Sexual Assault Specialist was, and they may ask them to come back and do some cases where he intimately knows the cases. Their office has been able to handle the capacity, but the any cases sent off it was because they did not have the resources. DA Graveley used the example of the referral on the Sheriff. He has a long-standing connection with the Sheriff and the Sheriff’s Department. In DA Graveley’s perspective any outcome or judgement was best done by an outside Prosecutor who does not have any relationships which would cause either side to challenge the outcome. DA Graveley said that the commitment from the DA’s Office is that they are not interested in being involved in anyone’s politics. They are professional Prosecutors, and what DA Graveley has expertise on is stopping dangerous criminals in the county. Referrals and other things discussed earlier they will handle because they are obligated to and will give them the attention that they can. That is the focus and if some other agencies are best to handle
matters that have political aspects that are impactful or a relationship in question, DA Graveley will continue to farm out those circumstances.

Supervisor Belsky thanked DA Graveley for demonstrating over the years the $102k in savings on behalf of the taxpayers. DA Graveley responded that when he first came to the board and talked about going paperless, he said there would be savings and feels an obligation to demonstrate that whenever he can.

Supervisor Decker asked about the Salaries and noticed there was a large increase that seemed larger than the wage increase, but then noticed there was an added position and requested DA Graveley to explain that portion. DA Graveley replied that mid-year he asked the County board to vote on two positions that are ARPA funded. Those support the two ARPA Prosecutors they have now. DA Graveley then requested they do the same for the two-year period they have those Prosecutors. They funded it half the year prior that was off the budget, this is the full year. The budget incorporates those two positions for this year. Next year they will come back and ask that they fund half a year, and that will be the full two-years.

Chairman Rodriguez thanked DA Graveley for the update on the TPR Program. When Chairman Rodriguez was on the committee before, DA Graveley had approached him for the court budget process asking for support. The committee gave the support as a whole and it is was good to hear it worked.

Supervisor Belsky motioned to approve the budget, seconded by Supervisor Wamboldt. Motion passes unanimously with no further discussion.

Juvenile Court Intake

Motion by: Bashaw Seconded by: Wamboldt Approved: unanimously

6:11: Mary Beier, Director of Juvenile Intake presented, along with Judge Jason Rossell. Mary Beier stated that they are recommending changes to only six line items within the budget. There are two line items County Administration is recommending increases in. The first is the Personnel Appropriation Unit. There are some line items within the Personnel Appropriation Unit that go slightly up and down and covers a $8,813 increase. The second increase being forecasted by County Administration is the Public Liability Insurance line item with an increase of $695 on that line. There are three line items including Required Labor, Printing Duplication, and Mileage Travel recommending a 10% decrease across the board on those three line items due to lower spending in the last 5 years. The largest line item which sticks out of the budget every year is the Other Professional Services account, which accounts for all expenses related to housing Juveniles in secure detention. This year they have seen a significant decrease in lengths of stay down from 34 days on average last year to 14 days. Mary stated that the Judges, Commissioners, and other court partners deserve credit for this accomplishment, being able to move in-custody Juvenile cases through the court system at a faster pace resulting in decreased spending. With the change, and most Detention Centers will keep their rates consistent next year, they are recommending a $50k decrease on that line item. Mary stated that she wanted to give the Supervisors notice that for 2024 budget, there will be some significant increases in daily detention rates. Racine may be opening a new facility and they do not know what the rate will be but expect it to be significantly larger or higher than it is currently. They are recommending a $41,211 decrease in the budget for 2023.

Supervisor Nordigian asked about Other Professional Services on page 78. In 2021 they had $289,167, in 2022 they adopted $543k so it is significantly higher than $50k. Supervisor Nordigian asked why it went up that high. Then it was modified to $663k. Mary replied that she believed the modification came from a carry over, not all from their budget but some carry over from DCFS. Mary said there was a budget resolution from 10-15 years ago that allowed the two departments at the end of the fiscal year to move money within the budgets to cover placement expenses. At the end of last year, they thought they would need more money and that is where the money came from. Supervisor Nordigian stated that it was projected to be $350k for this year and for 2023 they are asking for a reduced budget, but now they are asking for even more by another $143k above that. Supervisor Nordigian said he was confused because they were no where near $443k in 2021 and 2022. Supervisor Nordigian asked if there was a reason they will need to go up higher than that. Mary replied that last year they recommended the $543k because going into the end of the year they were holding juveniles for longer and they were gridlocked in Detentions. Mary stated that there was a situation with Racine County where they provided a dollar amount in June for the 2022 year, which in past years had been that amount. Then in July Racine County provided another amount, and at the end of November they doubled it. They did not know where they would be this year.

Supervisor Nordigian asked if they were projected to be at $350k at the end of the year. Mary replied that through September they are at $232k, and it is possible they will be there. They rotated in a new Judge on
August 1st, 2022. There is normally a transition period with new Judges rotating in, to become accustomed to procedures and the Juveniles that they had before them. Over the years Mary has seen Juveniles held in detentions for longer periods of time as Judges rotate in. They have not seen that yet this year but cannot say its not going to happen.

Supervisor Nordigian asked about the modified budget for this year which is at $663k, but the projection is $350k, and wanted to know where the difference of $313k went. Mary replied that it would be carryover into their budget. Supervisor Nordigian asked if they are asking for another $143k over the projected budget for this year, or $493k for this year’s budget on that 2023 line item. Mary replied that was coming down from the $543k. Supervisor Nordigian said that they had not gone near $543k in 2021 or 2022 and asked if they saw something that shows their budget would be up there. Barna Bencs, Budget Director, replied that it was the difference between an occurred budget and what is projected and by budget resolution language will go under the General Fund. If the decider is to carry some of that forward, then during the carry over close out resolution in April, then that will be voted on at that time, but the default is that it falls into the General Fund. Supervisor Nordigian said that he understood but if there was a reason they wanted $493k when they’ve only spent $350k and what the thought process is. Judge Rossell replied that there are three things that affect that. The Juveniles in custody and they have been fortunate that Juvenile Crimes in their community is at a lower level, despite crime rates rising, Juvenile Crime has not. Judge Rossell said that a few year ago there was a gang, the GMB Boys, who were active in the community. Judge Wilk sent 18 to 20 of them into Detention at one time. If another there is another group, there could be a situation in which they blow through the $400k easily. Judges Kerkman and Meier are sticklers for timelines and that has reduced the number of days that children are in custody. That is a good thing, but it creates other problems for the court system in other areas. Supervisor Nordigian asked if they saw a potential where they could need the money. Judge Rossell replied that if all of sudden the Public Defender’s Office can’t find attorneys for kids in detention those times are going to get blown away. It’s the number of kids that go there, which depends on the crime rate, how quickly the cases go, and the philosophy of the judges as it related to sanctions. Mary added that it is common practice in her office that before they call Racine, sometimes they will call other facilities that are half the price. Finding a bed in Juvenile Detentions is not easy and if they are unable to find beds from their list of facilities, and they must use Racine Detention it doubles the cost. Judge Rossell commented that as the elections conclude going into January, to keep an eye on the newspapers and see what is going on between the Legislator and the Governor. Under the current plan, if Racine does open their facility, the number of Juvenile beds statewide are going to drop by almost half. They will be fighting for less beds in the entire State of Wisconsin. Due to supply and demand, the supply will go down and the prices will go up. Mary added that the facility would then also be licensed as a Correctional Facility and they will be able to charge the correctional rate, which is currently at $1,200 a day. Judge Rossell said that it is something they have been watching along with the Supreme Court Legislative Committee and the CCIP. Because the Governor and the Legislator have not worked through the previous plan, they are in a roadblock until the next Governor and Legislator race is decided and they can discuss it. There are other issues like how to send a kid to Juvenile Corrections is not exactly clear right now.

Supervisor Bashaw motioned to approve the budget, seconded by Supervisor Wamboldt. Motion passes unanimously with no further discussion.

Clerk of Courts
Motion by: Belsky   Seconded by: Franco   Abstain: Rodriguez   Approved: approved

6:25: Rebecca Matoska-Mentink, Clerk of Courts, presented with Judge Jason Rossell, Bethany Lofgren the Court Service Manager, Brian Sheffler the Register and Probate, Tami Lema-Mielcarek the Chief Deputy Clerk of Courts, and Marcy Gilbertson Accounting Specialist for Collections. Chairman Rodriguez abstained from this portion of the budget. Vice-Chair Brian Bashaw led the budget discussion.

Kenosha County continues to be a leader in the State in terms of Case Dispositions following the COVID response, and they are very proud of those efforts. As a result of the case load analysis, the Judges last August did a change in the rotation wheel. They went from 3.5 Criminal Courts, to 4 Criminal Courts and decreased the Civil rotation. Criminal Courts tend to be more active for the clerks who have been working double time. The staffing levels, even though they requested two additional positions, have been temporary status for the last twenty-plus years as the scanning and clerical relief positions. Instead HR has provided an allotment in the Salaries of $68k a year so they can continue to manage those emergencies in their department.
Some of the highlights of the budget are on the expense side. They are increasing the Salaries line item by about $105k, most of that is in that $68k allotment for temporaries. Bailiff pay is increasing by $1 a day, that means a total of $80 a day with $40 a session. Bailiffs are retired civilians who help the Judges and Clerks with the paperwork and checking in additional people. Under Other Professional Services they are decreasing by $33k on that line item, primarily because the mediation costs are less. It also covers the part-time Clerk Reporter and the Intake Court Reporter, which are county paid positions. Most Court Reporters are paid by the State of Wisconsin if they are assigned to a Judge. However, the Intake Court requires that because of the number of transcripts that are to be prepared. It includes a notary, shredding process, and Processors need it for Guardianship and Probate matters. Jury Trials, under Jury Services are increasing by about $13k. Due to COVID in 2022 they only had 22 trials, in 2021 it was increased to 57, in 2022 they are trending at over 60 a year. There are a number of reasons that they are leading in the State on that including increased disposition rates on criminal cases. Sometimes the trials tend to occur more frequently with newer Prosecutors and newer Public Defenders that need to test their trial skills.

Expenses include a 3% raise for Guardians at litem, who are Attorneys appointed to represent children and the most vulnerable population. Last year they did a significant increase to bring them in line with Racine County, due to issues attracting Guardians at litem. They are suggesting a 3% increase in order to retain them. They have newer Attorneys as Guardians at litem, efficient ones that knowledgeable and able to reach decisions both timely and in alignment with the need of the community. Having to train and transition decreases the efficiency of their dockets.

The most significant and noteworthy increase in the Advocate Council fees. this is an issue across all 72 counties in the State. They are asking for an additional $47k for the Advocate Council fees, which are appointed to individuals in felony trials who are unable to provide representation for themselves. They are called Dean Appointments and it is paid for by the county and the Judges appoint them, they can recoup Advocate Council fees from individuals through their collection process. When a Public Defender is unable to find an Attorney to appoint them and the cases stall out, but the Judges want the cases to proceed because it was a felony, the Judges will then appoint that to Advocate Council. Rebecca said her office has no mechanism to recoup even a $1 from those individuals because they are indigent. The significant increase is because a Public Defender cannot appoint those Attorneys and it is going to be a less available option for them to recoup the fees at the end also. Rebecca said they are trying to work with the Legislators or the Clerk of Courts Association and believed the Judges are working towards that end too.

There is a small increase on Staff Development. A few years ago, the County funded a ‘Living as a Leader’ program for managers. There is a new manager in the office and those expenses have been shifted from the Human Resources Budget into the departments as needed.

Revenues are experiencing a significant increase of about $187k because they converted their collections from a private agency to the State Debt Collection Agency. They have a more official mark on people who owe fees because it is coming from the Department of Revenue. It is coming from a broader reach and they can do bank pulls and similar issues. It took Rebecca’s staff over a year to convert and verify the balances in order to convert to the State Debt Collection. There is an interface the State had to work on, and the staff do not have the resources or staffing levels to work through the pilot program.

In the 2022 budget there is an increase in the State Court Support grant, and they expect to see an increase for 2023. They are anticipating exceeding budget expectations this year and return money to the profit at the end of the day and decreasing their allowance on the tax levy.

Supervisor Decker asked about the expenses line. One big line item had a lot of zeros below it and also under Doctor’s Fees, GAL Fees, and Attorney Fees. Supervisor Decker asked if that could be explained. Rebecca replied that it is a finance tool where those items roll up. For example, the Juror’s Fees that are $16 a day payment, and their mileage is their mileage rate, so that rolls up to the total dollar amounts for those years like subcategories.

Supervisor Nordigian asked about the $60k for 2023 under Salaries Temporary and clarified that it was for Bailiffs. Rebecca replied that it was for the clerical staff. Right now, she works with HR directly to fund those clerical workers, so instead of working through their budget, their countywide Temp Salaries are assigned as an increase on the salary line. Supervisor Nordigian asked why they are needed in 2023, but not in previous years. Rebecca replied that it was included in the countywide Temporary Salaries. They have had those positions continuously, and about 6 or 7 years ago it was in the Court’s budget. Then HR took over all Temporary salaries, and now they are returning to that.
Supervisor Belsky motioned to approve the budget, seconded by Supervisor Franco. Chairman Rodriguez abstained. Motion passes with no further discussion.

Any Other Business Allowed by Law:

6:36 Chairman Rodriguez discussed moving the meeting time for Judiciary and Law Enforcement Committee forward to 4:15pm, keeping it on the first Wednesday of every month. Chairman Rodriguez spoke with Joe Cardamone about it and said that it was about notifying the public, not about the time. There are other municipalities, not within Kenosha County, that meet during daytime hours. The committee agreed to move the meeting start time to 4:15pm on the first Wednesday of the month moving forward.

Meeting Adjourned: 6:39; on motion by Supervisor Belsky; seconded by Supervisor Decker.

A recording of the meeting is available online at kenoshacounty.org

Respectfully Submitted,

Alyssa Werfelmann