

Minutes
Law Enforcement/Emergency Management Committee
July 14, 2010

Members present: Rob Reichwein, Dick Miller, David Suchla, Olin Fimreite and John Aasen.

Also present: Emergency Management Director Dan Schreiner, Sheriff Richard Anderson, Lt. Tonya Niederkorn and Brad Hompe, Detention Facilities Specialist with Wisconsin Department of Corrections. Health and Human Services Director Jeff McIntyre arrived at approximately 1:40 p.m.

The meeting was called to order by Reichwein at 1:03 p.m. stating proper posting and notification has met open meeting requirements. Motion by Suchla and seconded by Aasen. Motion carried 5-0.

Motion by Aasen and seconded by Fimreite to accept the June 2, 2010 meeting minutes as submitted. Motion carried 5-0.

Emergency Management Vehicle Update

Schreiner advised that he received a bill for approximately \$800 on the 2002 Ford Taurus that he is currently using. Health and Human Services and Land Records also utilize this vehicle at times. The bill was split with Health and Human Services.

Schreiner approached the committee about replacing this vehicle before the repairs become too costly. Schreiner further advised that if he is called out to an emergency he may need some equipment that he would not be able to transport in the Taurus. He also advised that he is currently replacing sign posts which are difficult to transport in the Taurus.

Schreiner advised it appears that something is burning in the Taurus but no other issues have been determined. The oil is changed on a regular basis.

Suchla questioned if Schreiner could get access to the four-wheel drive trucks being utilized by Land Management. Schreiner advised that he has spoken with Kevin Lien who stated the trucks are assigned to certain individuals. Schreiner advised his only concern is that a vehicle will not be available when needed. Fimreite advised it seems that some of the Land Management vehicles do not move for a period of time and suggests that Schreiner look into this further.

Suchla further questioned if there would be an old squad available from the Sheriff's Office that Schreiner could purchase for Emergency Management. Schreiner advised he will speak with the Sheriff about this possibility. Suchla asked Schreiner if that would be acceptable to him. Schreiner advised that is fine and he will look into it. Reichwein advised that Jeff McIntyre also brought this up at a recent meeting.

Schreiner will speak with Health and Human Services, Sheriff's Office and Land Management about vehicle purchases or use of a vehicle.

LEPC Membership Update

Schreiner provided the committee a copy of what will be proposed for the County Board Chair's signature regarding the Local Emergency Planning Committee. The individuals on this committee will be appointed to a two-year term. Schreiner advised this committee meets on a quarterly basis to consider circumstances regarding hazardous materials and community response to emergencies.

One member, representing fire, has resigned from the committee. Even with this resignation the committee still meets the statutory requirements for the number of members. Fimreite questioned how the committee members are paid. Schreiner advised that the only individual on the committee serving as a County Board member is Arild Engelen who may have an opportunity to receive per-diem.

Motion by Suchla and seconded by Fimreite to approve the LEPC committee appointment list. Motion carried 5-0.

Communication Project

Tower Leases – Schreiner stated that is working with Corporation Counsel to re-write the leases. They need to confirm legal description of the property for two of the leases. The committee discussed negotiations for possible costs associated with tower leases. Schreiner states that both landowners did discuss concern with the length of the lease. Schreiner advised they are hoping to build in a lease within the contract for every 8-years.

Each tower site would require an emergency backup generator, which would run on LP gas. Traditionally you rent a 500-gallon tank from the gas company and then fill as needed. Suchla advised when they lease a tank they require that it be filled at least twice per year. Schreiner advised he believes the extra cost will be when the tanks are initially filled however the costs thereafter should be minimal. Schreiner advised that generator price was built into the contract. Suchla questioned if the county could utilize the backup generators that US Cellular currently has on their tower sites. Aasen suggested purchasing a gas tank rather than being restricted to using one gas company.

Miller questioned the weekly testing. Schreiner advised they are programmed for an auto start to conduct the testing. There was discussion on having the Dispatch Center be notified if there are any issues with generator testing. Schreiner will continue to research the process and costs associated with the backup generators.

Frequency Requests – Schreiner advised that frequency requests are still pending. Schreiner will continue to update the committee on frequency requests and the letters of concurrence. The cost per request is \$840 (\$420 per frequency and a pair of frequencies are needed).

Budgetary Issues – Sale of the bond went through on July 1, 2010. There is just over \$2.4 million dollars to complete the communication project. Schreiner advised it is his understanding that he will be signing of on the expenditures for this project, working with the Treasurer and County Clerk.

Schreiner advised he has questions about 2011 and subsequent budgets. Schreiner advised he spoke with other agencies and it has been determined that sometimes the costs of leases, fuel for generators, etc are placed in the Emergency Management budget. The tower expenses are currently absorbed in the Sheriff's Office budget. Miller advised he believes it is appropriate for these expenses to come through Emergency Management.

Schreiner hopes to have results of the tower loading study and movement on the leases at the next meeting.

State of Wisconsin Department of Corrections Annual Inspection – May 11, 2010

Brad Hompe, Detention Specialist with Wisconsin Department of Corrections reviewed the Annual Jail Inspection with committee members. Hompe advised he took this position in December of 2009 and this is his first inspection of the Trempealeau County Jail.

Fimreite questioned how many of the current inmates would be considered violent inmates as he does not believe inmates in the Trempealeau County Jail are violent individuals. Hompe advised that he inspects the jail facility but does not review the files of individual inmates to determine what their offenses are.

Property committee approved addressing some of the issues within the jail facility. Many of these projects have not been completed at this time. The paper pass in the visiting area has been installed. Putting film on the windows, updating the jail cameras and sound proofing the multi-purpose room has not been completed. Hompe suggests that these updates be given some priority.

Suchla questioned the agreement made in 1995 regarding double-bunking. Suchla states he believes some of the cells were designed for double-bunking. He realizes that there may have been additional state mandates implemented after the date when the jail was built but feels the jail would be grandfathered for the previous standards. Hompe advised that the code is specific for double-bunking. Hompe states that the cell sizes are not the issue but rather the dayroom space. Suchla states he believes the jail was built for double-bunking. Hompe advised he does not believe the intent, at the time the jail was built, was for double-bunking. Hompe advised all he can tell the committee is what the code says, what the ACA guidelines are and what the recommendations are from DOC.

Hompe advised that the recreational and programming space is extremely limited. Jail staff is doing their best with what they have. Hompe further advised that he needs to base his recommendations on the new correctional standards.

Suchla advised in 1995 there was a letter of agreement stating that four additional jailers would be added because of the double-bunking. Suchla states he believes that the jail was built for double-bunking and questions the need for additional staff. Suchla further advised that in 2004 the Dispatch Center was removed from the jail, yet the jail staffing levels remain the same. Suchla further reviewed a staffing comparison from 2002. Suchla states that staffing levels are costing Trempealeau County a lot of money.

Hompe stated the recommendation across the country is to separate Dispatch from the Jail as they are separate areas of expertise and separate functions.

Suchla states that Trempealeau County's staff per inmate ratio is dramatically higher than any other county. Hompe advised that when looking at staffing levels it is important to carefully consider the design of the facility. Even linear jails have differences in design. Hompe advised this is a recommendation based on his experience. NIC could also conduct a staffing analysis but the county may not like the results of that study. Suchla advised he does not put a lot of faith into what happens with the National Institute of Corrections

Suchla advised the staffing levels changed in 1995 because of the double-bunking. He questioned if double-bunking is eliminated then the staff levels could also be reduced. Hompe advised he would not recommend reduction of staff as it could increase the county's liability regarding staff and inmate safety. Hompe advised that there are federal court decisions that dictate the standards within jail facilities. These decisions indicate that the county has a duty to protect staff and inmates within the jail. Based on professional obligation it is his job to identify areas of concern and potential liability.

Suchla questioned Hompe's recommendation on staffing levels if the county decided to move forward with a Justice Sanctions program, thus eliminating Huber. Hompe advised his suggestion would be for staffing levels to remain the same and use the Huber space for housing inmates under the minimum classification. Hompe advised it is his recommendation that staffing levels remain the same no matter what the inmate population. He states this is necessary to ensure the safety of staff and inmates. One jailer must remain in main control at all times. He further recommends two on the floor and a supervisor. Suchla questioned how many counties meet those standards. Hompe advised that many of the jails have recognized the need for supervision and the court precedence; therefore they have been adding staff. Once inmates are in jail there is a standard of care that has to be met. Suchla questioned Hompe if jail staff were reduced would he (DOC) shut the jail down. Hompe advised he does not believe it is in his authority to do so, but cautions on the risk to inmates and staff, thus increasing the county's liability.

Fimreite advised he believes Hompe is under the assumption that the inmates in jail are violent but Fimreite is under the assumption that inmates within the Trempealeau County Jail are non-violent.

Suchla advised his problem with building a new jail is with the Department of Corrections. He states that the Department of Corrections develops new mandates and how can the county ensure that a new jail facility will meet future recommendations from the Department of Corrections. Suchla cited the classification requirement as an example. Hompe advised he would disagree as many other counties are doing fine with the changes.

Hompe stated the Department of Corrections make recommendations but if the county chooses not to follow these recommendations then the liability falls onto the county should anything happen to staff or inmates. Fimreite advised that citizens are concerned with the amount of tax dollars spent on law enforcement and the jail and the County Board has an obligation to cut corners in order to reduce the cost to taxpayers.

Suchla advised he feels that we need to go back to a joint Jail/Dispatch Center, such as Buffalo County in order to save costs. He states current operations are very expensive and we cannot continue to operate this way. Niederkorn and Miller advised the reason Dispatch was removed from the Jail was because of the issues associated with joint duties. If a Dispatcher receives a 911 call or is providing emergency medical directions they cannot hang up on the caller until assistance arrives. Having to operate the main control within the jail creates too many distractions and poses a potential risk to life. Hompe advised his recommendations are based on current court decisions and

movements made across the country. If there is an issue within the jail facility or dispatch center the county would then assume the potential liability.

At this time Hompe stated members of the committee seem to be a complete disregard for the Jail and Dispatch staff regarding the jobs that they do and the situations they are in. He states that is an area of great concern to him.

Hompe advised there is some potential for some remodeling within the current space in order to make some improvements within the current facility. He states that Jail Assessment funds could be utilized to hire an architect to look at possible for improvements.

Hompe advised he again stresses that his recommendations are based on codes and NIC recommendations. He further advised that NIC will conduct a free staffing and risk analysis.

Jail Tour

The committee participated in a tour of the jail facility at approximately 3:00 p.m.

Discussion with Brad Hompe, Detention Specialist with Wisconsin Department of Corrections

The committee continued to discuss some of the topics addressed above.

Department Comparables

Suchla advised he spoke with John Zander after the previous meeting and requested someone other than Malone to complete the comparable study. Zander advised he would attempt to find someone from outside the county to complete the study. According to Suchla, Zander has located a website for the type of information he requested.

Suchla states he also spoke with Clerk of Court Angie Sylla who confirms the numbers provided from the website are accurate. Sylla further advised Suchla that the state conducts similar analysis.

Suchla advised that Zander continues to research the possibility of another individual to complete the analysis.

Smoking Ordinance

Section 101.123 of Wisconsin Statutes, took effect on July 5, 2010 and places limits on the places where the smoking of tobacco is permitted. The adoption of a County Ordinance which incorporates the provisions of the State Statute will permit the County to retain a greater portion of any forfeiture paid for violations of the law, which will help offset the costs of enforcement. The resolution advises that the attached Ordinance be adopted by the Trempealeau County Board of Supervisors.

The ordinance states Section 101.123 of the Wisconsin Statutes, restricting the smoking of tobacco in certain enclosed and outdoor places and providing penalties for violation of these restrictions, is hereby adopted as an ordinance of the County. Future amendments, revisions or modifications of this section of the Statutes area also incorporated and adopted. This Ordinance shall take effect upon passage and publication as provided by law.

Motion by Suchla and seconded by Fimreite to approve the Smoking Resolution and forward the Ordinance to the full County Board. Motion carried 4-1. Aasen stated no.

Project Lifesaver Grant

In June of 2010, the Trempealeau County Sheriff's Office applied for and was awarded a grant through the US Department of Justice. This grant was for two transmitters, a year supply of batteries, wrist bands and a wandering prevention kit for the project lifesaver program. The total award is \$900.00 - \$1,000.00 with Trempealeau County only having to pay shipping costs of approximately \$14.00 per transmitter. This grant will benefit two Trempealeau County families for a minimum of one year with no cost to them.

The Project Lifesaver program is designed to assist families with loved ones that are living with dementia, Alzheimer's or autism. The client wears a transmitter on their wrists and if the client wanders away from home, the Sheriff's Office has a received that assists with searching for these individuals.

The program increases safety for Trempealeau County residents who are living with these medical conditions by reducing search times and their exposure to the elements. Another potential benefit to Trempealeau County is to reduce the expenses of search and rescue missions when one of these individuals goes missing.

Law Enforcement Command Radio Grant

This grant has been approved.

Jail Addresses

SCBA's and Medical Evaluations – On May 19, 2010 the county received a letter from Jerry Vanevenhoven; Willis Risk Control for Trempealeau County documented the following:

- Ensure respiratory program meets OSHA 1910.134 requirements, as soon as possible.
- Provide medical evaluations for employees required to wear SCBA and N95 respirators.
- Conduct annual fit testing.
- SCBA properly serviced by conducting flow/hydro testing.
- Update written respiratory protection program, possibly combine with a County wide program.

All three of the current SCBA's have condemned by Fire Protection Specialists.

The committee reviewed the expenses for additional SCBA units and completing medical evaluations for employees required to wear SCBA's and N95 masks. The Sheriff is also researching other options to reduce costs of the SCBA units and fit testing.

Motion by Reichwein and seconded by Suchla supporting the Sheriff in transferring funds from Out of County Housing to cover the costs of the additional SCBA's and medical evaluations. Motion carried 5-0.

Electronic Monitoring and Jail Census

Trempealeau County Average Jail Population = 27.50

Average Out-of-County Jail Population = 10.07

Average Electronic Monitoring Population = 1.43

Total Average Jail Population = 39.00

Discussion of General Operations

Sheriff Anderson advised he requested that Chief Deputy Puent complete a grant application through the Office of Justice Assistance for an Offender Re-Entry and Alternative to Incarceration Coordinator position. This grant is the amount of \$200,000, for two years with no cost to the county.

The Sheriff's Office recently received notification from Tri-County Hospital that the cost of blood draws will be increasing.

Questions Regarding Monthly Vouchers

Monthly vouchers were reviewed.

Set Next Meeting Date/Time

The monthly Law Enforcement/Emergency Management Committee meeting will be held on Wednesday, August 11, 2010 at 2:30 p.m. in the Tremple Room.

Reichwein adjourned the meeting at 4:48 p.m.

Respectfully submitted,

John Aasen/rms Secretary, Law Enforcement/Emergency Management Committee