

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
August 19, 2013 12:00 p.m.
Minutes**

Members Present: John Matta Dave Lewis
Richard Jankovich Wynn Butler
Ron Wells Barry Wilkerson (arrived at 12:13 p.m.)

Absent: Robert Boyd

Staff Present: Director Schoen Assistant Director Doehling
Captain Hegarty Captain Hooper
Captain Moldrup Captain Nelson
Captain Fink

I. Establish Quorum: By Chairman Matta at 12:00 p.m.

II. Pledge of Allegiance: Led by Director Schoen

III. Consent Agenda:

- A. Approve July 15, 2013 Law Board Meeting Minutes
- B. Approve 2013 Expenditures
 - a) Juvenile Transports
 - b) Edward Byrne Justice Assistance Grant (JAG)
 - c) 2013 Budget Expenditures/Credits
- C. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
- D. Riley County Jail Average Daily Inmate Population- (*Review*)
- E. 2nd Quarter Reports- (*Review*)
 - a) 82.1.4 Crime Statistics
 - b) 61.1.1 Traffic Accident & Enforcement Analysis
 - c) 84.1.8 Seizure & Forfeiture Report

Lewis moved to approve the consent agenda as presented. Jankovich seconded the motion. On a roll call vote, motion carried 5-0.

IV. General Agenda:

F. Additions or Deletions: Chairman Matta wished to discuss the October Law Board Meeting date as item L1. on the general agenda

G. Public Comment: None.

H. Awards Presentation: Director Schoen presented Officer Wagenblast with a Letter of Appreciation in recognition of his efforts the evening of April 3, 2013. The empathy and professionalism displayed by Officer Wagenblast during this stressful event aided in the successful

termination of a dangerous vehicle pursuit and prevented a potentially suicidal subject from causing further harm to other motorists.

Director Schoen presented awards to the following officers in recognition of their efforts on April 7, 2013 while responding to a 911 call from an apartment complex at 900 Gardenway in Manhattan, KS, reporting multiple gun shots. Their actions were a testament to the professionalism of the officers of the Riley County Police Department, to their courage in putting public safety ahead of their own, and to their commitment to believing in and applying the training that they have received in responding to critical incidents.

For their work in establishing the initial perimeter at the scene and for critical medical care to victims outside the apartment building, the Meritorious Service Award was presented to Officer Wade Chermis, Officer Christopher Combs, Officer Calvin Sanders, Officer Mark Cusimano, Officer Samuel Shubert, Officer Amy Wilburn, and Sergeant Daryl Ascher.

For their teamwork and skill in safely confronting and apprehending an armed homicide suspect, the Commendation Award was presented to Officer Ryan Doehling, Officer Matthew Pfrang, Officer Carl Stevens, and Officer Michael Wagenblast.

For his leadership in directing the first responding officers in the absence of a supervisor, the Distinguished Service Award was presented to Officer Joseph Ehrlich.

I. Approval of General Orders:

- a) GO 2012-018 Social Media
- b) GO 2013-019 Leave Program
- c) GO 2013-021 Disciplinary Program

Jankovich moved to approve the General Orders as presented. Lewis seconded the motion. On a roll call vote, motion carried 6-0.

J. 2012 RCPD Audit: Carol McCullough, CPA of Reese & Novelly, P.A. referred to the Independent Auditors' Report. It is their opinion that the financial statements included in the report present fairly, in all material respects, the aggregate cash and unencumbered cash balances of each fund of the Riley County Police Department Financial Reporting Entity, as of December 31, 2012, and their aggregate receipts and expenditures for the year then ended in accordance with the financial reporting provisions of the Kansas Municipal Audit and Accounting Guide. The auditors found no statute violations, budgetary or cash violations, nor did they find deficiencies in the area of internal controls.

McCullough explained that the auditors did not find incompliance or deficiencies in the area of internal controls. She stated that during their testing of credit card purchases they noted several instances when a detailed invoice was not provided. In each case, the proper level of management approved the purchase. They also noted that certain meal receipts were not printed in detail as to provide the exact purchase. They urge management to require staff to provide detailed food receipts to ensure that all purchases are allowable per the Department's policy.

McCullough said that RCPD staff was very cooperative during the audit process. The staff were very attune to listening and learning new ways that they can improve upon their controls.

The Board thanked McCullough for the thorough report.

K. GAAP Waiver: Director Schoen explained that since the Department chooses to prepare the books as required by Kansas statutes rather than the Generally Accepted Accounting Principles (GAAP), each year the Board must waive the GAAP method.

Wilkerson moved that the Board approve resolution 13-03 to waive the GAAP requirement. Wells seconded the motion. On a roll call vote, motion carried 6-0.

L. Electronic Enforcement: Chairman Matta sought input from the Board as to whether they would like to continue to have electronic enforcement as an action item for the Riley County Police Department. It is his opinion that the Department should not continue to spend time researching the matter. In order to accomplish the objective, the City and County would first have to decide if this is something they wish to pursue. They would then need to make the necessary ordinance and statute changes.

Wells moved to remove electronic enforcement as an action item for RCPD. Lewis seconded the motion.

Butler stated that he understood the Board's opposition to the action item. However, RCPD is a consolidated agency that should take charge of researching the topic. It should not be a City or County initiative. Butler said his intention was not to use electronic enforcement to create a speed trap to generate money. USD 383 is contemplating the installation of cameras on school busses. The busses do not belong to the City or County. They belong to USD 383. In his estimation the umbrella agency to implement electronic enforcement should be RCPD.

Butler reiterated that the RCPD budget is largely driven by personnel costs. In an effort to reduce the time officers spend on traffic enforcement he suggested the Department research automated traffic enforcement systems. It was his thought that the Department could experiment with one fixed system, collect data, and determine if the system has an impact on traffic accidents and public safety.

Wilkerson explained that under Kansas law the operator of the vehicle has to be identified when a citation is issued. A camera will not be able to do that. Instead, the citation would be written to the registered owner of the vehicle. Until the statute is changed, he is not in favor of spending time researching electronic enforcement systems that cannot be used on state highways or that would have a county wide function.

Wells stated that at the July Law Board Meeting Captain Hegarty reported that red light violations are not a significant contributor to motor vehicle accidents. The top three causes of motor vehicle accidents in Manhattan are following too closely, inattentive driving, and failure to yield. Officers have the discretion to issue the operator of the vehicle a citation or warning. In addition, there may be other infractions involved that an electronic system would not be able to identify. He voiced his preference to remove electronic enforcement as an action item for RCPD.

A roll call vote was taken to remove electronic enforcement as an action item for RCPD. The results are as follows:

Matta	Yes	Lewis	Yes
Wilkerson	Yes	Jankovich	Yes
Wells	Yes	Butler	No

Motion carried 5-1.

L1. October Law Board Meeting: Due to several scheduling conflicts the regular October Law Board Meeting was rescheduled for Tuesday, October 15, 2013 at noon in the City Commission Meeting Room, 1101 Poyntz Avenue.

M. Executive Session: At 12:45 p.m. Lewis moved to go into executive session for the purpose of discussing attorney client privilege and non-elected personnel matters not to exceed 10 minutes. Jankovich seconded the motion. On a roll call vote, motion carried 6-0.

At 12:55 p.m. the open meeting reconvened.

N. Affirmation or Revocation of Discipline: Lewis moved to affirm the Director's disciplinary actions. Jankovich seconded the motion. On a roll call vote, motion carried 6-0.

O. Adjournment: The August 19, 2013 Law Board Meeting adjourned at 12:55 p.m.