

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
BUDGET MEETING on October 12th, 2021
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: Sharon Pomaville, Boyd Frederick, Jeff Wamboldt, Mark Nordigian, Terry Rose, Jerry Gulley, Laura Belsky

Others Present: Judge Jason Rossell, Sheriff David Beth, Chief Deputy Marc Levin, Cpt. Tony Gonzalez, Sgt. Chase Forster, Sgt. David Zoerner, Sgt. Chris Hannah, Michael Gravely Chris Peck, Clara Tappa, Patricia Merrill, Angela Khabbaz, Michelle Hicks, Max Kluth, Rebecca Matoska-Mentink, Brian Sheffler, David Guth, Bethany Lofgren, Barna Bencs, Tina Burke, Mary Beier

Meeting Called to Order: 6:00 p.m. by Chair Sharon Pomaville

Citizen Comments: 6:00: None

Supervisor Comments: 6:00 None

Chairman Comments: 6:00 None

Approval of the Minutes from August 4th, 2021:

Motion by: Belsky **Seconded by:** Frederick **Approved:** unanimously

Resolution from Kenosha County Sheriff's Department:

Approving Joseph Labatore appointment to the Local Emergency Planning Committee

Motion by: Wamboldt **Seconded by:** Rose **Approved:** unanimously

6:01: Sgt. Christopher Hannah, of Kenosha County Sheriff's Department, presented. Sgt. Hannah presented on behalf of Lt. Horace Staples, Director of Emergency Management. Supervisor Wamboldt motion to approve, seconded by Supervisor Rose. Motion passes unanimously with no further discussion.

Approving Max Kluth appointment to the Local Emergency Planning Committee

Motion by: Wamboldt **Seconded by:** Rose **Approved:** unanimously

6:03: Sgt. Christopher Hannah, of Kenosha County Sheriff's Department, presented. Sgt. Hannah presented on behalf of Lt. Horace Staples, Director of Emergency Management. Supervisor Rose commented he did not know Mr. Kluth and requested Sgt. Hannah tell more about him. Sgt. Hannah stated that Mr. Kluth was present today and asked if he should continue. Supervisor Rose responded, yes. Sgt. Hannah stated Mr. Kluth is currently employed with Aurora Hospital and serves an Emergency Management role with Aurora Hospital and Medical Center. He has an extensive background in county Emergency Management planning committees. Throughout his career he has worked with and recently coming from Amazon in an Emergency Management Role. Supervisor Rose asked who Mr. Kluth was to the room, to which Mr. Kluth raised his hand. Supervisor Wamboldt motion to approve, seconded by Supervisor Rose. Motion passes unanimously with no further discussion.

Approving Chris Lusiak appointment to the Local Emergency Planning Committee

Motion by: Nordigian **Seconded by:** Belsky **Approved:** unanimously

6:04: Sgt. Christopher Hannah, of Kenosha County Sheriff's Department, presented. Sgt. Hannah presented on behalf of Lt. Horace Staples, Director of Emergency Management. Supervisor Rose asked if Mr. Lusiak was present and requested to know more about him. Sgt. Hannah replied he is not present due to prior obligations with business. Mr. Lusiak's current role is with Froedtert South Hospital where he oversees security and emergency preparedness. He was designated to serve on the LEPC by a Froedtert South

representative. Supervisor Nordigian motion to approve, seconded by Supervisor Belsky. Motion passes unanimously with no further discussion.

Approving Edward Kubicki appointment to the Local Emergency Planning Committee

Motion by: Frederick **Seconded by:** Belsky **Approved:** unanimously

6:06: Sgt. Christopher Hannah, of Kenosha County Sheriff's Department, presented. Sgt. Hannah presented on behalf of Lt. Horace Staples, Director of Emergency Management. Vice Chairman Frederick motion to approve, seconded by Supervisor Belsky. Supervisor Nordigian asked if it puts into conflict with any other committees. Joe Cardamone replied it did not. Motion passes unanimously with no further discussion.

Memo from Human Resources Department:

Request for Special Compensation/Schedule Provision – Sworn Command Staff

Motion by: Nordigian **Seconded by:** Gulley **Approved:** Roll Call – All 'Yes' Votes

6:07: Clara Tappa, Director of the Human Resources Department, presented. Clara Tappa spoke about the issue at the Sheriff's Department regarding "SA Days". This is in recognition that Law Enforcement exempt staff could be working hours beyond their regular schedules in conditions that are often stressful, traumatic, and a matter of protecting public safety.

The memo outlines a proposal to deal with these issues while retaining the exempt status of these employees. First, the memo outlines circumstance in which employees can flex their schedules in the needs of the department. The original intent of SA Days is for allowed voluntary shift trades and to accommodate training and in-service meeting throughout the year. This allows for second or third shift supervisors who need to attend a training, they can flex their schedule, so they do not need to work two consecutive shifts in a row.

Second, the memo outlines when certain employees are eligible for additional pay. This is for Sergeants, Lieutenants, and Captains who are needed outside of their regular shift for tactical non-administrative purposes, for example bomb squad, hostage negotiations, and Tactical Response Team (TRT). The provision allows for these hours to be paid on top of their regular salary. This includes States of Emergency which have been declared by the Sheriff's Department. Clara had been told this only happened a few times in the last twenty years and two of those being in 2020 alone. During these times exempt staff would record their hours and paid a stipend beyond their normal 80 hours in a pay period. The stipend is determined by the minimum salary of their respective rank, calculated to an hourly rate, and multiplied to time and a half.

Finally, the memo provides the additional time off for exempt staff during a declared State of Emergency, when the hours exceed 120 hours in a pay period. This provides for decompression day(s) for staff following the State of Emergency. The memo's plan keeps the staff's exempt status and Human Resources believes Law Enforcement, especially those that work in an administrative capacity, should be treated as such with responsibility to scheduling and prioritizing work and not punching a clock. In addition, it is to their benefit to preserve their A&S benefits which pays from the first day of illness and access to 100% income replacement for longer periods of times than a non-exempt employee. This proposal is contingent upon the 2020 budget, provisions that allow for funding, and appropriate reference language in the handbook that will be proposed. This approach is similar to what the Committee has seen in the past for stipends paid for exempt staff working on special assignments, for example Country Thunder. Ordinarily the Department policies do not come through in this detail, but with this one having an attachment to compensation and related to discussion had recently with the Committee, Human Resources thought it was an appropriate process to seek the Committee's approval on it, with it being contingent on the budget.

Supervisor Rose asked why the term "stipend" was used instead of "time and a half". Clara replied that they are seeking to ensure the staff are being treated as exempt and not to confuse overtime that is paid to non-exempt. If it is a "stipend" it is additional compensation recognizing above and beyond in extenuating circumstances.

Supervisor Rose asked for the examples again of when the stipend would be paid out. Clara replied for non-administrative tactical field work. Staff would report the hours they spent in that type of work and would receive the stipend for those hours. Supervisor Rose asked if it was limited to the examples listed such as hostage negotiations, TRT, Bomb Unit, Marine Unit, and "etc", where he asked for further clarification on the term "etc.". Clara replied it was determined by the leadership, Chief Deputy, in the department. The examples are provided because they are types of tactical field work an exempt staff member might participate

in, as opposed to their administrative type supervisory duties. Supervisor Rose commented that he felt the language needed tightening up and the examples were fine, but the “etc” needed defining. Supervisor Nordigian suggested using the term ‘tactical’ instead. Chairman Pomaville suggested ‘non-administrative’ since the split was between administrative and non-administrative.

Supervisor Rose asked for clarification as his resolution, which comes up after the memo, speaks to time and a half if staff works more than 40 hours a week, but this memo does not encompass that. Clara agreed that the memo is not for just any hours worked beyond a regular schedule. Supervisor Rose asked if this meant that if someone worked at their desk for two hours this memo would not cover that, to which Clara agreed. Supervisor Rose reiterated that is why he felt the language needing tightening with what non-administrative work and to replace “etc.”. By leaving it up to the administration to interpret that’s where you can get into problems and if there are other examples to include them into the list. Clara replied she would work with Chief Deputy to see if there was an all-exhaustive list. Supervisor Rose asked for Chief Deputy’s thoughts, and Chief Deputy felt it was an inclusive list, although there are other units’ supervisors respond to at time and more can be listed if it is requested. Supervisor Rose replied he felt that encompassing list is better and more specific, then everyone knows where they stand. This will help getting into subsequent discussions of not knowing something was included in the future.

Sheriff Beth suggested the language “...any emergency situation requiring supervisory staff, not including administrative work...”. This would be in case of a triple fatal accident on the interstate, some severe domestic violence situation, emergency or hostage situation, and any situation except non-emergency administration work. Supervisor Rose clarified that it included two points, the first that it must be an emergency and the second it required a supervisor, to which Sheriff Beth agreed. Supervisor Rose moved to amend the memo to include the language Sheriff Beth stated.

Committee Members requested to hear from Clara Tappa first. Clara asked the room, specifically members of the Sheriff’s Department, if TRT is inclusive of this already. Sheriff Beth agreed that would be an emergency if TRT was needed. Clara suggested taking out the “etc” and since TRT stands for ‘Tactical Response Team’ that it was inclusive of that type of non-administrative work. Supervisor Nordigian asked Sheriff Beth if he considered all emergencies as TRT, hostage negotiations, the accident example he used, and bomb scares. Sheriff Beth replied that if TRT was out it was an emergency or potential emergency. If a search warrant is being done, it’s hoped that it does not turn into an emergency, but they must be prepared for the worst in a situation. Supervisor Belsky suggested instead of listing examples use the language “...responding to TRT by need, not by choice...” because it then encompasses everything.

Clara quoted the changes she had made so far during the meeting with “...who are required to work above and beyond their regular work day in the field and non-administrative work (ie hostage negotiations, Tactical Response Team, Bomb Unit, Marine Unit) responding by need, and not by choice, with the approval of a Captain or higher rank.” Supervisor Rose clarified that “etc.” had been removed. Supervisor Belsky agreed that it had because Sheriff Beth comment that TRT was encompassing of all of that and asked if Supervisor Rose wanted TRT moved to the front. Supervisor Rose replied that if it is being listed it did not matter the order. Chairman Pomaville asked Sheriff Beth if he agreed with Clara’s language, to which he agreed.

Supervisor Nordigian seconded the motion to approve the amendment to the memo. Motion passes unanimously for the amendment on the memo.

Supervisor Wamboldt asked about where it states “the stipend for the above circumstances will be paid out at one and a half times the then hourly rate, equivalent of the current minimum salary of their respective rank...” and asked why it went with the minimum and not the current salary of the individual. Clara responded that they are trying to design it as a stipend as opposed to true overtime. The reason for the term “then” is to allow for the minimum increases, allowing for increases as the paygrade increases.

Supervisor Gulley asked if the proposed Overtime line item in the budget for Law Enforcement forecasted for the proposed memo. Clara replied that there is a salary appropriation piece that has been increased for the stipend for the tactical non-administrative stipend. Supervisor Gulley asked if it was in the Overtime line item or separated. Clara agreed it was salary appropriation. Supervisor Rose asked how much money was set aside for this memo. Barna Bencs, Financial Consultant for Finance and Administration, replied \$20k. Supervisor Rose asked how the amount was calculated. Barna replied it was an estimate based on hours that could potentially fall into this category.

Supervisor Nordigian motioned to approve the memo with the prior approved amendment. Chairman Pomaville clarified the resolution with the amendment, the memo including the amendment. Supervisor Gulley seconded the motion.

Supervisor Rose asked the Committee if this resolution was passed, it meant the Committee was opposed to his resolution proposal for time and a half overtime. Supervisor Belsky agreed that would be true. Supervisor Nordigian commented that the term "overtime" could not be used for exempt status which is why "stipend" was being used for this resolution. Supervisor Rose replied that his language could be changed, but the concept on this memo was narrower than his proposal and wanted to clarify that to the Committee. He was proposing time and a half but can change the language to "stipend" and use the formula as it comes out the same, but the memo being proposed was narrower than his resolution. Supervisor Belsky replied that Supervisor Rose's resolution state the staff should be non-exempt. Supervisor Wambolt commented that the term "exempt" was key for him and with past discussions with Barna, further it was confusing if it can be done based on the way it is written now.

Supervisor Rose asked Joe Cardamone, of Corporation Council, if his resolution can be done. Joe replied that there are two things that can be done here. Supervisor Rose's approach would make all the Supervisors non-exempt. They would be eligible for overtime at time and a half for anything over 40 hours a week, which is clean and straight forward. In his opinion it doesn't cause an issue about blurring the line between exempt and non-exempt. The proposal the administration has come up with, if the desire is to retain the employees as exempt, provides additional stipend for non-administrative, non-supervisory casts. It passes the legal muster and meets the goals of what he believes he heard some of the Committee members speak of.

Supervisory Belsky wanted to comment since she cosigned Supervisor Rose's resolution. Both resolutions are addressing the same thing, except keeping them exempt versus non-exempt. It is giving them money due for emergency situations. Supervisor Rose's resolution is recommending making Supervisory staff non-exempt. Supervisor Belsky noted that since she signed that if the staff are in an exempt role there are other benefits they could lose out on.

Supervisor Rose referenced page two of his resolution where it state "they shall be designated non-exempt", and then asked what they lose by being non-exempt such as accident and sickness provision and if there was anything else. Clara replied that was the most significant thing, they are paid from the first day of illness as opposed to waiting a longer period, at 100% income replacement. Otherwise they would drop down to two-thirds income replacement. Supervisor Rose asked how many people are on A&S that are supervisory. Clara responded that it varied and especially during COVID. Additionally, the supervisors would have to record the in-and-out time and leadership must approve any OT that they work. It is a different environment when you are exempt versus non-exempt, and these are leadership that are supervising the currently hourly staff.

Supervisor Rose commented that it was important to recognize the memo was new and up to the Committee. Supervisor Rose's resolution made it for administrative and non-administrative work, thus making it broader. Whereas the memo says it must be non-administrative work. Clara agreed, except in the cases of declared emergencies. Supervisor Rose agreed and that it is a step in the right direction. He stated he is not opposed to the memo, but curious what the Committee's thought are on the two approaches. Supervisor Rose thought his proposal would be more costly than \$20k. Chairman Pomaville asked that if changes like Supervisor Rose's resolution had been considered in the past or enacted, there was a pretty substantial audit that proceeded a large change like that. Clara replied typically when employees are reclassified between exempt and non-exempt, often a company will do an audit to determine if they are appropriately classifying employees. If it is found an employee us being treated as exempt when they should not be, then they need to be reclassified to non-exempt. This is the more typical way someone is reclassified. You can treat someone who would be eligible as exempt, as non-exempt but it cannot go the other way around or you are denying them overtime.

Chairman Pomaville also commented that Supervisor Rose's resolution was being paid out of ARPA funds and concerned what happens when it is finished as they are temporary funds. Chairman Pomaville asked the Sheriff's Department if they wanted all their exempt employees to be non-exempt and they did not. If the discussion ever came up Chairman Pomaville wasn't sure they were the ones to wholly make the decision. There is a way for something like that to route, but it is no through this Committee. Supervisor Belsky said that since she cosigned, she wanted to offer to Supervisor Rose, the resolution was a good attempt and, in her opinion, prompted the memorandum. Supervisor Belsky would be fine seeing how the memorandum works

out and if issues are seen going forward, they can always come back and do another resolution. Supervisor Rose asked Clara if her resolution was paid out through ARPA funds. Clara replied it was not, it was in the regular department salary portion.

Supervisor Nordigian commented that in Supervisor Rose's resolution it stated designating all employees as non-exempt. He wished to see the administration as exempt because of the leadership they are supposed to provide. To do the memorandum as a bonus increase or stipend cleans it up and doesn't put the county in a mottled area. Supervisor Gulley asked if there was any discussion about broadening this beyond Law Enforcement staff as discussed in previous meetings. Clara replied that the memo is just specific to the Sheriff's Department.

Chairman Pomaville asked for a vote on the Memorandum. Supervisor Rose requested a roll call. A roll call was completed with each Committee Member. Motion passes unanimously with no further discussion.

Resolution from Corporation Council:

Approval for Payment to Supervisory Staff at the Kenosha County Sheriff's Department

Motion by: N/A ***Seconded by:*** N/A ***Approved:*** Withdrawn

6:34: Supervisor Rose withdrew the Resolution after the Human Resources Memorandum was passed.

Presentation of 2022 Budgets

Sheriff's Department

Motion by: Wamboldt ***Seconded by:*** Nordigian ***Approved:*** Unanimously

6:35: Sheriff David Beth and Angela Khabbaz, Fiscal Services Manager, presented the Sheriff's Department 2022 Budget. Sheriff Beth started by thanking Supervisor Rose and the members of the Committee for the resolution that was proposed and the work done for that. He thanked Clara and Administration for their Memorandum, which allows the Sheriff's Department to pay their supervisory staff and people in the department that go above and beyond at times of special situations, such as the riots. Sheriff Beth addressed Supervisor Rose's previous question on how many staff are out on A&S. There is currently one Captain out on A&S for an injury and surgery. While this is not the normal if it ever comes up the Sheriff is glad the County Board and County Administration felt to give benefits due for going above and beyond what they've done.

Sheriff Beth started the 2022 budget by noting that most of the budget hadn't changed for their department at all. There are a few pieces that jump up quite a bit, directly related to wage increases in the area, such as forklift drivers at a local warehouse starting at \$24 an hour. Racine gave raises and used ARPA funds to raise their starting Correctional Officers from \$21 an hour to \$29 an hour. Some of the staff in the Sheriff's Department went to Racine for the \$8 raise in pay. Working with County Finance and Administration and Angela Khabbaz, they came up with a plan to help keep current employees and hopefully attract more in. It is not \$29 an hour but working toward increasing to that number. Lake County, Illinois a Correction Officer makes what a top Deputy in Kenosha County makes. Racine's \$8 raise in pay brings the position to \$60k yearly. Kenosha County used to be competitive to the surrounding areas, but now we need to do something a bit different. They came up with a 3.81%, or a total of \$1.27 million, increase in personnel salaries. Most of this is for correctional staff other than what was built into contracts.

Sheriff Beth moved on to comment on Contractual Services that went up. Looking back into 2020 the Sheriff's Department lost immigration, which was a large amount of money. They tried to lower the amount of medical services in the jail by going with a contract from KVNA or NaphCare. They tried to go in with NaphCare, whom they currently have, for a substantially lower amount but were unable to do so. Last year the Sheriff's Department lost ICE but had a certain amount of Correctional staff that were able to run the jail without a lot of overtime. They were able to eat up a \$1 million shortfall that they were able to face with NaphCare medical for this year. With NaphCare the budget is increasing to \$2.6 million for medical inmate care. KVNA was on course this year for \$3.2 million and the Sheriff's Department had only budgeted \$1.7 million. It had to be up by not bringing in some correctional staff at the beginning of the year. Even though the budget for this year to next is going up by \$1 million, it is still less by half a million dollars of what KVNA

would have been, had they maintained KVNA. KVNA has been around a long time and did a great job for the department, but it was time to move on for different reasons with the budget being one of them. NaphCare had some learning pains, but they are doing a fantastic job.

Sheriff Beth commented on Motor Vehicles for \$43k. Overall Capital Expenses went down \$454k and next year the Sheriff's Department is looking at getting hybrid models of vehicles. The price is slightly up for that, but the fuel economy will improve to about 24 miles per gallon compared to the current 10 miles per gallon the vehicles get now. The Sheriff's Department is not getting a whole lot of new equipment or big raises, other than for the Correctional staff.

Sheriff Beth commented on a couple years ago when they would do testing for Deputy Sheriffs. When Sheriff took the test 40 years ago, there were several hundred people that applied for Deputy Sheriff and the test would last for 18 months to 2 years. The last testing round 65 people applied, and those same persons also took tests for the City of Kenosha, Racine, Pleasant Prairie, and Walworth County. It is now a matter of which department can higher the fastest. One person was interviewed that day who is hopefully returning to the area from Las Vegas, 6 people going to school, 9 people in school right now, and hopefully in January 10 more people in school. Training was increased by \$50k for next year because about 1/3 of sworn personnel are going to have less than 2 years on the department and they need to be training. The total for training went up from \$99k last year to \$149 this year.

Supervisor Rose asked what the starting pay for a Correctional Officer is. Angela replied \$21.37 hourly and the bump for next year would be \$24.47 hourly or \$3 more an hour for \$6k more per Correctional Officer (CO) or Direct Supervision Officer (DSO) per year. The starting annual pay for a CO/DSO is about \$50k a year. Supervisor Rose then asked about the starting pay for a deputy. Sheriff Beth responded about \$57k a year or about \$28 an hour. They will be going into negotiation discussion in 2022 and Sheriff assumes they will receive a 1-2% increase for 2023.

Supervisor Nordigian asked about Salaries Non-Productive, on the 2nd line, and what that included. Patty Merrill replied it included vacation time, paid time off, etc. Supervisor Nordigian asked why there was a zero in the budget on 6/30, but then spent over \$1 million with a projection of spending over \$2 million, however, 2022 is back to budgeting \$0. Patty replied that they do not budget for time off, they budget for full time so if they are off it is not charged to the salary line. Supervisor Nordigian asked Non-Productive is not budgeted the same throughout the county. Patty replied yes, except for Brookside.

Supervisor Nordigian moved on to Salaries Overtime which is budgeted a little over \$1 million. It was then upped a little over \$20k but exceeded that as of 6/30, with going over further on 12/31. Then for 2022 it went back down to being budgeted again at just about \$1 million. Patty replied this is the same thing as before. Supervisor Nordigian replied that okay, it was just an estimate. Patty commented that they budget for full staff and many times the overtime is driven by vacancies, so the regular salary line is not getting charged by someone's salary but by someone's overtime and most of the time it nets.

Supervisor Nordigian asked for clarification on Salaries Temporary. Patty and Angela replied that it is temporary staff and can include Trip Officers, which are Officers that do prison transports. Supervisor Nordigian why it was up to \$144k. Angela replied that it wasn't adjusted down as there is no way to anticipate how many trips are going to be made in a year. Supervisor Nordigian noted that it was \$70k in 2020 and Supervisor Belsky suggested it was due to COVID, to which Angela agreed.

Supervisor Nordigian noted that \$5.6 million was being spent in Medical Insurance, but \$6 million budgeted. Supervisor Nordigian then asked about Other Professional Services on page 50. Angela replied that it covers contractual work with other agencies and companies. Supervisor Nordigian noted that was budgeted for \$261k for 2021 but will spend \$466k. Then, in 2022 it is budgeted back down to \$261k. Angela replied the overage for this year was due to the rental of the barriers and fencing during the Civil Unrest.

Supervisor Nordigian commented that Motor Vehicle Maintenance is down from what was budgeted in 2020 and asked about the new pickup trucks purchased. Sheriff Beth replied that about 13 vehicles every year. Supervisor Nordigian asked if the pickup trucks have a higher cost to maintain. Sheriff Beth replied they did not, the vehicles cost a couple thousand dollars more but they're more fuel efficient and have a higher resale value than the Ford Explorers.

Supervisor Nordigian asked what office machines will be purchased, as there is \$10k budgeted for 2022 compared to \$7k budgeted in 2021. Angela replied that it was not adjusted due to requests being made in 2021 that had to be denied, so she made the choice to leave it in order to ask for those denied items in 2022. Supervisor Nordigian opened the question to the room as to what happens to the \$4k leftover if it is not spent

on office machines. Angela replied that it all nets within the budget and goes into a total. This year the department is looking roughly at a \$1 million shortfall, as expected when the NaphCare contract was signed. It was \$1 million over what was budgeted for medical in 2021 and right where it is expected to be at.

Supervisor Nordigian asked if this was the same for radio maintenance. It was budgeted at \$80k but expected to spend \$114k and now in 2022 back to budgeting to \$80k. Angela replied that this year the radio maintenance upgrade went through making that line item a little higher. Supervisor Nordigian asked that the upgrade would not cause the maintenance to go down. Angela replied this was not the case.

Supervisor Nordigian asked about the line item Contractual Services that was supposed to be at \$24k for 2021. However, by June 30th, 2021 it was \$80k and then additional \$80k expected on top of that by December 31, 2021. Then, for the 2022 budget the department has it budgeted back at \$24k again, so where was the additional \$135k more spent in 2021. Sheriff Beth asked Angela if it was part of the fencing, to which Angela replied she did not believe so. Angela replied to Supervisor Nordigian that she will investigate it and let him know.

Supervisor Nordigian moved on to Furniture and Fixtures budgeted at \$33k for 2021 but only spend \$6,800. Office Supplies in 2020 was spent at \$27k with \$58k budgeted. Supervisor Nordigian asked why \$51,800 is budgeted if only \$25k is going to be spent. Angela replied she did not want to adjust it down in case anything came up. Supervisor Nordigian commented that the money was not spent last year.

Supervisor Nordigian asked about Mileage and Travel covered all the training discussed by Sheriff Beth earlier. There was \$389 was spent in 2020, which is understandable, but before it was budgeted to \$8k. Angela replied that this is not in connection with training, but with conferences and the similar. Supervisor Nordigian commented that 2020 was a throw out for this, to which Angela and Sheriff Beth agreed that a lot of conferences were cancelled in 2020.

Supervisor Nordigian asked about Inmate Clothing which was \$32k prior to losing ICE, but only a \$6k difference between when the inmates left and what the department has currently. Sheriff Beth responded that there were approximately 800 inmates before and there is now 550. Supervisor Nordigian felt this line was a little high.

Supervisor Nordigian asked about Other Operating Supplies, which spent an actual \$10k in 2018, \$22,900 projected in 2019, and \$19,800 in 2020. June 30th of this year \$18,840 was put in but we were over \$66k total with a projection of \$133k by the end of this year. Angela replied that she will pull the transactions to review. Supervisor Nordigian asked if it was related to the riots, to which Angela agreed it might be. Sheriff Beth replied that they will the transactions. Angela commented that 2020 and 2021 were odd years when looking at transactions that were charged to their accounts because there were outlandish purchases outside of the norm that had to be purchased. Sheriff Beth added that Angela did not do last year's budget so this all brand new to her.

Supervisor Nordigian asked why Ammunition was up 100%. Sheriff Beth replied that it has doubled in most places and impossible to get at this time. Supervisor Nordigian agreed and asked if they felt they only needed \$61k. Angela replied that she didn't think the use was going to be as high. The department had stocking in non-lethal rounds this year, so there will not be a need to make as many big purchases.

Supervisor Nordigian moved on to Purchased Services Program, line number 571770, with a budgeted \$111k but typically only \$83k is spent, and \$119k in 2018. Angela replied that some of the inmate programs are charged here, for example the Living Free Program.

Supervisor Nordigian asked why there is not a budget for Grant Payment, line number 571580. There was \$88k paid in 2020 and not much of anything this year but an adjustment of \$8,100. There is an expected spend of \$7k but now it is budgeted back to \$0 in 2022. Angela replied this is part of the Emergency Management department. It is a reoccurring grant for equipment and materials paid to local fire departments that help with HazMat situation. Supervisor Nordigian asked if this was a payment the Sheriff's Department makes. Angela said that it was budgeted as a contingency, as there isn't an anticipation for HazMat situation and in most cases, they are reimbursed if it occurs. There is a small amount in the budget that they keep in there it in case a reimbursement doesn't occur.

Supervisor Nordigian questioned Miscellaneous Supplies, line number 539150, under DARE. Angela and Sheriff Beth replied it is specific to DARE, Deputy Friendly, and needed DARE supplies. Supervisor Nordigian commented that money is spent every year but is not budgeted for. Sheriff Beth replied that they have the DARE golf outing and usually raise enough to cover the expenses for it. Angela added tat the supplies are things like coloring books, pens, and pencils for DARE events.

Supervisor Nordigian asked if Sheriff Equitable Sharing, line item 524280 is the same kind of thing. It isn't budgeted for, but money is spent on it every year. It was not budgeted for in 2019, had actual in 2020, it wasn't budgeted for in 2021 and have actual numbers, but not budgeting for it in 2022. Mark Nordigian commented it covered office machines, investigations, miscellaneous contractual supplies, office supplies, and subscriptions. Angela replied that is the drug money account. Money is spent out of there every year, but it is not budgeted because it is money they already have. Next year there will be a budget of roughly \$9k left in the account. Supervisor Nordigian asked if some year they get more than others. Sheriff Beth replied that the monies had dried up over the years. The State legislation five years ago changed it where the drug enforcement teams do not get the money but instead to schools. Supervisor Nordigian asked if that is on the revenue side and not the expense side. Sheriff Beth agreed but noted there is expenses for the drug unit too. There is money coming in, but we don't count it in here as revenue because it is unknown what is coming in.

Supervisor Nordigian asked what Machinery and Equipment is, line number 580050, under Capital which is fund 411, totaling \$460k. Angela explained this involves things like body worn cameras and replacement radios. Supervisor Nordigian clarified that this is for the bodycams. Angela agreed that it was for bodycams, plus a taser payment plan, and a portable radio plan.

Supervisor Nordigian asked again about the 13 vehicles being purchased by the Sheriff's Department and wanted clarification that they are hybrids. Angela replied they are proposing to purchase 13 new utility vehicles next year that are Ford Explorer-hybrid models. They came up with the number 13 after reviewing the current mileage on the current vehicles. Nine vehicles are currently over 180k miles and will not be road worthy much longer and costing a lot of maintenance. There are for four deputies who have just come off probation and need to be issued take-home squads. The vehicles that were purchased for 2021 have not been received yet and hoping by the end of November.

Supervisor Nordigian asked about Computers budgeted at \$150k. Angela replied that was for the new Civil Process software. Sheriff Beth explained Civil Process takes care of subpoenas, evictions, and similar. The current New World program is not ideal for Civil Process and is cumbersome, so they are purchasing a new software for this.

Supervisor Nordigian asked about Building Improvements budgeted for \$607k, but only \$11k is being spent. Angela replied that the project had not begun yet and it will be the second phase of the Programmable Logic Controller (PLC) program. Sheriff Beth added that the PLC is part of the jail and the project is completed at KCDC already and the second phase will be for downtown. There isn't enough money for the project as it was supposed to be in the \$700k range and there is only \$607k available. The project has been reconfigured it for that amount. Angela noted that they will be carrying over what was borrowed in 2021 to 2022.

Supervisor Nordigian moved on to the Revenue Side starting on page 52, County Ordinance Fines, Fund 100. It is budgeted at \$244k but only expected to get \$2k. Angela replied that the County Ordinance Fines are paid out at the end of the year. Supervisor Nordigian questioned as the budget stated \$2,100 projected for December 31, 2021. Angela replied this was in her error as she was not aware it was paid out at the end of the year. The small \$2k is what has been collected so far this year. The fines go to the Circuit Court and then the Sheriff's Department gets a portion of it. Supervisor Belsky clarified that it had not been forecasted correctly for the end for the year, to which Angela agreed. Supervisor Nordigian verified that they will get the money at the end of the year for \$144k. Angela agreed they will get the money, but it is unknown how much the amount will be but expects it to be close to that. She had been told to expect somewhere between \$200k-\$250k. Supervisor Nordigian asked if Traffic flowed the same way, to which Angela agreed.

Supervisor Nordigian asked about Corrections, Probation, and Parole budgeted for \$300k. Angela replied this is the same situation as before.

Supervisor Nordigian asked about Sheriff Fees and Processes budgeted at \$120k but only receiving \$75k. Angela explained this was due to the lack of evictions in 2021, but the hold on evictions just lifted and the expected that to go up next year. Sheriff Beth explained that is the expectation unless President Biden puts another hold on evictions again. Supervisor Nordigian clarified that they would be in the same situation if they only received \$75k, if the President put a hold on evictions again, to which Angela agreed. Patty added that the hold on evictions ended September 30, 2022. Sheriff Beth commented that they are starting eviction again, which is where they collect the fees.

Supervisor Nordigian continued to Federal Inmate Housing which shows \$700k less than what is projected or budgeted. Angela replied they did not realize the drop in revenue when ICE pulled out, so that

was the budget for 2021. Supervisor Nordigian verified that it was expected to have \$700k in 2021 over what is being projected for 2022, to which Angela agreed.

Supervisor Nordigian went on to Huber, line item number 445840, which stated there was \$70k expected but now it looks like there will be \$1 million in. Sheriff Beth answered that was related to COVID and State Prisoners being held in Kenosha County and the State is paying for that. This year there is \$1 million in and there is an expectation for something similar for next year. Supervisor Nordigian verified if this reimbursement was from the Federal Government or the State. Sheriff Beth replied it was from the State and the revenue over time will eventually dry up.

Supervisor Nordigian verified that all the different municipalities were by contract, to which Angela agreed. Supervisor Nordigian asked about Training Reimbursement and who gives the reimbursement. Sheriff Beth replied this in relation to deputies sent off to the academy and the department gets reimbursed when they finish. Supervisor Nordigian said there is \$47k coming in this year and nothing for next year. Angela replied that this is another one of the lump sums that come in at the end of the year, when she did the calculation for 2022 it will be roughly \$46k.

Supervisor Nordigian went on to the WI DNR State Aid Program, line item number 445935, for \$29,500 for 2021 and nothing for 2022. Sheriff Beth said this probably reimbursement for water patrol, snowmobile, and ATV. Supervisor Nordigian asked if it is paid at the end of the year, to which Angela agreed.

Supervisor Nordigian asked about Prisoner Phones, with the understanding it was lower due to less prisoners from ICE. Sheriff Beth responded that years ago they would generate more per phone call than currently. The FCC over the last several years have reduced it down to pennies on the dollar of what it used to be, which is why it has gone down. In the last year or two there was an agreement made with GTL to lock that figure in making them on the hook for the difference, depending on how the FCC or Federal Government fluctuated. Supervisor Nordigian asked if there will be \$180k-\$200k more in 2022 than this year, budgeting \$100k more than what was budgeted in 2021. Angela replied she had seen a gradual increase in checks going up and includes video conferencing.

Supervisor Nordigian asked about the Sundry Department Revenue budgeted at \$47,100 but have not seen any money yet. Angela replied Amazon provides a large portion of that at the end of the year with an invoice sent out by the department, but the revenue will be coming in.

Supervisor Nordigian asked about Bonding at \$1.78 million but the reason it is zero now is due to not receiving the vehicles for the cars, so the money hasn't been spent, to which Angela agreed.

Supervisor Wamboldt asked if gas prices were expected to rise. Angela replied she had spoken with Pat Sapanski in Joint Services, who expected to see a small increase, but with take-home vehicles and switching to hybrid vehicles there shouldn't be a huge impact. Sheriff Beth added that take-home cars, as far as maintenance, there are more cars out there, but the repair costs are down, and the cars are lasting. Whereas a car that is a few years old would be shipped out at 150k-160k miles and beat up. Vehicles a few years old now only gets 30k miles on it and lasts 5-6 years. Supervisor Nordigian asked about the new program where they should have a vehicle about the 4th year in. Sheriff Beth asked Angela how many deputies don't have a vehicle. Angela replied that other than newly hired deputies, everyone has an issued take-home squad. There are four deputies coming off probation that need vehicles, after that there are 9 coming off probation, and so on. Supervisor Wamboldt asked if there is anyone retiring, and Angela replied that she had not taken that into account. Supervisor Nordigian asked if they are anticipating maintenance costs to start coming down a little since they are at a bigger fleet. Angela replied she did not want to lower that down because it is hard to forecast what is going to change. Sheriff Beth added that he may request 15 new vehicles next year since there are many new people coming out of school. There were 6 new deputies last year.

Supervisor Wamboldt asked about the DARE outing and if the reason for it showing zero was in case there isn't a golf outing for fundraising. Sheriff Beth responded that they don't know what it will be. Supervisor Wamboldt asked not even to budget an approximant number, there is none for 2022. Sheriff Beth commented that it does not come from taxpayer monies. Angela added that they do not project it for the following year because they don't know what they are going to make. The expenses are variable for the event and it is unknown how many people will attend the event. Sheriff Beth asked if she could estimate how much was made in 2021 and Angela replied with \$16k. Chairman Pomaville asked if this was the net total. Angela replied that it was the golf course itself being the largest expense.

Supervisor Gulley commented that when he combined salaries, non-productive, and overtime for 2021 and then compared it to what is projected for 2022, it seemed like fewer actual staff hours. The salary line is where the increase is being reflected per hour and overtime coming down would be reflected because of the vacancies. Supervisor Gulley asked if the department is projecting fewer number of staff hours across the board. Sheriff Beth replied that they are always far over the overtime and it did bump down a few years ago. It used to be ICE would pay for overtime because a lot of overtime was due to ICE, so the money would be taken out of there. Sheriff Beth estimated that they department is 24 correctional officers short. There is deputy that has been taken off the road, Andrea Mehring, and is now a recruitment officer. Deputy Mehring is sent to conventions, colleges with a strong justice side, or anywhere she can recruit people for deputies and correctional officers. The department is averaging about 2 Correctional Officers leaving a week and there's hope the bump to \$24.50 per hour pay will help with that. It is not just Kenosha County having this issue, that's why Racine raised their hourly wage to \$29 per hour and couldn't get anyone to apply. Angela added that Racine's turnover rate was over 100% in the last year and half to two years. Supervisor Gulley commented that his point was the overtime felt much less for next year. Sheriff Beth commented that it wouldn't be that and unspent salaries will have to be used to fill it. This is what is done every year. Supervisor Belsky asked if that's why it was in there so the money could be moved around. Sheriff Beth agreed and commented that this point is brought up every year with this item, to budget what is appropriate for what is spent. Sheriff Beth added he would be fine with that if the Committee wanted to move the overtime up by a \$1.5 million. Supervisor Gulley commented that there was an increase in the base salaries this year, so if the overtime is off, he wanted to under the philosophy behind it. Sheriff Beth added that it has historically worked in the past.

Sheriff Beth asked if there were any other questions from the Committee and promised to provide the missing answers from earlier. The Committee had no further questions. Supervisor Wamboldt motioned to approve, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

District Attorney

Motion by: Rose **Seconded by:** Gulley **Approved:** Unanimously

7:26: District Attorney Michael Gravely and Tina Burke, Office Manager, presented the District Attorney's Office 2022 Budget. Michael commented that the budget was cut by \$28,300 by anything the department had discretion over. This comes from the professional salaries line item primarily and asked for continuing the budget on all other line items. Any increases are from non-discretionary line items, for example retirement and salaries. The District Attorney's Office asked to cut the budget on discretionary things, but last year when they requested this the County Board wanted to continue the TPR (Termination of Parental Rights) project on a full level. Michael commented that the TPR project they started 2.5 years ago, where there were 52 children in foster care, 50 of those children had been adopted. Had they not been provided the additional resources; the children would have been in limbo an additional year. There were 2 children of the original 52 had changes in their situations that made it no longer possible and they have aged out at this point. According to Social Services and people at the courthouse it was possible to get the children adopted a year earlier, making a substantial savings for both the county and for the children.

Michael commented that the opioids crisis had not abated. In 2019 there were several strategies in place resulting in 30% less overdose deaths in the county then in the prior 3 years. It was a combination of diversion efforts, treatment, and increasing resources and abilities to prosecute people who were providing the drugs that killed people. COVID in 2020 caused disruption as there were no longer the ability to provide drug treatment in the comparable ways. In 2020 the Care Center, a large part of the diversion program, was not open to candidates, Law Enforcement arrested fewer people and kept them in custody in possession of drug cases where they were no longer encouraged to be in-custody situations. Overdose levels are now back at the levels they were before, which is true nationally, but particularly disappointing in Kenosha.

TPR Cases are a direct correlation between the Opioid Crisis and foster care numbers. As the levels have come back to the levels they were pre 2019, there is an increase again in terms of children facing TPRs. TPRs are two years in, the parents have not made enough progress, and there is an adoptive resource. TPRs are never pursued unless there is an adoptive resource unless there are parents that have substantial track record of not being able to be compliant. As of recent that has been of drug addiction and the struggles with that.

In 2021 56 TPRs have been completed with the additional resources. There are now 1.5 prosecutors devoted to that with county funding for half. In a typical year there are 40 by date, so there are 16 above what would normally be in a year without the resources. There are 38 additional TPRs pending right now. Michael commented that there will be about 90 total, which is 15 less than when he first came to the board to let them know there was a crisis two years ago. The county missed methamphetamine as it went around the country and devastated western parts of the United States, but it now has a foothold in the county. While it does not result in a lot of overdose deaths, it has devastated foster care and social care systems in other counties. Methamphetamine has taken a foothold in the county, the Opioid Crisis is at the same rate it has been, and homicide rates are substantially higher this year. Shootings are up in the county and especially in the City of Kenosha. This is also true of Milwaukee and Chicago, both cities the county is influenced by.

Law Enforcement has the newest group of Law Enforcement agencies in terms of age, which is a challenge for the DA's Office. The DA's Office consume their reports and experiences every day and in terms of making good decisions in the justice system, with them being brand new and young, is a challenge they are dealing with.

Michael commented that he wanted the County to know his concern in the amount of resources in terms of time, effort, and money it takes to be the recipients and placeholders for the bodycams coming in. The County Board has funded the transition to paperless for the DA's Office over the last 4.5 years, and the department has made it as efficient as possible. This has brought \$100k in saving to the annual budget to what it was prior. As all the bodycam footage has come in the DA's Office is legally responsible for storing for pending cases, and watching of that in seamless fashion, space needs, and terms of access to all that. The DA's Office is working with the different agencies, such as the Sheriff's Department and Kenosha Police Department. There is no way to calculate the burden it will be on the department and hoping it will be manageable and devoting an enormous amount of time and effort thinking about it. It will be the biggest change, in terms of operations, since the department went paperless. They do not have the storage capacity, they must find a way to have cloud access for all involved, and the ability to watch the footage and make decent decisions. It used to take about 4 hours to read the report and interview the witnesses. Now there may be 18 or 20 hours of bodycam evidence in a case. To do the same job preparing for the case it has to stretch from 4 hours to 24 hours prep time, with the same person, the same body, the same number of prosecutors. These are challenges for the defense as well, not just the DA's Office.

Vice Chairman Frederick asked why Temporary Salaries were up so high. Supervisor Nordigian added in 2018 it was almost \$23k, 2019 and 2020 was \$25k. Michael replied it hadn't changed for the department, but it is the county funding the ability to draft complaints on the weekends. Prosecutors come in and draft cases that exceeds their 40-hour typical hours. This is done because on Monday morning there might be 15-20 people in custody and no ability to get them to the courtroom by 1pm, unless half or a dozen of them are drafted over the weekend. It ensures the Court Commissioner on Monday can have those cases ready ahead of time and allows those who should not continue to be in jail, to be released over the weekend. One thing the DA's Office does is release people who they do not believe have probable cause, or a significant amount to draft, so it saves the jail money by allowing them to assist them in getting people out of jail as well.

Supervisor Belsky asked if the TPR contract ended. Michael replied no, Judge Kerkman, who volunteered for to be a part of it, is still taking cases. Supervisor Belsky commented that she was asking about staffing. Michael replied that Christine Gabron, a Guardian ad Litem, is ideally situated to do the cases and has taken them on. She is actively the person who goes to Judge Kerkman's courtroom and does the TPRs. Christine accepted the contract, taken the full half time money this year, and is aware that another quarter is being requested for next year. Supervisor Belsky verified it was only a quarter being requested, as mentioned earlier there will be a rise in cases. Michael replied it is not rise as there are 15 less than two years ago but will still be above normal level. Supervisor Belsky asked why he asked for a quarter and not a half. Michael commented that he made a commitment to the County Board a couple years ago that this not be a permanent state of affairs in terms of budgeting. Supervisor Belsky commented that these are different times now. Michael replied that he understood that and gratefully accepted the additional \$28,500 last year when asked if it was an overall money savings for the county and if the employee was will to accept the extra monies and contract, to which she agreed and Ms. Gabron is willing to do that again. Supervisor Belsky commented that she will make the same motion as last year, to increase it again from a quarter to a half, making a motion to approve \$28,500. Michael commented that it would be \$28,300 and the full half is \$56,600. Supervisor Belsky made the motion to approve \$28,300 for the TPR. Michael commented that it would increase the Professional

Services Line, line number 521900, from \$164,090 to \$193,020 which is what it was last year. Chairman Pomaville seconded the motion. Supervisor Nordigian asked Michael if they did not get the half, how long would it take to clear and how long it was going to take. Michael replied that they have one prosecutor and Judge Kerkman would not be able to take the full load of cases as agreed. They would have to go back to the current judges who handle TPRs and that would lengthen out the time because they can only do so many cases as you can only have one trial scheduled at a time. There would only be one prosecutor available who does the TPR that would extend. Michael's estimate for Social Services from before the courts would be that it would take an additional year for the children to make adoption. Supervisor Nordigian verified it would save a year, to which Michael agreed. Motion passes unanimously to increase the budget by \$28,300 for the TPRs, with no further discussion.

Supervisor Wamboldt asked about the bodycams and the time it is going to take to increase in the future, he asked Michael if he had spoken with his peers in other jurisdictions and what happened in their jurisdictions. Michael replied that those jurisdictions have made severe compromises on how they prepare cases. Michael is not prepared to suggest they are willing to have the staff do that. Other DA's and DA's Assistants have simply said they do not do certain things when preparing for cases, which disadvantages Defense Attorneys as they are then not in the best position where they can make the best offers. It means they are less prepared and less successful at trial. Supervisor Wamboldt asked if the defense is spending time preparing, what is it doing to the clients. Michael replied that the most difficult job in the legal profession right now is in the Public Defender's Office and cannot imagine how it doesn't exponentially increase the difficulty of the job.

Supervisor Gulley commented that the reason the Committee pushed for additional funding last year was the Human Services budget. When it saw at the end of Quarter 2 it was projected to be \$1 million over this year, and it appears to be more at the end of Quarter 3. Supervisor Gulley asked if there were any other triggers in the arsenal that can help employees keep to that. Michael replied that the thing they are doing better at is having parallel tracks. Where there is significant trouble from parents being able to cooperate with the new rules, treatment, that kind of thing. It used to be in the county they did not start pursuing the termination of parental rights until after all of that was exhausted. There was about a year and a half where they were trying with the parent and there were repeated failures, difficulty with addiction, that type of thing. Social Services have begun a model over the last year where on those cases, that they identify challenges to be profound, that are starting to do a parallel track where they are asking the courts to consider both things simultaneously. Then you don't have to wait a full year extra for the TPR to take place and only happens if the adoptive resources are available and keeps a child from being in limbo. Any cases where you can have things working in a parallel track, where the parents do not get it together, then you abandon the other track, but still make sure the other work is done in the meantime so when the TPR decision is made, it is ready to file without an additional 6 month wait. The more you can encourage Social Services with funding, staffing, training, and identifying cases that is a huge piece and far more persuasive. Michael commented that whatever can be done as a county to do the best job with drug treatment and doing the right follow through, that is a huge part of parents being able to get the kids back. Supervisor Gulley asked that if there was anything else other than the lack of treatment facilities, having to go out of state, transportation. Michael replied that he gave a small example and then the big picture one, which are both in play.

Supervisor Nordigian went back to Salaries Temporary. In 2020 it was budgeted at \$25k but only \$10k was spent, 2021 budgeted at \$25k but only \$8k spent, so is the \$25k for 2022 a "just in case". Michael replied that there was an individual that retired from the office after 30 years of State service. State regulations allow a person who has substantial leave, to leave and continue collecting their benefits and prohibits from filling the position. The department is down a prosecutor from their retirement in April and it will be 10 or 11 months of a completely unfilled position. The Salary line item is being used to fund a special prosecutor to cover multiple of those months, so the prosecutors don't have multiple court weeks in a row. As soon as they are allowed the position will be filled again, which should be next March, by the person who was hired as the special prosecutor. That person was hired with the knowledge that there is a permanent job available down the line. That person comes from Sheboygan County where they left State employment to take a no-benefits special prosecutor job for a few months and then return to State employment.

Supervisor Nordigian asked about the Expert Witness line item for \$25k, but it looks like \$20k is expected to be spent for 2021, then in 2022 they are asking for \$25k more. In 2020 \$30k was requested, but only \$20k was spent. Michael responded that there were almost no trials in 2020 due to COVID and Expert

Witnesses are paid per trial testimony. As soon as trials started back up again so did the Expert Witnesses. Some of the monies were used for the Jacob Blake trial and no additional funding requests from the County Board were needed with that huge job because the money was available.

Supervisor Nordigian asked what the Program Revenue is, line item number 443145. Michael responded that is the drug diversion program, within the DA's program, and people are charged a fee to be part of it, and this is the monies from the fees collected. Supervisor Nordigian asked if there was not a lot of people in the program in 2021. Michael agreed there were not a lot of people and it is a sliding scale in terms of income, if people do not have the money they are not charged. Supervisor Nordigian noted they only got \$12k in 2020 and \$10k in 2021 and wanted to make sure it was clean and that every year was the same and they had the right amount of revenue. Michael replied that they felt it was appropriate to give a slightly lower figure and they were hopeful. Supervisor Nordigian commented it was a much lower figure as the same thing was adopted for 2021 but they are going to be \$30k under what was projected. Michael agreed that was the case and if someone wanted the revenue estimate to be exact with what was taken year previously, they could do that if asked.

Supervisor Nordigian moved on to County Ordinances and Fines and noted the figure must be from a bad year. Michael replied that was the number given and had no control over the figure.

Supervisor Nordigian asked what Victim Witness Revenue was. Michael replied that was a State reimbursement that they provide every year and this year the State asked legislation to increase the percentage of the funding that they share with the county. The department was able to increase revenue projection as they received direct communication from the State that the revenue was going up. The past several years it had been between 46-47% of the overall monies, but this year the State informed them it would exceed 50%. The official notification was received and so wanted to make sure it was included only because they knew officially. Supervisor Nordigian asked if the payment is from defending a witness or a victim. Michael replied it is a State cost sharing with the County and it funds the support to victim witness persons. Joe Cardamone commented that it is a surcharge on every case where there's a conviction, there is a charge. Some of the surcharges are directed to specific things such as DNA, Department of Justice, Victim and Witness surcharge, Computer Information surcharge. Michael added that it is what is paid as part of the fine.

Supervisor Rose motioned to approve, seconded by Supervisor Gulley. Motion passes unanimously with no further discussion.

Juvenile Intake

Motion by: Gulley **Seconded by:** Wamboldt **Approved:** Unanimously

7:53: Mary Beier, Director of Juvenile Intake and Honorable Judge Jason Rossell presented the Juvenile Intake 2022 Budget. Mary provided a handout to the Committee and referenced the first page where there is a breakdown of only changes being recommended for the 2022 budget. There are three line items total. The first two modifications are increases in the Personnel Appropriate Unit and Public Liability Insurance line item. Both increases are proposed by the Department of Administration and based on their recommendations. There are no changes to staffing that are occurring. The third, and largest, modification is in the Other Professional Services line item, which covers the cost of holding juveniles in secure detention. Mary moved on to the second page what provides a breakdown, or overview, of the last several years of what is budgeted, what the expenditures were, it provides detail on how many admissions there were, how many days the juveniles were held and the average length of stay. On the bottom of the second page is the rate Racine Detention has and how it has gradually increased. The main reason for the request in increase for Professional Services line item, is because Racine is increasing their daily rate next year from \$175 to \$225 per bed, per day. In 2021 Kenosha County is using nearly 200 beds per month or projected out to 2,400 beds annually. If the average daily use continues there will be a need for an additional \$120k to cover this increase of \$50 per bed, per day. The department is asking for an increase of \$122,845.

Supervisor Rose asked why 195 billed days are going up to 200 billed days. Mary replied there is a difference of 5 days and when preparing the budget mid-year, it was at 200 in the last couple of months and the average floating down to 195 days. There is a quarter left in the area and it is unknown where it will take the department. Last year it got as high as 20 juveniles in detention in one day, but that had not been reached in 7-8 years. There is no way to predict the numbers. Supervisor Rose asked if 195 would be short. Mary replied that it would be and looking at what she budgeted, and the expenditures were in 2020, she was way over

budget and it just so happens it is flowing like it should be for this year. This is a rare occasion and it is unknown if they will be under again next year. Supervisor Rose asked what the average was in 2020. Mary replied 2020 was budgeted at \$368k and spent \$515k, which was an overage of \$147k.

Supervisor Gulley asked if longer stays were expected and if they could be attributed to anything, because between 2019 and 2020 the length of stay increased a week. Mary replied there were a couple of factors. When juveniles are placed in a correctional setting at Lincoln Hills, before COVID, the Sheriff's Department would schedule that transport with 2-3 days to Lincoln Hills. The State facility changed their admission policy and they are now only admitting juveniles two days a month, every other Tuesday. If a juvenile has court on a Tuesday and they are committed to Lincoln Hills, and that happened to be admission day, the juvenile is kept another two weeks increasing their length of stay. The other factor is placement. There are less beds available in other places like group homes, RTCs, and foster care. When trying to get the juvenile to detention and the courts, or DCFS are trying to locate a placement, it is taking much longer. Judge Rossell added that there was a transition on October 1st where a new Federal Law is now in affect regarding qualified residential treatment facilities. This may limit the number of other facilities that are available, because if they don't qualify under the new law, they may not be able to be used. The State cannot get the federal reimbursement back for those beds. We will not know what the impact will look like yet because the State DCFS is still working through some of the details. Once of the places we used to use, the Sierra Group Home, does not qualify and may take additional time.

Supervisor Nordigian asked if it was possible it utilize Lake or McHenry Counties in Illinois since Kenosha is so close to the boarder. Judge Rossell replied that they must stay within State and moving a juvenile out of jurisdiction is very difficult. Mary added that other facilities are used like Washington County in West Bend. Their capacity is 25 juveniles, whereas Racine's capacity is built for 119, but when they build their new facility in the next couple of years it will go down to 48 beds at \$500 a bed. At this time Lincoln Hills will be closed, which the legislator is still fighting the government over. Mary estimated the correctional rate currently at \$1,000 a day.

Supervisor Rose asked if the State is only accepting juveniles twice a month, is this costing the county money. Mary replied it is but is unable to give an estimate at the meeting, the numbers were in her office. Supervisor Rose felt it was time to talk to the County Board Legislative Committee and take a list of all the subtle ways the State increases the county's cost's and increases the taxpayer's money unnecessarily. Perhaps they were only taking juveniles twice a month because it is more efficient, but Supervisor Rose felt that the costs were being passed on to the county from the State. Supervisor Rose commented that he never understood why a State juvenile facility passed the cost on to the county, because when an adult is admitted to State prison it is not the county's cost. Vice Chairman Frederick assured Supervisor Rose that this had already been taken to the County Board Legislative Committee on many occasions with no results. Supervisor Belsky commented that they needed to keep trying. Vice Chairman Frederick added that they were aware how much control they have taken from the county and increased the costs and just wanted Supervisor Rose to be aware that it has been done.

Supervisor Gulley motioned to approve, seconded by Supervisor Wamboldt. Motion passes unanimously with no further discussion.

Clerk of Courts

Motion by: Frederick **Seconded by:** Nordigian **Approved:** Unanimously

8:09: Rebecca Matoska-Mentink, Clerk of Circuit Courts, and Honorable Judge Jason Rossell presented the Clerk of Courts 2022 Budget. Rebecca started by asking for a lower levy for Circuit Court by \$84k and primarily due to collection efforts. Finance staff was finally at full staff and able to proceed with the State debt collection agency reporting instead of sending it to a local private collection company and were able to use State resources. It requires a lot of back work to send out notices to people and make sure the number are correct in accruing interest. The staff were able to make that go and the notices were sent out to people. People are contacting us, unaware that debt was owed and wanting to pay. The collection is already coming to fruition before STC can take advancements on tax intercept, wage, assignments, etc. It is anticipated that the collection agency and the county collections will go up next year on past debts.

Rebecca had one amendment to propose and has the support of the County Board, Finance, and Judges, which is to increase the contracts with the Guardians ad Litem. There are currently 6 of them on

contract for \$50k. There is a proposal asking for a 5% increase but cannot be found. A comment from a Guardian ad Litem says Racine is paying them \$61k a year, so they are requesting Kenosha County to that dollar amount. This came after the budget submission and after discussing and reviewing it with Bethany and Judges, with the current collection activities it can be funded. With the amendment it would make the contract \$61k per Guardian ad Litem, which would readjust the budget to \$59k. Rebecca would also like to propose an increase in the Guardian ad Litem collection revenue by \$58k as well to off-set each other. The Guardians ad Litem are partially funded through part of the Court Support Grant in "Title E4 Funding". The department was part of the project pilot through the State of Wisconsin, which is now in full effect for all 72 Wisconsin counties. The counties are not able to bill parents for Guardians ad Litem fees, in cases where the children need protective placement. In turn, there is federal funding for the offset. This gives the county a little bit of benefit because the collection from these families are low, where the federal collection rate is higher. Those dollar amounts that off-set the current contract rate and collection on old debt that is what is used to fund that.

Supervisor Wamboldt asked if the numbers were correct and current in the book. Rebecca replied everything was correct except for the Guardian ad Litem fee, page 71 and line item number 527500, which should be increased by \$58,644.50. Supervisor Rose verified that it translates into \$61k per person for 6 people. Rebecca agreed that it did for part-time and no benefits. Supervisor Wamboldt asked that the \$348k number if they were to just add \$58,644, to which Rebecca agreed.

Supervisor Wamboldt asked which line item was to be decreased. Rebecca replied it is GL Reimbursement, page 72 and line item number 445650, fifth from the bottom on revenue. Supervisor Nordigian verified that it was going up to the same amount of \$258,644, to which Rebecca agreed.

Supervisor Nordigian asked about salaries with the understanding 2020 was an off year. In 2018 it was \$164k as the actual, 2019 was \$160k as the actual, 2020 was \$175k, and in 2021 \$175k was asked but it looks like only \$125k will be spent. Rebecca replied it was due to a lot of courts that were still going virtual and less jury trials.

Supervisor Rose asked what bailiffs are paid. Rebecca replied they are paid \$70 in half sessions, at \$35 for morning and afternoon sessions respectively. Bailiffs get an additional \$5 an hour if the court goes after 5pm. The budget submission increased it to \$75. Supervisor Rose verified it was an additional \$5 for the day and was surprised they did not make more. Rebecca agreed it was a \$5 increase from \$70 to \$75. Rebecca commented that not all bailiffs work 8-hour days and some work trials. If a judge only has one hearing in the morning and that's what they come in for, they may be gone within an hour, and similar with the afternoon. That is why it is paid by the session as they are obligated to their day coverage. Rebecca added that they have some very good and dedicated bailiffs.

Supervisor Nordigian asked about Salaries Overtime. In 2018 the actual was \$5,420, 2019 budgeted for \$15k but spent \$10k and then had overtime that went into \$27,930, and in 2021 there is \$18k for the year but expected to spend \$32k. Rebecca replied that this is all anticipated and they are short a judicial assistant, who is currently in training. Where there was a reduction, they allowed the 13 judicial assistants who are all assigned to a Judge and 2 floaters that cover their vacations. Only that classification of court employees could put their overtime into a "bucket", and they would use that time out to take paid time off. This wasn't good policy from a management side to pull from the "bucket", because they would accumulate this time and take a week off. Which then required management to back fill them and the managers are spending significant amounts of time in the court room, where they should not be. The policy has now changed, and they are still under Zoom hearings this year. Zoom hearings add an extra 5 minutes on for each case to schedule and that is significant. This pushed everybody to the maximum levels of work in the courthouse. Supervisor Nordigian commented that he could not agree it was not anticipated because \$18k was adopted and \$32k spent, so that must have been anticipated for 2021. Rebecca replied that it is anticipated for 2022 and expected to go about the same.

Supervisor Nordigian asked about Medical Insurance being lower, but not losing anyone and higher in every other category in Judicial. Barna replied that it was a difference between single and family compensation and the choice the employees are making when signing up.

Supervisor Nordigian asked about the Jury Fees, Per Diem, Mileage, etc. and asked if it couldn't be accounted for because they don't know what it is going to be, and that's why it's budgeted zero and then coming up with something that will have to be paid out. Rebecca replied that the zeros are in due to being bumped down from the major line items. The Juror Fees are \$115k, that's the general, and then it is broken down underneath it. Barna and Patty added that it's like subaccounts and budgeted from the total. The actual

expenses are accounted for in the categories. Rebecca also added that there are rolling numbers and can go back 15 years in the jury statistics and let the committee know how many trials they had if needed. Supervisor Nordigian used Doctor Fees Criminal, line item number 527302, as an example. Zero was budgeted but on June 30, 2021 \$760 was put in and then another \$0 projected for December 31, 2021. Rebecca referred to line item number 527300, which is the total amount allotted to spend on Doctor Fees Criminal Juvenile and those get trickled down as a rollup and are not individual. Rebecca then referred to Guardian ad Litem, line item number 501502, which is the same thing as they are all subcategories. Supervisor Nordigian commented, apart from 2020, they are all kind of where they have been.

Supervisor Nordigian moved on to the revenue side. The Interpreter is something that wasn't budgeted for and asked if it just comes up. Rebecca answered that it is paid by the State. Judge Rossell added that it is based on usage and the type of interpreter used so it is not known until it is submitted. Rebecca added that this line item gets rolled into the Court Support Grant at the bottom and those are the numbers received.

Supervisor Nordigian asked about the Court Support Grant which had quite a bit and if they knew what it was going to be. Judge Rossell replied that the Court Support Grant is a situation, like what Vice Chairman Frederick and Supervisor Rose were discussing, where the legislator has increased it over the last two years. The formula used was in the statutes, and for various political reasons, the legislator eliminated the formula in 2015. They then put the Court Support Grant into a Black Grant to the Supreme Court. The Supreme Court then agreed to continue to use the formula so not to create fights between counties. Using the old formula used to be statutory and never got an increase until the 2019 budget and it made it through the Governor's budget this year. Now there are two increases. The hardest part, like the interpreter fees, you put all the numbers into the formula, and it is unknown where it lands. It is paid out every 6 months. Rebecca commented that in 2020 the interpreter revenue was separated out and Court Support Grant for 2021 was all lumped in. Supervisor Nordigian commented that in 2018 it was \$780k, 2020 was proposed for \$781k but came out to \$936k and that looks like it is the case going forward. Judge Rossell added that they keep pushing the legislator to increase that because the Court is mandated to report out. Last year the county is in the State of Wisconsin funded at about 70% of court costs versus the State who caught 30%.

Supervisor Nordigian asked if Court Investments is the same thing. Rebecca replied it is not but the percentage they receive from the money they are holding onto, or interest.

Rebecca wished to comment on what Supervisor Rose was talking about earlier and the legislators. They appoint advocate council on cases where defendants are not eligible for Public Defenders because of their income guidelines. In the last two years they have seen an increase in Public Defender cases, they haven't been able to appoint because they are not finding the attorneys. The hourly rate for Public Defenders was fixed in the State budget last year to \$70 an hour but the department is paying \$100 an hour. Public Defenders, just like other attorney fields, are having problems recruiting and retaining. Our advocate council appointments have been on an increase as a result. The county is paying for people to be eligible to be represented by the Public Defender's office, but we are unable to seek reimbursement for them. Even though they're budgeted for their full staff allotments, that is really transferred back into the county. There should be a mechanism where the county can apply for those dollars allowed for those attorneys to be reimbursed on some level. Judge Rossell added that it had become so bad in other counties too, such as Marinette County, north of Green Bay, which pays \$125 an hour to get attorneys up from the Fox Valley because they cannot get anyone else to come up. The Supreme Court requires the counties to pay \$100 and it can be discussed by the Judges and County Boards to pay more. That is what Marinette County decided, that they were in a hard spot to pay a premium of \$125 an hour. Marinette County almost borders the U.P. but their County Seat is down toward the Green Bay corner of the county.

Chairman Pomaville asked for verification that the Public Defenders Office is short by five. Judge Rossell agreed and added that one is being hired in November. They have been discussing with the Supreme Court things that need to be addressed in the Criminal Justice System. One of the statistics Judge Rossell saw is the number of 1L Law Students in 2021, is equal to the number of 1L Law Students in 1974. There may be a lawyer shortage in the next few years. Someone who is on their GL contract put her shingle out, Stephanie Prasser. She is the first person since Catherine Lambrooks to open a law firm in Kenosha, who opened 7-8 years ago. There are not a lot of sole practitioners, who are the bread-and-butter for SPD appointments, they are mostly retiring.

Supervisor Rose reminded the Committee that he made a motion to increase the Guardian ad Litem, which was seconded by Supervisor Belsky. The motion passes unanimously to increase the Guardian ad Litem to \$61k a year, which will increase the budget by \$58,644.

Supervisor Rose asked again if the \$75 is enough for the bailiffs. Judge Rossell replied that people are constantly contacting them for a position so there is not a shortage. Judge Rossell commented that he has three bailiffs and they enjoy the flexibility.

Judge Rossell commented again on the shortage of attorneys. There is a conversation that is starting on a statewide basis because everyone can see the train wreck that is few years off. Just like Michael Gravely was discussing the case prep going up 20 hours because of the bodycam footage, if you do not have the attorneys to do that how is it dealt with. The State Bar last year took on 3L's on a tour of the rural counties of Wisconsin where they were signing up Law Students to visit, show the sites, and have local lawyers meet with them and offer them an opportunity to open a practice up in their counties because they are getting that thin. Joe Cardamone added they had some success, as he is on the State Bar for Governors, and the State of Wisconsin project continues and there are a few new initiatives.

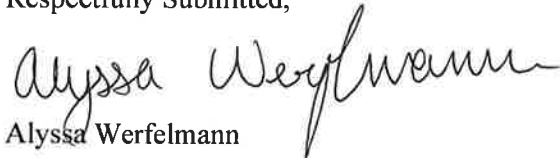
Chairman Pomaville asked with the two changes in the budget included if there was a motion on the budget. Vice Chairman Frederick motioned to approve, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

Any Other Business Allowed by Law: 8:31 None

Meeting Adjourned: 8:32: on motion by Belsky; seconded by Rose

A recording of the meeting is available online at kenoshacounty.org

Respectfully Submitted,


Alyssa Werfelmann