

**RILEY COUNTY LAW ENFORCEMENT AGENCY  
LAW BOARD MEETING  
City Commission Meeting Room  
1101 Poyntz Avenue  
Manhattan, KS  
August 17, 2015 12:00 p.m.  
Minutes**

**Members Present:** Craig Beardsley                      Wynn Butler  
Robert Boyd    Karen McCulloh  
Usha Reddi    Ron Wells  
Barry Wilkerson

**Absent:** Captain Hegarty                              Captain Moldrup

**Staff Present:** Director Schoen                              Assistant Director Doehling  
Captain Fink    Captain Hooper  
Captain Kyle

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

**II. Pledge of Allegiance:** Led by Director Schoen.

**III. Consent Agenda:**

- A. Approve July 20, 2015 Law Board Meeting Minutes
- B. Approve 2015 Expenditures
  - a) Edward Byrne Justice Assistance Grant (JAG)
  - b) Budget Expenditures/Credits
- C. Juvenile Transport Reimbursement
- D. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
- E. Riley County Jail Average Daily Inmate Population- (*Review*)
- F. Monthly Crime Report- (*Review*)
- G. 2<sup>nd</sup> Quarter Reports- (*Review*)
  - a) 82.1.4 Crime Statistics
  - b) 61.1.1 Traffic Accident & Enforcement Analysis
  - c) 84.1.8 Seizure & Forfeiture Report
  - d) Alcohol Enforcement Semiannual Report

McCulloh moved to approve the consent agenda as presented. Wilkerson seconded the motion. On a roll call vote, motion carried 7-0.

**IV. General Agenda:**

**H. Additions or Deletions:** None.

**I. Public Comment: James “Bud” Valerius- Manhattan Resident:** Mr. Valerius referred to the comments made by citizen Jon Held at the July 20, 2015 Law Board Meeting. During the meeting, Held threatened an employee of Valerius’ and publically accused the employee of

being responsible for a number of thefts that occurred at his Manhattan residence. Following the Law Board Meeting, the employee went to the Riley County Police Department to file a report regarding the threat. The Internal Affairs Lieutenant spoke with the employee and asked if he was directed by Valerius to file the report. Valerius assured the Board that was not the case. He did not tell his employee to file the report.

Valerius added that the employee had a hearing with a judge on August 4, 2015. The employee was informed that the police were unable to locate Held to serve the warrant because they did not have a good address. Valerius said that everyone knew Held had a meeting with Riley County Attorney Barry Wilkerson on August 3<sup>rd</sup>. It could have been served at that time.

Schoen informed the Board that the report has been forwarded to the Riley County Attorney's Office who will determine if it is appropriate to file formal charges.

**J. Board Member Comments:** Butler explained that a number of individuals attempted to view video of the July 20, 2015 Law Board Meeting following its initial broadcast. Unfortunately, they are unable to view the video because it is not archived like that of City Commission Meetings on the City of Manhattan website. He wished to know if agendas, minutes, and videos of the Law Board Meetings can be made available on the City of Manhattan or RCPD website. He noted that where the items are housed is not relevant as long as a cross link is added to the RCPD Law Board webpage.

Schoen said that RCPD Computer Technician Edward Polley has discussed this topic with the City in the past. During their most recent discussion, the City agreed to rebroadcast the Law Board Meetings. They City currently posts agendas and minutes of Law Board Meetings on their website. Schoen said that he would look into the matter further to determine which location would be more appropriate to store archived videos. In the meantime, copies of recorded Law Board Meetings are available to those who would like one. They simply need to contact the Riley County Police Department.

Wells inquired about the traffic congestion on Anderson Avenue near the former Farm Bureau Building. The road has been reduced to one lane for approximately six days. He wanted to know if the barricades and traffic cones can be placed onto the shoulder of the road until the underground contractor commences work again.

Assistant City Manager Kiel Mangus explained that a subcontractor for AT&T has begun to bore fiber throughout Manhattan. The City has been working with them to have holes and other damage repaired. Unfortunately, their traffic control has been subpar. The City continues to work with them to have those areas cleaned up.

Reddi attended the RCPD Jail Portfolio Exercise presentation on Thursday, August 13, 2015 at the Manhattan Train Depot. Three correction officer trainees presented that day, each on a different topic (e.g., emotional intelligence, mental illness). Reddi felt that the correction officer trainees did an outstanding job. She was pleased that she was given the opportunity to attend.

McCulloh echoed the comments made by Reddi.

This past weekend the National Alliance of Mental Illness (NAMI) Board of Directors met. Reddi said that a member of the Board of Directors (BOD) suffers from mental illness. The individual

shared with the BOD a personal experience that she had with the Riley County Police Department. In brief, the individual appreciated how the officers interacted with her and took care of the situation. Reddi commended the Department on the quality of officer training, which has had a positive impact on the community.

Boyd congratulated the Department on the recent drug arrests. In his opinion, it was a well-developed case. The success of the case was the direct result of the Department's Intelligence Led Policing efforts.

**K. 2014 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, 2014, 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 briefed the Law Board on new regulations related to the auditee and their responsibility for the Single Audit according to OMB Circular A-133 effective for grants dated on or after December 26, 2015.

Schoen explained that the threshold for compliance audits of entities that receive Federal award money was raised to \$750,000 per fiscal year beginning on or after December 26, 2015. While he does not believe that the change will result in a Single Audit for RCPD, it is not beyond the realm of the possible that the federal government could seek RCPD cooperation with something like the National Bio and Agro-Defense Facility (NBAF). Something like that could result in a significant expenditure and trigger a Single Audit. However, the "if" and "when" are quite a ways down the road.

McCulloh referred to page 11 of the audit report. As outlined in the report, the Department allows employees to accumulate a maximum of 320 to 488 hours of earned time. Upon termination or resignation from the Department, employees are entitled to payment of all accrued leave time. As of December 31, 2014 the Department's liability for unused vacation time was approximately \$1,312,770. McCulloh believed the maximum accrual to be rather high.

Schoen said that the maximum accrual has not changed since he was hired. The amount of leave time an employee can accrue is dependent upon the number of years he/she has been employed with the Department. If not used by the employee, any leave time in excess of the maximum accrual is forfeited at the end of the year. Schoen said that while he understands that the liability exists, the possibility for the Department to payout all unused leave time in any one year is infinitesimally small.

Butler said that the maximum accrual equates to approximately 12 weeks, which is in line with the Family Medical Leave Act. If an employee suffers a catastrophic illness and does not have enough sick leave, he/she is able to use their leave time. He did not have any problem with the established maximum accrual.

Reddi noted that school district employees are able to donate sick leave to coworkers suffering from an illness.

Schoen said that RCPD had a markedly similar scenario earlier this year and a number of employees donated sick leave to an employee in need.

**L. 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.

Wells moved to approve the GAAP waiver. Reddi seconded the motion. On a roll call vote, motion carried 7-0.

**M. Executive Session:** At 12:30 p.m. McCulloh moved to go into executive session for the purpose of discussing non-elected personnel matters not to exceed 10 minutes. Wilkerson seconded the motion. On a roll call vote, motion carried 7-0.

At 12:41 p.m. the open meeting reconvened.

**N. Affirmation or Revocation of Discipline:** Wilkerson moved to affirm the Director's disciplinary actions. McCulloh seconded the motion. On a roll call vote, motion carried 7-0.

**O. Adjournment:** The August 17, 2015 Law Board Meeting adjourned at 12:41 p.m.