

## COUNTY BOARD COMMITTEE MINUTES

**COMMITTEE:** LAW ENFORCEMENT/ EMERGENCY MANAGEMENT COMMITTEE

**DATE:** February 28, 2014

Meeting called to order by Paul Babcock at 8:30 a.m. Members of the committee present were: All committee members were ultimately present at the meeting.

Others present were: Captain Scott, Captain Haferman, Donna Haugom, Phil Ristow, Sheriff Milbrath, John Molinaro

Absent: None

**Compliance with open meetings law:** Sheriff Milbrath assured compliance.

**Approve agenda:** The agenda was approved as presented. Phil Ristow commented that because the union contract has been tentatively settled, there is no need to go into closed session at the end of the meeting.

**Approval of minutes:** A motion was made by George Jaeckel and seconded by John Molinaro that the January 24, 2014 minutes be approved as printed. Motion carried.

**Public Comment:** None.

**Communications:** None

**Review/recommend Hazmat reimbursement ordinance:** Donna Haugom said the ordinance was created for payment of Hazmat incidents because there have been some incidences where the people/company has not paid the invoice. Phil Ristow said the resolution will clear up most of the issues they have encountered. It clarifies that the Corp Counsel office can represent other agencies on behalf of the county's Hazmat team (Section 5). There is an opportunity to issue citations for spills and/or sue for damages that might occur. It also gets the Local Emergency Planning Committee (LEPC) to sit down on a regular basis as well as develop a chart of costs for different types of spills, etc. In order to take a business or person to court to recover Hazmat expenses, the dollar amount of the loss needs to be proven. The state emergency management people have pretty much defaulted to a FEMA chart as a base cost. The LEPC will take this chart into account when setting costs. Donna said the LEPC does have the authority to send billings to responsible parties. The notice in the past was that the billing was going to be sent to the state that would then reimburse the LEPC or responding agency and then go after the responsible party for collection of the billing. However, the state does not have the funding to do this anymore and the attorney for the adjutant general (the Wisconsin Emergency Management attorney) is supposed to write a letter, when billing is sent to her by Jefferson County, to the responsible party saying that they have to pay the expense. That process is not being addressed by the attorney at this time either. Jefferson County did not have any recourse to request payment so this ordinance was drafted to put a procedure in place to do that. Some discussion about the FEMA rates and possible differences or equipment not on the list was had. Donna said the City of Watertown has established rates and the training officer for Watertown who is on the LEPC will take those rates and Jefferson County's rates and contact the different agencies in Jefferson County to find out what the average costs are. Level of danger is involved as the incident will go from Level B (local teams) to Level A (the state – which Jefferson County Hazmat would not handle). The rates will be published when established.

Farm issues were also discussed and plans are in the process for each farm.

Pam Rogers made a motion to send the ordinance to County Board for approval. George Jaeckel seconded. Motion carried.

**Review/approval of national Commission on Correctional Health Care conference – jail**

**nurses:** Sheriff Milbrath said two of the nurses in the jail will be attending a conference in Atlanta, Georgia to learn more about accreditation in the jail. It is the first step toward this goal. Getting the jail nursing staff and jail health care accredited will help with possible suits as far as providing good health care. It is a relatively inexpensive process. The funding for the conference will come from the jail assessment account (around \$2,000). The conference is in Atlanta, Georgia. Phil Ristow said that as the county's representative on the Municipal Mutual Insurance Company program, he knows that jail medical is one of the biggest liabilities in the county. Accreditation is an excellent protection for the county and doing this would be a good thing. Discussion was held about mental health and whether it would be covered. Sheriff Milbrath said this was more about the screenings that an inmate would go through when brought into the jail. Mental health is part of the overall wellness but not the primary issue in accreditation. The mental health program in the jail comes down to funding more than anything else but the system in Jefferson County is actually pretty good right now.

Pam Rogers moved to approve sending two nurses to the conference. Dwayne Morris seconded. Motion carried.

**Grants – Update of ongoing or new grants:** Sheriff Milbrath said the propane grant funds that were left in the last contract were extended until the end of March. The mechanic still has a couple systems to install and his wages will be applied to the leftover money in that grant. The Sheriff said an application was made for a communications grant through Enbridge. The Sheriff's Office has been extremely fortunate and have had a good working relationship with Enbridge. Enbridge has also indicated the Sheriff's Office should apply for more grants through them. The communications grant, if rewarded, will go toward a radio to be placed in the JCEC Command Vehicle that has been used pretty much extensively at events. It is a very nice command post and the county leases the vehicle for \$1.00 per year in exchange for it being on the county's insurance. Several other smaller grants will be worked on soon as well.

A bit of discussion was had regarding the new hoist and if it was installed. It was installed in June and the space constrictions caused a lot of labor for the company that put the new one in.

**Report from the Sheriff:** The tower in the Sullivan area that they have been working on is proving to be more of an issue than it first appeared. The tower the company has listed for that site may not be the tower that is actually there. The Sheriff has spent many hours researching the site and finding out information hoping to possibly save some money on an inspection. The company that originally put the tower up is no longer in business so the new company is also trying to work on it. Unfortunately, because any equipment installed on the tower is for government use, it will likely need to be inspected when the weather gets better. The cost will be somewhere around \$5,000.

Phil Ristow talked about the Palmyra tower site saying the ball was currently in their court and he was waiting to hear from them.

Aztalan Bar & Grill recently held a meat raffle and the proceeds were donated to the Dive Team. In

addition, the Badger State Hunting Retriever Club donated \$500.00 to the K-9 Unit. Almost \$40,000 in food products was donated last year to the jail kitchen.

Two new deputies will be starting next Monday. Another jail deputy will be leaving in mid March so there will be an additional vacancy to fill. Two dispatchers have left as well. One will still be working at the Sheriff's Office in a clerical position. She recently had a baby and when she returns, she will be working in dispatch for a couple months until the new hires are trained and ready to go on their own. The other dispatcher left as a deputy hire in Waukesha County. The support staff in the Sheriff's Office is very busy as they are shorthanded. Requests for open records have gone way up and the receptionist (Tammy) has been overwhelmed. She also runs the front desk and window and is doing the best she can to keep things flowing. Sheriff Milbrath said they have been working with Human Resources regarding the position in Emergency Management after Kim transferred to the U.W. Extension office. The part-time detective secretary may be looking at retirement so they are looking at possibly integrating that position with the Emergency Management position which would become full time, working for both the Sheriff's Office and Emergency Management.

Dwayne Morris asked Sheriff Milbrath if he was happy with his hiring process for deputies to which the Sheriff replied he was. Captain Haferman said they currently are doing backgrounds on seven candidates for possible hire off the current list. He also said that a couple staff members will be attending the Cooper Institute for physical abilities. A physical ability test will soon be required before any candidates take the written exam for deputy positions. A new deputy eligibility list will be put together later this spring and the physical exam portion hopefully should be integrated by then. Sheriff Milbrath said this will become the norm as the law enforcement academy will be extending the academy by about 120 hours and adding, among other things, a physical ability portion beginning next year.

Paul Babcock asked about the fact that many people are unhappy about the redaction of information on accident reports. Unfortunately, this is tied to the Driver's Privacy Protection Act which Phil Ristow went on to explain. It is a federal law prohibiting giving out DOT records under certain circumstances. This act has been around for a long time but came to the forefront when a municipality in Illinois was putting driver's information on parking tickets and leaving them on the vehicles. This brought about a suit against the municipality which has turned into a class action suit. Phil said the federal law provides for a fine of \$2,500 for each occurrence so the municipality in Illinois is facing millions of dollars in fines with the suit. At that point, most agencies re-evaluated what they were doing with these records. The safe way is to take any information taken from the DOT out of the report. The Sheriff's Office will be following that rule and several forms have been developed as there are certain exemptions to the law. Obviously the media is not very happy about that right now but until a ruling is made regarding this issue, this information will be redacted. Dwayne Morris asked about open records and whether requests for records were made by many people or just a few (possible harassment?). There are many different companies and individuals requesting open records. According to statute, the Sheriff's Office cannot ask questions regarding who or why the person wants the record but the statute does allow for charging the actual cost of providing the record. This hopefully will deter those who are just looking for information or could potentially use the information for other purposes. If it is a large request (over \$50) that will take a lot of time to put together, the requestor can be asked to pre pay. However, costs for the time to redact information cannot be included.

**Review monthly bills and financial items:** – The committee approved the monthly recap reports for November bills in the amount of \$106,658.76. A spreadsheet summarizing current bills was

reviewed by the committee members. John Molinaro asked about the committee members looking through all the bills when the Finance Committee also will be doing the same thing. Is there a reason for this? Sheriff Milbrath said the reason was that committee members may get questions regarding the bills and they can say they have seen them. However, it is at the discretion of the committee whether they want to continue this process.

Captain Scott added that a business in Fort Atkinson, Me & My Pets, is donating the dog food for the K-9 Unit. The newest K-9, Harlow, has a sensitive stomach so needed a special dog food. When the handler went to pick up the bag of food he ordered, the store informed him they would donate all the dog food.

**Report on 2013 budget:** Sheriff Milbrath said the Sheriff's Office was about \$111,000.00 over budget. John Molinaro added that overtime was a big issue with union negotiations as far as how it could be cut down to accommodate some of the provisions of a new contract. In addition, there wasn't enough budgeted for overtime in past years. Not too long ago a five-year average was taken for overtime costs and that amount was put in the budget and the Sheriff said it was increased pretty significantly for the 2014 budget. Workman's Comp is another big item in some years.

**Review monthly jail and patrol activity reports:** Jail and patrol activity reports were reviewed.

**Jail assessment fund items:** General fund items for the month totaling \$2,184.82. Also included were equipment and repairs in the jail kitchen for \$2,142.50; Westlaw (inmate law accessibility) at \$317.00; a transfer out of jail assessment for ACH which is the jail medical contract in the amount \$80,000; and a reimbursement to the jail assessment account from the jail commissary account of \$10,000. The total amount taken from the account was \$74,961.52. Committee members approved the items.

**Convene in closed session pursuant to §19.85(1)(e) Wisc. Statutes to discuss labor negotiations:** No closed session was needed for this as noted at the beginning of the meeting. John Molinaro updated the committee on the contract status. Last week the negotiations went to mediation and to everyone's surprise, the union came in with an offer very close to what the county offered. The three-year contract will be voted on early next week by the union members.

### **Reconvene and Adjourn**

Next meeting date is Friday, March 28, 2014

A motion made by George Jaeckel to adjourn at 10:42 a.m., was seconded by Dwayne Morris. Motion carried.

Motions Carried:   4   Lost:   0  .

Signed \_\_\_\_\_