

**RILEY COUNTY LAW ENFORCEMENT AGENCY
LAW BOARD MEETING
City Commission Meeting Room
1101 Poyntz Avenue
Manhattan, KS
October 15, 2013 12:00 p.m.
Minutes**

Members Present: John Matta Dave Lewis
 Richard Jankovich Wynn Butler
 Ron Wells Robert Boyd (arrived at 12:28 p.m.)

Absent: Barry Wilkerson Assistant Director Doehling

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

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

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

- III. **Consent Agenda:**
 - A. Approve September 16, 2013 Law Board Meeting Minutes
 - B. Approve 2013 Expenditures
 - a) Juvenile Transports
 - b) Seizure Expenditures
 - c) 2013 Budget Expenditures/Credits
 - C. County Inmate Medical, Facilities, Maintenance & Repairs Expenditures- (*Review*)
 - D. Riley County Jail Average Daily Inmate Population- (*Review*)

Lewis moved to approve the consent agenda as presented. Wells seconded the motion. On a roll call vote, motion carried 5-0.

IV. **General Agenda:**

E. **Additions or Deletions:** None.

F. **Public Comment:** None.

G. **2013 Police Vehicle Purchase:** Captain Hegarty explained that the Department is recommending the purchase of 1 Ford Transit, 4 Ford Taurus and 2 Ford Explorers to replace aging fleet vehicles for a total expenditure of \$172,771.00.

Lewis moved to approve the 2013 police vehicle purchases as presented. Jankovich seconded the motion. On a roll call vote, motion carried 5-0.

H. **Review of Job Task Analysis/Job Descriptions:** Director Schoen explained that the Riley County Police Department has coordinated with ARC Physical Therapy of Overland Park for

the purpose of reviewing current job descriptions and conducting a job task analysis of all positions within the Department. The purpose of the job task analysis is to identify the functions that are considered essential for each position and include them in the job descriptions. Once that has been accomplished, the goal will be to tie those essential functions directly to the Department's new physical abilities test.

Schoen explained that initially the test will be administered to all newly hired and existing employees to determine if they are able to perform the essential tasks. The test will then be administered on an annual basis to police and correction officers. It is believed that the Department will begin to see fewer incidents of employee injuries with the new physical test compared to the old test, resulting in a slight reduction in workers compensation claims. Schoen said that he anticipates going online with the new test in 2015, which will give current employees time to recognize what their respective weaknesses are and improve in time to pass the test by the end of 2015.

Attorney Michael Gillespie stated that there is a need to update the job descriptions and include the essential job tasks not only for the purposes previously mentioned, but also to make employment actions more defensible than they are currently.

Butler inquired about the cost for ARC to perform the services.

Schoen responded that ARC will charge the Department \$150.00 per hour with an estimated 40 hours to complete the job task analysis for 6 of the more complex positions.

Butler wished to know what would happen if an employee were to fail the physical test. Could the individual's employment with the Department be terminated?

Schoen said that termination is possible. However, opportunities will exist for employees to improve. For those employees who suffered an injury and are unable to pass the physical test, the Department has in place a variety of leave packages to help the employee sufficiently recover. If it is determined that the employee will not recover to the point that they are able to perform the essential functions of their job they also have the option to retire.

Lewis asked if the Department considered contracting with McGrath Consulting Group, Inc. for these services.

Hegarty responded that the Department did consider McGrath Consulting Group, Inc., but they were only able to provide a portion of the services. Given the fact that McGrath is based out of Illinois, the decision was made to go with ARC. ARC has local medical provider connections that McGrath does not have. For this particular function, ARC was the better fit because they will be more responsive.

The Board had no objections to RCPD contracting with ARC Physical Therapy for the aforementioned services.

I. Court Security Update: At the July 15, 2013 Law Board Meeting Judge Meryl Wilson briefed the Law Board on changes to Kansas statutes concerning concealed carry of handguns and other firearms. In short, the bill modifies the Personal and Family Protection Act to allow the possession of firearms on certain governmental property, including in state and municipal

buildings, and requires adequate security measures at public entrances of state and municipal buildings in order to prohibit the carrying of a weapon into the building. The bill also prevents a state agency or municipality from prohibiting a licensed employee from carrying a concealed handgun at the employee's workplace, unless the building has adequate security measures and adopted personnel policies prohibit such concealed carry by employees who are licensed. The County granted an exemption to the concealed carry law giving the District Court until January 2014 to develop a security plan for the courthouse.

A working group was formed comprised of representatives from the Law Board, RCPD, District and Municipal Courts with the charge of identifying short term and long term solutions to the issue of courthouse security. Schoen stated that the working group has met on a couple of occasions and discussed various plans for courthouse security. The information provided during the meetings is now being handed over to RCPD to fill in some of the gaps.

Schoen said that the group will likely meet a few more times before the end of the year. They are waiting to hear back from City Attorney Bill Raymond regarding what the Municipal Court would like to see in the way of security. Once that information is received the group will be in a position to submit a written proposal to the Law Board and City and County Commissions for consideration. At this time there are no specifics to report other than it will be an expensive undertaking.

Butler added that the expenses related to court security will be in addition to the RCPD budget. Costs associated with the Municipal Court will be borne by the City and District Court by the County.

J. Executive Session: At 12:40 p.m. Lewis moved to go into executive session for the purpose of discussing attorney client privilege not to exceed 10 minutes. Jankovich seconded the motion. On a roll call vote, motion carried 6-0.

At 12:50 p.m. the open meeting reconvened.

Lewis moved that the Law Board approve the decision on the agreement that was discussed in executive session. Boyd seconded the motion. The motion carried 6-0.

K. Adjournment: Boyd moved to adjourn the meeting. Jankovich seconded the motion. On a roll call vote, motion carried 6-0. The October 15, 2013 Law Board Meeting adjourned at 12:51 p.m.