

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
May 21, 2012 12:00 p.m.
Minutes**

Members Present: Karen McCulloh Loren Pepperd
Barry Wilkerson John Matta
Dave Lewis Wynn Butler
Richard Jankovich

Absent:

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

- I. **Establish Quorum:** By Chairman McCulloh at 12:00 p.m.
- II. **Pledge of Allegiance:** Led by Director Schoen
- III. **Consent Agenda:**
 - A. Approval of Minutes
 - a) March 26, 2012 Law Board Meeting
 - b) April 12, 2012 Special Law Board/Budget Meeting
 - c) April 16, 2012 Law Board Meeting
 - B. Approve 2012 Expenditures
 - a) 2012 Budget Expenditures
 - b) Juvenile Transports
 - C. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
 - D. 1st Quarter Reports- (*Review*)
 - a) 82.1.4 Crime Statistics
 - b) 61.1.1 Traffic Accident & Enforcement Analysis
 - c) 84.1.8 Seizure & Forfeiture Report

Butler noted a couple of corrections to the April 12, 2012 Special Law Board/Budget Meeting minutes. The bottom of page 8 should read "~~Butler~~ **Pepperd** stated that he was ready to support draft 2C which includes the addition of 2 police officers, 1 non-sworn Public Information Officer, 1 non-sworn Crime Scene Investigator (CSI) Lab Technician and a 1.5% COLA for all employees, resulting in a 3.406% increase from the approved 2012 RCPD budget." Same page, last paragraph should read "~~Butler~~ **Pepperd** called the question on budget draft 2C."

Jankovich moved to approve the consent agenda as amended. Butler seconded the motion. The motion passed 7-0.

IV. General Agenda:

E. Additions or Deletions: None.

F. Public Comment: None.

G. Community Advisory Board Update: Riley County Police Department Community Advisory Board (CAB) Chairman Jerry Boettcher briefed the Law Board on CAB activities to date. He explained that the remaining vacant positions on the CAB have been filled and he is pleased with the composition of the Board.

Boettcher reminded the Law Board and public that CAB meetings are held at 11:30 a.m. on the first Tuesday of each month at Paddy O'Quigley's in the Clarion Hotel. The CAB routinely has guest speakers attend the meetings. During the month of February the Board met with the Aggieville Business Association (ABA) and Aggieville bar owners in an effort to find an agreeable resolution to the issues associated with the safety and security of the public, businesses and participants of the Fake Patty's Day gathering. By mutual agreement minutes of the meeting were not taken; however, it appeared to be the consensus of those in attendance that the meeting was very constructive. Since that time, follow-up meetings with the ABA have been held. Judy Davis, Executive Director of the Crisis Center Inc. attended the April CAB Meeting and provided a brief history of the Crisis Center and services they provide to the Manhattan and Riley County community.

Boettcher explained that Director Brad Schoen regularly provides updates to the CAB on issues of concern for the Department and community. The most recent issue involved a particular establishment in Aggieville where officers experienced problems with patrons at bar closing time on the weekends. The Riley County Police Department met with Ft. Riley in an effort to resolve the issues. Subsequent to the meetings, Ft. Riley officially designated the establishment off limits to military personnel.

Boettcher said that the CAB continues to inform the community of their existence. They will begin sending letters to area civic groups and other various forums with the goal to schedule opportunities to speak at their meetings, inform them of the purpose of the CAB, and obtain feedback. Boettcher noted that the CAB is actively involved in issues that face the Department and community. Members of the Board do not hesitate to offer their opinion to the Director regarding what RCPD is doing, and in some cases, what RCPD is not doing.

McCulloh thanked Boettcher for the update.

H. Public Hearing for 2013 Budget: At the April 12, 2012 Law Board Meeting the Board approved RCPD budget draft 2C for publication. The published budget represents a 3.406% increase over the 2012 approved budget. Following the public hearing the budget can be formally adopted by the Law Board.

McCulloh opened the public hearing for the 2013 RCPD budget.

I. Approve 2013 Budget: Pepperd inquired about the Department's seizure account. He wished to know if seized money and funds from property sold at public auction are returned to the City's or RCPD's general budget.

Schoen stated that per Kansas statute seizure funds cannot be used to supplant the budget for normally purchased items or equipment. Seized funds are not returned to the City or County. Typically contract funds are placed into the RCPD budget line that is deemed most appropriate. One example is the contract between the Kansas State University and RCPD for football traffic assistance. The Department routinely uses contract funds to offset overtime costs associated with that particular contract for service. With respect to seized property, items are sold at public auction and the money is deposited into the seizure account. The Department has used seizure funds to purchase larger, non-budgeted items at year end. Past purchases have included radios, Mobile Data Terminals (MDTs) for patrol units and a crime scene vehicle.

Attorney Michael Gillespie added that seized money forfeited to RCPD and funds from seized property sold at public auction are deposited into the Department's Asset Forfeiture Fund. Statutorily the money cannot go back to local governments. The statutory scheme with respect to forfeitures also prohibits the use of the money to supplant the budget. In other words, seizure funds cannot be used to reduce the budget.

Pepperd said that the budget reports that are provided to the Law Board do not list any sources of revenue for the Department when in fact, there are several. He simply wanted to know where those revenues end up.

Schoen noted that a list of non-budgeted special revenue funds is provided in the Department's annual audit report which Reese & Novelly, P.A. is scheduled to provide at the July Law Board Meeting.

McCulloh closed the public hearing.

Wilkerson moved to approve the 2013 RCPD budget as published. Lewis seconded the motion. A roll call vote was taken and the results are as follows:

Wilkerson	Yes	Butler	No
Pepperd	Yes	Matta	No
Lewis	Yes	Jankovich	Yes
McCulloh	Yes		

The motion passed 5-2.

J. RAIDS Online: Captain Hegarty stated that in December 2011 the Riley County Police Department partnered with BAIR Analytics Inc., and began uploading crime statistics to their interactive crime mapping website known as RAIDS Online. RAIDS Online allows the public to view and filter crime data on an interactive map to become better informed about crime activity in their area. Basic information regarding a particular incident or crime is also provided. The public can access this service by visiting www.raidsonline.com or via the RCPD website crime mapping link. Individuals can also sign up for neighborhood crime activity reports.

McCulloh requested a representative from RCPD attend the Board of Riley County Commissioners Meeting scheduled for Monday, June 4, 2012 to discuss RAIDS Online.

K. Executive Session: At 12:30 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. Wilkerson seconded the motion. The motion passed 7-0.

At 12:40 p.m. the Board returned from executive session.

L. Affirmation or Revocation of Discipline: Jankovich moved to affirm the Director's disciplinary actions. Lewis seconded the motion. The motion passed 7-0.

M. Adjournment: Jankovich moved to adjourn the meeting. Lewis seconded the motion. The motion passed 7-0. The May 21, 2012 Law Board Meeting adjourned at 12:41 p.m.