

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
August 13, 2008
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: William Michel II, James Huff, Ronald Johnson, Roger Johnson

Others Present: Dana Sorensen, Asma Kadri, Judge Barbara Kluka, Rebecca Matosta-Mentink, Bethany Lofgren, Capt. Larry Apker, Lt. Paul Falduto, Ben Schliesman, Vickie Galich, Gina Sulaj, Joe Potente

Meeting Called to Order: 7:00 p.m. by Chairman William Michel II

Citizen Comments: None

Supervisor Comments: None

Chairman Comments: Supr. Michel reported that he met with the Sheriff about GPS in unmarked squads and the main concerns are budgetary so this is not on tonight's agenda.

Minutes Read: June 11, 2008 and July 15, 2008

Motion by: James Huff

Seconded by: Roger Johnson

Approved: unanimously

County Thunder After Action Report:

Capt. Apker reported that Country Thunder was a success in the eyes of law enforcement and Country Thunder organizers. Supr. Huff asked how many underage drinking violations were deferred. Apker said that they do not yet have this information. Michel said he would like the numbers from last year to compare for lost revenue and to evaluate for success of the program.

Apker reported that there were two state charges: one theft and one marijuana. Attendance was down a little due to rain. YIG Sorensen commented that she was at the festival and saw some fights and underage drinking. She did not see much security. The ones she did see were Sheriff's Dept. and commented that the private security was making a joke of it. She reported that she was on the lawn in front. Apker explained that the private security basically supervises on festival grounds near the entertainment. Knowing this, they could assign more sworn officers up front. They have tried to keep costs down by not duplicating coverage. Security for traffic was reduced because traffic is usually no longer an issue. Campground deputies go to traffic if needed.

Resolutions from the Kenosha Co. Sheriff's Department:

1) Cabaret License – El Fracazo Tavern

This resolution was not approved by this Committee unanimously.

Capt. Apker reported that this resolution was originally being submitted as a conversion from probationary to regular, however, he changed it to an extension of the probationary. In the past the Judiciary & Law Committee tabled this resolution for 90 days due to a high number of incidences at the establishment. Then after the 90 days, a probationary was granted for nine months. This establishment has more calls than any other including over the past weekend a beating with a baseball bat. In that incident all that was found was the baseball bat so they do not know what happened to the victim. Involved parties traditionally are uncooperative. An extension

of a probationary was recommended to allow the owner to increase security. Last time they did add a camera system and that was helpful. This system is currently at the Sheriff's Dept. for evidence but will be returned. Supr. Roger Johnson asked how many chances were given. Michel explained about the previous meeting when the resolution was tabled for 90 days. They still have their liquor license. They had some events that were successful so they granted the probationary after the 90 days. They invested in security. Now there are 32 calls for service. These are serious charges. Michel's experience on the committee for the past five years is that businesses usually have no more than 5 to 7 calls. Michel asked if the Town of Somers has done anything. Apker said that all information before June 2007 was submitted to them in June, however, a license was granted. They do not know of the incidents since then. During the 90 day tabled period the business did operate with special event licenses. Huff reported that when he saw the original resolution to convert from probationary to regular cabaret he was thinking about recommending an extension of probationary. Now he is thinking about revoking completely. Roger Johnson said he feels the same about revoking.

Gina Sulaj explained that she installed cameras and increased security. She was not aware of all these calls. She has worked with Capt. Apker. Because the camera was taken by KSD in July they can't review for themselves. Huff asked what type of entertainment she has. Sulaj replied live music. This entertainment allows them to pay the bills and keep the business going. Michel asked her how she would improve the situation. Sulaj said she would increase security; she would have double the security that weekend. She needs the license to stay open. Michel said that he doesn't think the camera is doing much help because people are still committing crimes. He understands that this is her livelihood but they need to protect the community.

Apker explained that if the Committee does not approve this resolution there is no license because the probationary period is expired. All voted against the resolution.

2) Homeland Security/Wis. OJA EOD Wireless Robotic Upgrade

Motion by: Ronald Johnson **Seconded by:** Huff **Approved:** unanimously

Lt. Falduto presented the resolution to accept \$59,883.00 from the Dept. of Homeland Security. No match funds are needed. The equipment to be purchased will be used to upgrade the EOD Bomb robot from wired to wireless operation. Michel asked how often the robot is used and if it is used in the city and county. Falduto responded that the robot is used often for training. It is used to investigate suspicious packages left unattended. The Bomb Squad operates the unit. The robot is used in the city, county, and also outside the county for a fee.

3) Kenosha Co. PreTrial Intensive Supervision Program XI – 2nd Half Award Announcement

Motion by: Huff **Seconded by:** Ronald Johnson **Approved:** unanimously

Lt. Falduto explained that this resolution is to accept the second half of the funding from the WI Dept. of Transportation to support the expenditures for the 2008 KSD DUI Intensive Supervision Program. The award is for \$22,458 plus a supplemental award of \$2,625 for supplies totaling \$25,083. The project is facilitated by Wisconsin Community Services Inc. of Milwaukee. Repeat DWI offenders are screened by WCS to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses. 180 people are in the program on any given day. Michel commented that this is an excellent program. WCS monitors the individuals. Judges like the program and they will enforce consequences in the event of noncompliance. Huff asked if there are any statistics over the past 11 years showing any changes. After 11 years there should be good statistics. Falduto said he would get these.

Resolutions from the Division of Emergency Management:

1) Public/Private Partnership Grant

Motion by: Roger Johnson ***Seconded by:*** Ronald Johnson ***Approved:*** unanimously

Ben Schliesman presented the resolution to accept \$25,000 from the WI Office of Justice Assistance. No tax levy is required. The grant will be used to partner with the Kenosha Area Business Alliance, Kenosha Area Chamber of Commerce, and the Twin Lakes Chamber of Commerce to educate and help prepare businesses on emergency preparedness and Business Continuity Planning. Michel asked if this includes flooding and what would be done. Schliesman replied yes, flooding, disease, etc. A temporary employee will be hired to gather people, contact businesses and start putting this together.

2) Additional FY08 EMPG Grant Dollars

Motion by: Ronald Johnson ***Seconded by:*** Huff ***Approved:*** unanimously

Schliesman explained that Emergency Management is being given an additional \$23,466.83 in Emergency Management Performance Grant (EMPG) funding from WI Emergency Management based upon existing FY08 expenses. The grant is used to offset local Emergency Management Operational costs. The money will be used to increase the operational performance and visibility of Kenosha Co. Emergency Management by providing cellular service in the Operations Center, fulfilling a budget obligation for the current HazMat Team, purchasing a new copier and providing magnetized name signs for the County Emergency Management vehicle. A FY08 Budget Modification of \$15,825 is required, with the remainder of the grant (\$7,641.83) going back to the General Fund.

3) Resolution to Approve Acceptance of FEMA and State of Wisconsin Funds for Presidential Declared Snow Declaration

Motion by: Roger Johnson ***Seconded by:*** Ronald Johnson ***Approved:*** unanimously

In April 2008, Kenosha Co. became eligible for FEMA Snow Declaration monies based upon the extreme amount of snow from Feb. 5 through Feb. 7, 2008 for actual costs of overtime labor, machinery usage, and materials. The County could choose the most beneficial 48 hours for reimbursement. Costs for overtime labor, machinery usage, and material for snow removal were incurred as follows: Public Works Facilities \$14,880.07; Public Works Parks/Golf Division \$5,160.56; Public Works Highway \$67,730.69; Sheriff's Dept. \$2,368.86. Vickie Galich attended the meeting to answer questions. Galich explained that the fund would be kept by Emergency Management in a special account. Money would be taken by Public Works and KSD from this account. Reimbursement would include for the replacement of three spreaders and the repair of four wing plows.

Resolutions from the Clerk of Circuit Court:

1) A Resolution to Modify the 2008 Circuit Court Budget

Motion by: Huff ***Seconded by:*** Roger Johnson ***Approved:*** unanimously

Rebecca Matoska-Mentink and Bethany Lofgren attended the meeting to present their resolutions. Matoska-Mentink explained that the 2008 Circuit Court budget did not include costs associated with extraordinary trials. The cost of the trials of Mark Jensen and Ezequiel Quintero-Lopez are significant. The 2008 Circuit Court budget also included a capital project for a file storage system. The costs for said storage system have increased since the initial quote. Circuit Court is not able to absorb these costs in the 2008 budget. The resolution requests \$100,000 from the General Fund for the trial costs and \$10,000 of additional bonded money to complete the capital

project. Huff asked why the storage system was over budget. Matoska-Mentink explained that the estimate was based on costs 3 to 4 years ago and did not include staff to move the files back and forth. Purchasing said that if this does not go through now it will only go up another 10%.

2) Establishing the Month of September as Juror Appreciation Month

Motion by: Ronald Johnson **Seconded by:** Roger Johnson **Approved:** unanimously

Matoska-Mentink reported that there is no cost to the County for this resolution. Statewide, \$200 is being contributed by the Bar Association to all Clerks of Courts for events currently in September. She hopes that this can be done year round because she appreciates the jurors twelve months of the year. Michel asked how the public would hear about this. Matoska-Mentink replied that the Kenosha News will be informed and that Ted Kmiec, the Bar Association President, will get the information out to radio stations.

Update on Courthouse Renovation Project:

Matoska-Mentink reported that to accommodate an 8th Branch several moves will be needed including and involving Probate, Information Systems, and the mailroom. There are no cost estimates yet. Conference Rooms and storage are needed. Huff asked what the State would pay for the new branch. Matoska-Mentink explained that State money is divided based on how many branches a County has so we will definitely get more money. County costs are for items such as paper, administration, computer, and court reporter. Huff asked if these costs would be in next years' budget. Matoska-Mentink's reply was yes.

Any Other Business Allowed by Law: None

Meeting Adjourned: 8:00 p.m. on motion by Roger Johnson, seconded by Ronald Johnson.

Respectfully Submitted,

Donna L. DeBree