

**LAW ENFORCEMENT AND
EMERGENCY MANAGEMENT COMMITTEE MEETING**

OCTOBER 5, 2012

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Chair Mark Rogacki called to order the regular meeting of the Law Enforcement and Emergency Management Committee at 10:00 a.m., on Friday, October 5, 2012, in the Justice Center Conference Room, at the Vilas County Sheriff's Office, in Eagle River, Wisconsin.

Present. The following persons were present: Mark Rogacki, Alden Bauman, Sigurd Hjemvick, James Behling, Stephen Favorite, Sheriff Tomlanovich, Chief Deputy Fath, Jail Administrator Weiss, Emergency Management Director Galloway, Lieutenant Gardner, Lieutenant Soltow, Denise Ellis, Ken Anderson, and recorder Carol Krebs. Not present and excused was Christopher Mayer.

Approve the agenda. Alden Bauman made a motion to approve the agenda to be discussed in any order by the Chair. Motion was seconded by Stephen Favorite. All voting aye. Carried.

Approve Minutes. Sigurd Hjemvick made a motion to approve the minutes of the September 7, 2012 committee meeting. Motion was seconded by Alden Bauman. All voting aye. Carried.

Resignations/ New Appointments. No discussion.

Chapter 9 Ordinance Amendments/Barking Dogs. The committee reviewed a memorandum from Corporation Counsel, Martha Milanowski regarding the elimination of Section 9.28, Howling or Barking Dogs with the recent addition of Section 9.03 Loud and Unnecessary Noise Prohibited. She suggested new language, to cover the Howling or Barking Dogs be added to Section 9.03 Loud and Unnecessary Noise Prohibited, as a subsection. Milanowski also stated upon this committee's review and approval, she would prepare a Resolution for an ordinance amendment, subject to approval of the Legislative and Judicial Committee. A motion was made by Sigurd Hjemvick to approve the proposed changes to Section 9.03 Loud and Unnecessary Noise Prohibited, and forward the same to the Legislative and Judicial Committee for their consideration. Motion was seconded by Alden Bauman. All voting aye. Carried.

2013 Budget Process and Financial Update. Chair Mark Rogacki surrendered the Chair to Vice Chair Alden Bauman, for purposed of discussing this agenda item. Mark Rogacki began the discussion by advising the committee that the Sheriff would be making a presentation to the committee about some changes that have been made to the 2013 budget proposal.

Sheriff Tomlanovich began by explaining in light of the budget crisis, he has gone over the proposed 2013 Sheriff and Jail budgets, and has trimmed an additional \$106,298.00. Sheriff Tomlanovich advised the committee that these additional reductions would make fulfilling our mission extremely difficult. Sheriff Tomlanovich reviewed each of the proposed reductions with the committee. *(See the chart below that details the reductions).*

2013 Sheriff Budget	
Amended Proposal:	
1. Remove \$38,000.00 from the auto expense line (100.52101.395)	-\$38,000.00
2. Remove \$23,298.00 from the new vehicle expense line (100.52101.821)	-\$23,298.00
Sub-total reductions in Sheriff's 2013 budget proposal:	-\$61,298.00
2013 Jail Budget	
Amended Proposal:	
1. Remove \$20,000.00 from the overtime expense line (100.52701.153)	-\$20,000.00
2. Remove \$21,000.00 from the kitchen equipment expense line (100.52701.819) (Allow 2012 remaining funds to be carried over to 2013)	-\$21,000.00
3. Remove \$3,000.00 from the process fees paid expense line (100.52701.431) (Allow 2012 remaining funds to be carried over to 2013)	-\$3,000.00
4. Remove \$1,000.00 from the C.E.R.T. expense line 100.52701.403)	-\$1,000.00
Sub-total reductions in Jail's 2013 budget proposal:	-\$45,000.00
Grand total reduction	\$106,298.00
Note(s):	Re-open health insurance bids and/or; get a separate quote on health insurance for department;

Sigurd Hjemvick expressed his concern over reducing the number of cars to be purchased in 2013. He felt by reducing this expenditure, we would be increasing our repairs costs, as vehicles would be kept in service longer. Sheriff Tomlanovich agreed this was a valid concern, as he had spoken to Lt. Schaub, and he confirmed that vehicles retained beyond 100,000 miles, on average cost an additional \$2,000.00 per year to maintain, with just normal wear and tear.

Alden Bauman asked about the needed repairs to the County Jail, and where would that money be coming from? Sheriff Tomlanovich advised it was his understanding, they would be coming from some other budget, besides the Jail budget.

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James Behling responded that the Public Property Committee manages repairs, but Public Property does not have a budget. Alden Bauman asked where would the money come from. James Behling replied it would come into the Jail budget and the money would be spent out of the Jail budget. We've never had a budget for anything but janitorial services, etc., in Public Property.

Sheriff Tomlanovich asked, where would the money come from initially? Would it come from the General Fund initially, and then put into the Jail budget for the repairs, because we don't have the \$53,000.00 in the Jail's budget to pay for the tile project. James Behling stated the tile project for this year, I believe is covered, by an excess contingency from another project. James Behling advised we're moving ahead, as we're out for bids on the tile project. James Behling advised that in terms of the hundreds of thousands of dollars in expenses we need to find a way to get that either put in your (Sheriff Tomlanovich) budget, or we need to have a standing rule that allows that money to be put into the Public Property budget, or some other budget. James Behling advised that he believes the painting project was put off until the 2014 budget.

Vice Chair Bauman recognizes Mark Rogacki. Mark Rogacki stated, I just want to tell you how this looks from my standpoint, as a newly elected County Board official. When I ran for office, there was a \$1.5 or \$1.6 million dollar shortfall. I knew that coming in; at least I thought I knew it. One of the first two things that happened when I joined the County Board was that we spent additional money on Communications and Kronos, knowing that we had this shortfall. Mark Rogacki stated, "I voted against both of those projects, because I don't believe in spending money, when you owe money."

Mark Rogacki went on to say, Jason Hilger, our Financial Director, directed the County departments to prepare their 2013 budgets. The 2013 budget instructions prepared by Mr. Hilger stated, "there is a Mandatory NO INCREASE (0%) in all Operating Budgets. Mark Rogacki stated this Committee and the Sheriff really wrestled with this directive, and submitted the 2013 budget following this directive, as I assumed all the other departments in this County had done. All the figures were gathered, computed, and the report is we are still \$1.4 million dollars short of a balanced budget. How can we continually be, after all these machinations, \$1.4 million dollars short, besides the unbudgeted spending, which was ridiculous. Now, the Sheriff comes in with this cut, over and above the 2012 budget. He takes the initiative to say, I can see the handwriting on the wall, because everyone is still yelling we're in debt. Mark Rogacki said good for him, good for the Sheriff. Mark Rogacki advised there is a limit on how much can be cut. We can only cut so much. Just look at the discussion we've had here today, just about maintenance. We don't have a maintenance budget in this County? I can't believe that. Somebody has to budget for maintenance besides this department. We don't have a maintenance budget, where you can go to it and say oh, for the Sheriff's Department it's this, for the Clerk of Courts it's that, we don't have this, and every department has to budget for this individually? Does that make any sense to anyone? It doesn't make any sense. Spending money, when you have a deficit doesn't make any sense.

James Behling stated, Public Property has been working diligently on putting together a process to do that.

Mark Rogacki stated, I think this Committee should take the 2012 budget and this cut, and they should endorse it, and send it to the Finance Committee and say "whatever the 2012 budget was, less these additional reductions of \$106,298.00, is what we expect to see as the Finance Committee's approved appropriation for this department." Mark Rogacki stated, that after this committee meeting, this committee and this process will be irrelevant. Just look at this process, it's a giant funnel. It's funneling down to five members of one committee. That's what's happening here. If you want to be heard on this budget, aside from the annual meeting, you should be heard today as a Committee, on this budget. The Sheriff has gone the extra mile here. He's gone way above and beyond, and this is why I surrendered the Chair, I'm going to make the motion, that we accept the 2012 budget, less the additional reductions of \$106,298.00, and forward this as a Committee, to the Finance Committee, and tell them this is the amount we expect them to approve for the 2013 budget appropriation for the Sheriff and Jail budgets, I so move.

Alden Bauman asked for a second to the motion, Sigurd Hjemvick seconded the motion for discussion.

Sigurd Hjemvick stated that one of the issues that continually comes up at meetings is who's going to pay for it? We go round and round the table. Sigurd Hjemvick said we have a Finance Director, and he's supposed to be laying these things out for us, we shouldn't be arguing about where the money is coming from, we should know what money is available to pay for it. We always have maintenance issues, every department has maintenance issues. We talk about, well we should have been keeping up with this, but we haven't done it. We try, we bounce it around, but there should be money put aside for maintenance. The next issue maybe maintenance at the Forestry Office, or at the Highway Shop in Arbor Vitae, or the east wing at the Courthouse, I don't know where it's going to come from, nor does anyone else sitting here for sure, but we still have maintenance issues. As far as where the money is going to come from, I thought that was the purpose of our Finance Director to identify these accounts, and set them up. We've gone through years of cut the budget by 5%, cut the budget by 5%, well the budget got cut 5%, and maintenance has gone up 5%, 10%, 15%, maybe 20% through the years, and it's nobody's fault but ours.

James Behling stated the major maintenance projects that have been done, in the Courthouse, and elsewhere for the short time that I've been on the Public Property come appropriately out of the General Fund, because they are unexpected expenses. What we've done on Public Property, we've tried to put together a long range 5-year plan, to identify what those capital needs will be. That hasn't been done in the County before, we're working on it, and I think we're near completion on it. Everybody saw a copy of it at the last County Board meeting. Every department has been asked to have input into it. All departments haven't given their input. It is my understanding, this type of expense is an allowable and useful expense out of the General Fund. What is not an acceptable expense out of the General Fund are things the County has been doing, since I've been on the County Board, I think you

can address this Stephen Favorite, is to buy down the levy out of the General Fund to balance the operational budget, and that's what created a \$1.5 million shortfall.

Stephen Favorite stated, first and foremost this is one Committee of many that are charged with working on their budget, so any discussion pertaining to other budgets or what County Board actions and decisions were made outside this committee, and this department, is inappropriate and should be ruled out of order. The motion should have been ruled out of order; however it's on the table for discussion. The motion was to direct another committee, being the Finance Committee, to hold the line on this budget which this Committee doesn't have the authority to tell another Committee what their duties are. The duties of the Finance Committee are outlined in our standing rules as to how they're supposed to present the budget. So I'm going to clearly vote against the motion, just because it's inappropriate, I believe it's out of order, but I would like to have it read back to me, so I can hear it one more time. Carol Krebs read the motion that was made by Mark Rogacki and seconded by Sigurd Hjemvick; that we accept the 2012 budget, less the additional reductions of \$106,298.00, and forward this as a Committee, to the Finance Committee, and tell them this is the amount we expect them to approve for the 2013 budget appropriation for the Sheriff and Jail budgets.

Mark Rogacki stated he doesn't see how his motion is inappropriate. If we express, that we believe that this is the dollar amount, after the 2013 budget instruction from Mr. Hilgers to hold the line, which we did, and now the Sheriff's comes in a reduces the budget further, that we think as a committee that the Sheriff has made as many cuts as he can make in this department. We send this to the Finance Committee as say, this is what we would like to see the appropriation for the Sheriff's budget to be. I'm not controlling Finance, vote the way you want in Finance. Out of order, inappropriate, how can this be out of order?

Alden Bauman stated we're not telling them what to do; we're just forwarding it on.

Mark Rogacki said we should express to Finance that we would like this to be the dollar amount for the Sheriff's budget.

Sigurd Hjemvick expressed his concerns about holding the line in a budget, when we have issues like maintenance. He stated you can't have it both ways; we're kind of talking out of both sides of our mouth. We're saying don't increase your budget, but we've got this maintenance issue over here, that is going to increase your budget. We have to identify the source on how we're going to do these things, and where the monies going to come from. You know, I realize that it's ultimately going to come from the General Fund, but if we put money in a budget for maintenance, at least we know we always have these issues and we have to address them. If we have to transfer money into that budget, then that's the way it is.

Sheriff Tomlanovich stated, just a comment on where's the money going to come from. We all know where the money comes from, from the taxpayers, but if we continue to cut the operational budgets year after year, we are not going to have the financial resources to provide the services that our taxpayers have come to know and demand. We are cutting to the quick and sooner or later something is going to break. Sheriff Tomlanovich said, I want everyone to be perfectly clear on my position on this budget, although I've gone forward and

made these additional cuts, it's going to be a tremendous amount of work to make this work, and when 2014 rolls around, I guarantee you there is not going to be 0% increase, there will be an increase. We can no longer function like this.

Alden Bauman called for the vote on this motion. The vote found the following members voting yes: Mark Rogacki, Sigurd Hjemvick, and Alden Bauman. Those voting no: James Behling and Stephen Favorite. Motion carried.

Alden Bauman turned the meeting back over to Chair Mark Rogacki.

Resolution – 2013 Deputy Sheriff – Dangerous Drug Investigation Position. Motion by Alden Bauman to postpone this agenda item until a later date. Motion was seconded by Sigurd Hjemvick. All voting aye. Carried.

2013 – Jail Staffing Requirement. Jail Administrator, William Weiss presented an outline detailing the need to hire addition Correctional staff, due to the need to staff the monitor room in the master control area for a minimum of 16 hours per day, as noted in the 2010 and 2011 annual Jail inspection reports, that were prepared by Denise Ellis, as well as the PREA Prison Rape Elimination Act, that goes into effect on August 20, 2013.

State of Wisconsin Jail Inspector, Denise Ellis was present and answered some of the committee's questions. She explained PREA is a Federal Act. The State of Wisconsin has to comply with the mandate, or there will be a penalty of lost State aid from the Federal government. In a contract situation with the State of Wisconsin, for housing DOC inmates, the County will have to meet the PREA Prison Rape Elimination Act requirements.

Resolution – Hire Four Additional Correctional Officer's in 2013. Motion by James Behling to postpone this agenda item until a later date. Motion was seconded by Sigurd Hjemvick. All voting aye. Carried.

Resolution – 2013 Wisconsin Lock and Load LLC Transport Contract. Motion by Stephen Favorite to postpone this agenda item to a later date. Motion was seconded by Alden Bauman, for discussion.

Sheriff Tomlanovich began the discussion. James Behling asked for a vote on the motion before the Committee. Stephen Favorite withdraws his motion.

Alden Bauman asked why we're not approving this item, it is supposed to be a money saving contract.

Sheriff Tomlanovich stated, this contract will save us money, however we don't have any money in the budget to fund the contract. It's one of those situations, where you've got to spend money, to save money, but I don't currently have the money in the 2013 budget to spend on the contract.

Stephen Favorite said doesn't it make sense to approve the contract, take the money from the overtime expense line, so it doesn't impact the budget, and get this contract up and running. You would just substitute this contract for overtime costs. If there is any advantage of getting this contract signed and in place, get it into the budget, and get this thing rolling.

Mark Rogacki stated you can't believe we even discuss such a thing, in order to save \$30,000.00, we have to spend \$84,699.96, but there is only one catch, there is no money in the budget to spend the initial \$84,699.96.

Sigurd Hjemvick stated you have to realize that overtime associated with transports is not going to go away completely with this contract. There are always going to be transports that the department is responsible for.

Carol Krebs explained to the committee, there is only \$108,000.00 approved in the overtime expense line. To date, we have spent \$162,499.99. If you subtract the \$84,699.96, from the \$108,000.00 overtime appropriation, we will only have \$23,000.00 appropriated for overtime in 2013. Given that we already spent the \$162,499.99 in 2012, the \$23,000.00 won't be enough.

Sheriff Tomlanovich asked the committee to put the contract in the budget, and reduce recent budget reductions that totaled \$106,298.00, to offset the \$84,699.96 amount of the contract.

Stephen Favorite indicated the \$106,298.00 in budget reductions was already approved by Finance, so to add an expense to the budget for the contract; you would need to reduce the budget accordingly in wages and/or overtime.

Sigurd Hjemvick stated if we have sufficient funds in the 2013 overtime expense line, to cover the cost of this contract, then let's move forward, and reduce the overtime expense line to cover the cost of the contract.

Sheriff Tomlanovich advised if you take the \$84,699.96 out of the 2013 overtime expenditure line, I'll guarantee you that line will be exhausted by mid February.

Motion by Sigurd Hjemvick, and seconded by Alden Bauman to approve the Resolution and include the committee's recommendation to reduce the overtime expense line in the Sheriff's 2013 budget by \$84,699.96, and increase the contractual services expense line in the Sheriff's 2013 budget by \$84,699.96, to offset the costs associated with this contract and not impact the levy. The following member's voted yes: Mark Rogacki, Alden Bauman, Sigurd Hjemvick, and Stephen Favorite. James Behling voted no. Carried.

Emergency Management Report. Emergency Management Director Galloway updated the committee on the activities of his department.

Xerox W7556PC Lease – Mail Office Copy/Printer/Scanner/FAX Machine. The committee reviewed a lease proposal for a new Xerox W7556PC Copy/Printer/Scanner/FAX machine for the main office. The month lease fee is \$313.32, for a period of 60 months. The

lease includes: 5,000 monthly black prints, 1,250 monthly color prints; staples, delivery, set up and staff training, onsite parts, labor, travel, and all consumables (including staples) for the monthly fee of \$313.32. Additional costs may include: \$.0066 for each black print in excess of 5,000 per month, and \$.0496 for each color print in excess of 1,250 per month. A motion was made by Sigurd Hjemvick, and seconded by Alden Bauman to approve the lease of the new Xerox W7556PC Copy/Printer/Scanner/FAX machine, for the main office. All voting aye. Carried. The lease was approved by the Public Property Committee at their October 3, 2012 meeting.

Equipment Purchases – Sheriff Budget. No discussion.

Equipment Purchases – Jail Budget. Jail Administrator, William Weiss presented three price quotes to replace the old SCBA devices for the Jail. The quotes included three replacement wall units, along with a spare cylinder for each device. The quotation included delivery and fit testing. He requested to purchase the new units from 5 Alarm Company, for a total cost of \$6,450.00. A motion was made by Sigurd Hjemvick, and seconded by Alden Bauman to approve the purchase of the new SCBA devices, from the 5 Alarm Company, for a total cost of \$6,450.00. All voting aye. Carried. The purchase was approved by the Public Property Committee at their October 3, 2012 meeting.

Jail Administrator, William Weiss requested permission to purchase three new chairs. They would be purchased from The Samuels Group, Inc., for a total cost of \$1,640.93. The prices were quoted from the State Contract #AH7707. A motion was made by Sigurd Hjemvick, and seconded by Alden Bauman to approve the purchase of the three chairs from The Samuels Group, Inc., from the State bid contract. All voting aye. Carried. The purchase was approved by the Public Property Committee at their October 3, 2012 meeting.

2012 Budget Report. The committee reviewed the 2012 budget report. Motion by Alden Bauman, and seconded by James Behling to approve the report as presented. All voting aye. Carried.

Letters and Communications. No discussion.

Future Meeting Date. The next committee meeting is scheduled for: Thursday, November 8, 2012, at 10:00 a.m., in the Justice Center Conference room. The meeting date was confirmed.

Adjournment. The meeting was adjourned at 11:33 a.m.

Submitted by: Carol Krebs, Confidential Secretary