

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
August 12, 2009
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

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

Others Present: Gisel Romero, Neel Kaur, Chief Deputy Charles Smith, Capt. Larry Apker, Capt. Gary Preston, Lt. Paul Falduto, Rebecca Mentink, Nancy Otis, James Smith, Gina Sulaj

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

Citizen Comments: None

Supervisor Comments: Supr. Huff made a motion, seconded by Supr. Roger Johnson, to move the resolution for El Fracazo's and the report on Country Thunder to first on the agenda.

Chairman Comments: None

Minutes Read: July 8, 2009

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

Approved: unanimously

Resolution from the Kenosha Co. Sheriff's Department:

1) Probationary Cabaret License - El Fracazo's Tavern

Motion by: Haas

Seconded by: Huff

Approved: unanimously

Capt. Apker attended to present this resolution to the Committee again because it was referred back by the County Board. Another inspection of the tavern was performed and the video equipment was found to still be functioning. Two out of three were recording. One just needed a button to be pushed. Management was told to be sure equipment was recording and to set the time. According to Gina Sulaj, everything was serviced and is in good working order. Capt. Apker again checked with the Town of Somers and there were no issues there. Somers did however request to be kept informed.

James Smith from the Town of Somers attended this meeting. He reported that on May 1, he went to the tavern and found it to be closed and there was a used car lot in the parking lot. Most cars were from Texas. The Town did write a letter to the owner because they are not licensed as a used car lot. Mr. Smith reported that to pull the Class B Liquor License there would have to be a liquor violation and there have not been any. Supr. Haas asked who runs the car lot. Sulaj responded that they are only closed on Mondays and have never been closed for two weeks. Some people park cars there to sell by owner. The business does not operate as a used car dealer. Supr. Michel asked that even if it was a used car lot would this affect the cabaret license. Capt. Apker replied no. Michel asked Smith what the Town would do. Smith replied that they contacted the State Licensing Bureau and they will investigate. He said that at a meeting, citizens said they would like most bars in the area closed. Huff asked if The Town of Somers ever pulled the license. Smith replied no.

Michel asked if there were any new incidents. Apker replied no; the Committee already has information on all major incidents. Haas asked Apker if in his opinion El Fracazo's is responding better and is a better establishment. Apker said there have not been major incidents. He told Sulaj

that if requirements were met he would present the resolution to the Committee for the Committee to decide; he would not recommend either way.

Haas said that he would approve the resolution with the suggestion that possibly Sulaj should be at the County Board meeting to answer questions. This, however, could extend the meeting. Michel commented that additional restrictions were added to this resolution, such as an extended probationary time. El Fracazo's has met requirements at this point. He would like monthly reports from the Sheriff's Dept. Most issues are substantially past-dated. The establishment is aware of concerns and that problems will be dealt with expeditiously.

Supr. Roger Johnson asked if the cars are gone. Sulaj responded yes. Customers parked the cars there and management was not aware that this was not allowed. Once they got the letter from the Town of Somers they asked the customers to remove their cars. Michel commented that among the pictures Smith brought, he noticed that at least one sign read "For Sale by Owner." This is not an issue for this Committee.

Capt. Apker explained that Corporation Counsel said the probationary period can only be for six months, however, can be brought back after six months for another six month extension. Apker said he could send a monthly tavern report. Michel said they would need a new resolution with date and time period changes. Huff said they could approve here and sign later.

Report on Country Thunder:

Apker reported that County Thunder is under new management. There were no major issues, reports were distributed with statistics. The most severe incident was a choking resulting in someone being taken to jail. There were a total of three or four people taken to jail. This is good for a four day event. Behavior is better in the campgrounds. Attendance was down. Michel asked if the Diversion Program was used. Apker said they handed out pamphlets with each citation. Matoska-Mentink added that initial ones are coming in and appearances are being accommodated because many offenders are returning/going to college. Michel asked how many people used the program last year. Mentink explained that all offenders are allowed to use the program, not just Country Thunder. Over 200 people have used the program since inception. Michel asked if it is regular policy to give out pamphlet to everyone or mostly at Country Thunder. Apker said they are mostly given at Country Thunder. He believes this helps deter further offenses. Chief Deputy Smith added that this is not department policy and is a concerted effort with the District Attorney's Office. Haas commented that this seems an easy way to get out of the ticket and a waste of Sheriff's Dept. time. Apker said offenders go through eight hours of classes.

Huff asked how the security was. Apker replied that private security was deficient and too much was expected from the Sheriff's Dept. They were informed of this. KSD will not guard the gates unless extra money is paid at the overtime rate. Huff asked if Country Thunder was put on notice of this for next year. Apker replied yes.

Resolution from the Clerk of Circuit Court:

- 1) Establishing the Month of September as Juror Appreciation Month

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

Clerk of Courts, Rebecca Matoska-Mentink, presented the resolution. This is the 2nd annual statewide initiative for County Governments to say thank you for juror services. Jurors are paid only a small amount for their service. This is a duty for a citizen that takes them from businesses, families, etc. Michel asked if money was needed. Mentink replied no, everything is donated from the Kenosha County Bar Association.

Resolutions from the Kenosha County Sheriff's Department:

- 1) FY09 Round 2 Restraining Order Project

Motion by: Haas

Seconded by: Huff

Approved: unanimously

Lt. Paul Falduto presented the resolution to accept \$7,600 from the WI Office of Justice Assistance as a second round of funding for the Restraining Order information Sharing Project. This allows the Civil Process Unit to be able to electronically send notifications of temporary and permanent restraining orders to CCAPS and the Law Enforcement TIME System. Michel asked if the information is shared with other municipalities. Falduto responded yes, with anyone that has the system.

2) Kenosha County PreTrial Intensive Supervision Program XIII

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

Approved: unanimously

Nancy Otis presented the resolution to accept \$47,625 from the WI Dept. of Transportation for the Intensive Sanctions Program (ISP). This grant follows the State fiscal year from 7/1/09 – 6/30/10. Because this grant goes into 2010 and the Kenosha County 2010 operating budget has not been approved yet, the Sheriff's hard cash match contribution to this ISP program is projected with the understanding that adjustments to other ISP program revenue sources or a reduction in expenditures would occur if the authorized 2010 sheriff's budget does not meet the ISP budget plan. The project will be facilitated by Wisconsin Community Services, Inc. out of Milwaukee. Repeat DWI offenders will be screened by WCS to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses.

3) Organized Crime Drug Enforcement Task Forces Strategic Initiative

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

Approved: unanimously

The federal Organized Crime Drug Enforcement Task Forces (OCDETF) office has awarded the Sheriff's drug unit, K-DOG, \$7,000 to cover overtime & benefit costs and other expenditures incurred while assisting in OCDETF investigations, Strategic Initiatives and prosecutions. Some July services can be back-billed. There may be additional funding in September. Michel asked if this money would be split with anyone. Otis replied that there is a City Officer so some may go to the City. Haas asked if money would go to Milwaukee if Milwaukee assisted. Otis replied no, this is only for Kenosha.

Any Other Business Allowed by Law:

Michel asked Lt. Falduto for an update on cameras in squads. Falduto reported that they are about one month along with cameras in 4 or 5 squads. The new policy just went out the day of this meeting. Michel said he would like to see how the system works. Falduto said he could bring recordings and equipment to a meeting.

Meeting Adjourned:

7:42 p.m. on motion by Ronald Johnson, seconded by Roger Johnson.

Respectfully Submitted,

Donna L. DeBree