

**RILEY COUNTY LAW ENFORCEMENT AGENCY  
SPECIAL LAW BOARD MEETING  
City Commission Meeting Room  
1101 Poyntz Avenue  
Manhattan, KS  
March 3, 2016 5:30 p.m.  
Minutes**

**Members Present:**

Craig Beardsley	Robert Boyd
Wynn Butler	Karen McCulloh
Usha Reddi	Ron Wells
Barry Wilkerson	

**Absent:**

**Staff Present:**

Director Schoen	Assistant Director Doehling
Captain Fink	Captain Hegarty
Captain Hooper	Captain Kyle
Captain Moldrup	

**I. Establish Quorum:** By Chairman Boyd at 5:30 p.m.

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

**III. General Agenda:**

**A. Public Comment: Brian Johnson- President, Fraternal Order of Police Lodge #17:**

Johnson shared with the Board some of the concerns of the Fraternal Order of Police (FOP) Lodge #17 membership and Riley County Police Department (RCPD) employees as they pertain to 2017 budget development. He and the FOP membership have discussed the upcoming complexities of the budget, specifically as they relate to the proposed property tax lid. The FOP is certainly tuned into that and they are watching it very closely.

Johnson explained that much of the RCPD budget is personnel related. The FOP would be naïve not to recognize that this could be a perceived area of flexibility in the budget should the Department be forced to make reductions. He cited a recent survey conducted for the City of Manhattan. According to Johnson, 90% of respondents stated that they were satisfied or very satisfied living in Manhattan. Within that survey, safety was credited as one of three reasons why they were satisfied or very satisfied.

Due to the quality of police officers and employees, the Department is able to carry out a number of programs to address the growing population and changes in the community. The way to retain those employees and attract educated applicants is through equitable, competitive pay. A pay that demonstrates that not only are employees appreciated, but that they can afford to live in the community they serve. Johnson added that it would be extremely difficult to recover from a reduction in force or the elimination of merit increases for one or two years. There has not been a time when the Department has fallen behind financially in the way of staffing or pay, and a surplus of funds has arrived to make

up for it. That doesn't happen. He encouraged the Board to contact the FOP or RCPD Administration if they have any questions.

Butler said that he is not opposed to the property tax lid because it has some real benefits to the citizens. However, it does matter how it is applied. It is a matter of priorities. The top two priorities have to be police and fire. They have to be funded without causing harm to public safety. That may mean that in order to fund one thing something else may have to fall off of the plate.

Chairman Boyd thanked Johnson for his comments.

**B. Board Member Comments:** None.

**C. 2017 Budget Development:** Director Schoen provided a presentation to the Law Board that explained the bills pending in both the State House of Representatives and Senate which have the potential to complicate local budget development, and do so in the middle of local jurisdiction's budget development cycles. These bills may be acted upon at any time or ever. So the question that begs is how best to proceed.

As outlined in the memo contained in the Law Board packet, it is Director Schoen's recommendation that the budget development process continue along parallel lines which would permit the Board to take into account pending legislative action. Specifically, that the Department develop multiple budgets reflecting: (1) Current law – this budget would be developed in keeping with current state law and would have as its starting point the Department's 2016 budget; (2) Current law (plus) – this budget would be developed in keeping with current state law, would use 2016 as the starting point, and would include funding proposals for a number of issues from which the Board could choose; (3) HB 2109 – the less onerous of the two bills currently under consideration, which would use 2016 as its starting point, and take into account the tax lid exceptions contained in the bill. In effect, HB 2109 moves the starting date of the tax lid bill approved in the last legislative session from 2018 to 2017; (4) SB 316 – the more onerous of the two bills currently under consideration, which would use 2016 as its starting point and take into account the more restrictive tax lid exceptions contained in the bill.

If at some point in time during the budget development process the Legislature acts on one of the two bills and it becomes law, the Board could then focus on the budget associated with that particular statute. Similarly, if the Legislature fails to act on either of the two pending bills, the Board will still have progressed well down the budget development path. This process would permit the Board to delay final approval of the budget for as long as possible within the constraints of the statutory guidelines. On the assumption that, of the four budget options described above the highest budget could be option 2 and on the assumption that the Legislature fails to act until late in the session; the Board would have the option of approving for publication a budget which could be reduced in order to meet new statutory requirements.

It is also possible that the Legislature may act on some hybridized version of the two bills. Any hybridized version would likely be somewhere between the two bills currently under consideration. The process of developing a response to any such bill would already be underway.

It is Department's recommendation that a consensus of the Board be reached to support the budget process as described above.

Schoen added that while he does not have specific figures to provide to the Law Board, and it is not his goal to present the Board with any particular budget option at this time, he did want to make them aware of a number of items for consideration in the 2017 budget. Below is a list of items from which the Board could choose under budget option 2.

- Shift differential pay
- Education incentive pay for all employees not presently receiving it
- Two dispatchers (remaining from four proposed in 2014)
- One mental health crisis response professional
- Step raises
- 0% Cost of Living Allowance (COLA)
- Contractual services increase to cover efforts in furtherance of Fair and Impartial Policing (FIP) and Procedural Justice (PJ) training and surveys.

Schoen briefed the Board on a number of items for consideration in future budget cycles. The Department intends to provide the Board with a Strategic Plan that identifies those things that are coming over the horizon which could prove difficult to accomplish under any tax lid absent some type of exemption. Those items include:

- Portable and mobile radio replacement when/if the system is upgraded
- Other technological upgrades/improvements such as:
  - HR/Finance package initial cost and annual maintenance
  - Document management systems for administrative documents as well as criminal documents and electronic tickets
- Mental health crisis response team development
- Separation of consolidated dispatch from the LEC and assumption of 911 responsibilities
- Determine operational necessity, if any, for Unmanned Aerial Surveillance (UAS) implementation.

Butler explained that in order to comply with any property tax lid lean managing and long-term planning are required, the latter of which the Department has already begun. He understands that half million dollar expenditure to replace portable and mobile radios would not fit under a property tax lid. Therefore, the City and County would need to work together to place it on the ballot for voter approval. If approved, the expenditure would be exempt from the property tax lid. In his opinion, that is how those items should be approached. Butler stated his preference to have a bare bones budget as the starting point, accompanied by a prioritized list of items that the Department would like to add should funds become available.

McCulloh commented that placing multiple items on a ballot for voter approval would likely prove inefficient and cumbersome. She expressed her concern that the Department is subtracting police officers, not adding them. One officer was recently assigned to the Federal Bureau of Investigation Joint Terrorism Task Force, and additional officers will be needed for courthouse security. McCulloh said that she values law enforcement, but to have the City cut into other necessities to fund the police department more significantly is not going to happen either. They have to have good people at the water and sewer departments too. It will be a tough year for the City. They are going to have to pare away at certain things. She is uncertain how that will be accomplished. She voiced her preference for options 2 and 4.

Wilkerson echoed some of the comments made by Commissioners McCulloh and Butler. He is not sure how things will shake out in Topeka this year or the next. He was also in favor of budget options 2 and 4.

Reddi said that local government is experiencing additional challenges due to the financial disturbances at the state level; mental illness and transportation being two prime examples. If the Board were to cut the RCPD budget to the bare bones in 2017 it will be very difficult to catch up in future years. The Department and Law Board need to be frugal, but also look at preventative measures instead of reactive measures.

Butler clarified that the priority has to be police and fire. However, the City and County must be frugal. Priorities have to be set which means that other loved programs in the City may suffer. Tough decisions have to be made. They cannot do it all. That means that some things will have to fall off, but it will not be public safety. That is something he will not vote for.

Following a lengthy discussion, the Board reached a consensus in support of budget development options 2 and 4. Along with option 2, RCPD Administration was asked to report back to the Board projected costs associated with the additional items being considered in the 2017 budget (i.e., court room security, mental health response, shift differential pay, etc.).

**D. Executive Session:** It was determined that an executive session was not needed.

**E. Adjournment:** Beardsley moved to adjourn the meeting. Wilkerson seconded the motion. On a roll call vote, motion carried 7-0. The March 3, 2016 Special Law Board Meeting adjourned at 6:46 p.m.