

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
January 14, 2009
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

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

Others Present: Asma Kadri, Sheriff David Beth, Chief Deputy Charles Smith, Capt. Larry Apker, Lt. Paul Falduto, Nancy Otis, Al Swartz, Lori Wrobel

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

Citizen Comments: None

Supervisor Comments: None

Chairman Comments: Supr. Michel thanked Committee members for coming in bad weather. Time sensitive items on the agenda needed to go to the full County Board the next week.

Minutes Read: November 12, 2008

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

Resolutions from the Kenosha Co. Sheriff's Department:

1) Probationary Cabaret License – Sit 'N' Bull

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

Capt. Apker presented the resolution. Lori Wrobel attended on behalf of Sit 'N' Bull. Business has been open for about two years; this is their first application for cabaret license. They have had a couple "Special Events" in the past that went well. They now would like to have more entertainment.

2) Temporary FTE Increase in the Classification of Sergeant

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

Sheriff Beth began by saying that earlier in the year projections indicated there could be a shortfall in 2008 for the Sheriff's Dept., however, now it looks like they will have a surplus of about \$100,000.

Sgt. Frank Iovine is in the military. He was previously in Iraq and is now going to Afghanistan for 15 months. He is in charge of the K-9 Unit and this position can not be left uncovered. Ken Urquardt is on the top of the list to be appointed Acting Sergeant and needs to be in this position prior to Iovine leaving for training purposes. As of the end of March, Iovine will not be on our payroll. This resolution is for a temporary increase of FTEs in the classification of Sergeant from 12 to 13. Upon Sgt. Iovine's return from active military duty, the classification of Sergeant will be reduced back to 12 through the process of attrition. If upon Iovine's return an opening is not created within a 6 month period, the Sheriff's Dept. will resubmit the resolution for review and possible extension. Michel commented that the money that was used to pay Iovine would be available to pay Urquardt. Sheriff Beth confirmed this.

3) BOTS – Traffic Enforcement Grants

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

Lt. Falduto presented the resolution to accept \$52,000 from the WI Bureau of Transportation Safety. The funds must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers, speeders, and enforce underage drinking laws in targeted areas and the purchase law enforcement equipment to use during these patrol efforts. Supr. Huff asked what equipment would be bought. Falduto responded speed monitoring equipment and moving radar.

4) AAA of Wisconsin Safety Vest Grant

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

Lt. Falduto presented this resolution to accept \$3,219 from AAA of Wisconsin to purchase 122 Traffic Safety Vests for the Sheriff's Dept. Patrol Division. Safety requirements for vests have changed and the old vests do not comply. No match or tax levy money is needed. These are reflective vests, not bullet-proof vests. Huff asked what the new standard is for the vests. Falduto replied an extra stripe on the sides and bottom. They are brown with yellow stripes that say Sheriff.

5) Request for Waiver of Competitive Bid Process for Hazardous Device Unit Wireless Robotic Upgrade

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

Lt. Falduto reported that a previous resolution approved the purchase and installation of a Robotic Wireless Upgrade for the Hazardous Device Unit. The Robotic Wireless Upgrade is a custom piece of hardware that is specifically designed by Remotec to be installed on the Andros Robot that the Hazardous Device Unit employs. The hardware will provide needed improvement in range and field of use for the Andros Robot. The Remotec Wireless Upgrade is the only product that will work with the robot and is the required upgrade as specified by the OJA Grant parameters. Michel asked if anyone else sells this product. Falduto replied no.

Resolution from the Finance Department:

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

Al Swartz explained that municipalities are billed for jail days served from Fine & Cost Commitments issued in their jurisdictions. Currently they do not pay their fair share and this must be designated through an Intergovernmental Agreement. The current rate is \$5.50 and this resolution is to increase to \$13.00/day. Gradual increases are planned until the reimbursement level for State Probation & Parole inmates is reached. Michel commented that he believes it may be inappropriate for the Judges to impose jail time. There should be a hearing of indigency when payment is not made. He said that if jail time is appropriate he would like to see the charge be \$50/day. He would like it looked into whether Judges are interpreting Statutes correctly. Swartz said he does not know about this but they are trying to get the County as much money as possible. Supr. Haas commented that we have no control over Judges ordering time to be served. Huff also commented that he would like a legal opinion. Michel said that actually we are the ones paying the bill because regardless of whether it is \$5.50 or \$13.00, costs are not covered. Sheriff Beth said he would contact Bernie Vash from Corporation Counsel. Supr. Roger Johnson asked if Municipal Judges are ordering this. Michel replied yes. Haas commented that there is a greater indigency issue in the City. Huff asked that if jail time is not an appropriate option, what recourse is there? Michel responded suspension of license. Huff commented that this would then become a state charge.

Chief Deputy reported that in 1982 the rate was set at \$5.50/day to offset the cost of meals and this was never changed. Swartz said that they will come back to increase more once they have an IGA. Currently revenue for this is budgeted at \$13/day so every month this resolution is not passed money will be lost at the \$5.50/day rate.

Any Other Business Allowed by Law: None

Meeting Adjourned: 7:30 p.m. on motion by Roger Johnson, seconded by Haas.

Respectfully Submitted,

Donna L. DeBree