

**RICHLAND COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE
MEETING
Friday, August 8, 2014**

The Richland County Board of Supervisors Law Enforcement and Judiciary Committee met on Friday, August 8, 2014 at 8:30am in the County Board Room of the Richland County Court House in Richland Center, Wisconsin.

LEJC Committee members present at the meeting were: Committee Chair, Fred Clary, Marty Brewer, Paul Kinney, Buford E. Marshall, Jr. (Junior Marshall) and Don Seep. Present from the Richland County Sheriff's Department were Sheriff Darrell Berglin, Chief Deputy Tom Hougan, Lt. Bob Frank and Sgt. Wes Starkey. Present for the meeting or a portion of the meeting were Richland County District Attorney Jennifer Harper, Richland County Clerk of Court Stacy Kleist, Emergency Management (EMS) Director Darin Gudgeon, Deputy Coroner Paul Higgins, Atty. Jason Luczak and Scott Teuber.

Agenda Item #1: Call to Order: Committee Chair Fred Clary called the meeting to order at 8:30am.

Agenda Item #2: Read and Approve Notice of Posting for August 8, 2014 LEJC Meeting: Committee chair Fred Clary confirmed with Sheriff Berglin that the meeting was properly posted. Upon receiving this confirmation, motion by Don Seep to approve the posting of the meeting. 2nd to this motion by Paul Kinney. Motion passed.

Agenda Item #3: Read and Approve the Agenda for August 8, 2014 LEJC Meeting: Motion by Marty Brewer to approve the agenda with 17 agenda items listed. 2nd to this motion by Paul Kinney. Motion carried, agenda approved.

Agenda Item #4: Read and Approve Minutes of the July 11, 2014 LEJC Meeting: Committee chair Fred Clary asked if any additions or corrections from minutes presented prior to meeting. Stacy Kleist noted that on Agenda Item #5 where it says, "guardian et litem" it should actually say "guardian ad litem" and in last sentence of this section where it has ".....Kleist advised to have possible referendum on this issue on next month's agenda...." It should say, "Kleist advised to have possible resolution on this issue on next month's agenda....." Motion by Paul Kinney to approve the minutes with the 2 changes noted. 2nd to this motion by Marty Brewer. Motion passed, minutes approved.

Agenda Item #13: Application of the County's Large Assembly Ordinance to the upcoming Cannon Ball Run Event: Attorney Jason Luczak of Gimbel, Reilly Guerin and Brown, Milwaukee, WI appeared before the committee with his client Scott Teuber regarding the upcoming Cannon Ball Run event at the Bunker Hill Tavern next week. Discussions between Luczak, Teuber, LEJC members, Sheriff Berglin, Starkey, Hougan and Frank centered on the event and how it applies to the county's large assembly ordinance and what Teuber needs to do to obtain a permit from the county to comply with the county ordinance. Initial discussion centered on the numbers of campers, number of participants and the number of hours the event is occurring and

whether those numbers fall within the authority of the county's ordinance. Then, discussion of wristbands used at the event, vendors, security staff and fencing options at the event. DA Harper and Sheriff Berglin spoke to the committee regarding efforts to encourage Teuber to comply with the ordinance rather than wait until the last minute prior to the event which Berglin says is now occurring. Luczak advises Teuber does want to cooperate with the county and that is why they are in attendance to work things out and comply with county requirements. Discussions regarding Emergency Medical Services at the event now that Darrin Gudgeon, Richland County Emergency Management (EMS) Director is present at the meeting. Discussion regarding the beer tent and checking ID's. Teuber said nobody under 21 should be on the property as it is an "adult event" he says. Discussion regarding number of porta-pottys needed for the event. Teuber says that he does not feel the event falls under the county's ordinance. Fred Clary said that the committee has decided that the event does require a permit and that the county's large assembly ordinance does apply unless the committee reverses its prior decision. More discussion with Darrin Gudgeon, Teuber and the committee about emergency medical services coverage. DA Harper asks who's paying for this coverage. Teuber said that he had made an "undisclosed" donation to the Cazenovia fire and ambulance organizations. Discussion regarding the county's level of insurance coverage required for the event. Discussion that a 3 million dollar policy is impossible to find for such an event-that one million can be attained with a phone call but the 3 million dollar coverage has not been found yet by his insurance carrier.

Discussion regarding whether Teuber would give permission for law enforcement to be on the property to monitor the event and take law enforcement action if it is needed. Teuber again said he did not think the county ordinance applied. Don Seep said he wanted Sgt. Starkey to go over each point of the ordinance and advise which items Teuber is not in compliance with. Starkey reported the status in the following order: #18, #17, #12, #4, #9 and #24. Discussion regarding double fencing. Discussion regarding the fact that if everyone is 21 why is there a need for wristbands? Marty Brewer advised that he feels Teuber has done a great job up there saying it is a safe event that brings money into the area. More discussion regarding underage kids at the event. Atty. Luczak said that the changes this year will help keep underage people out-that is why the wristbands were created and private security was hired for the event. Don Seep said he didn't think it made much sense to have a gated area and when there is a large area with no fence. Teuber said that there are no trespassing signs posted to keep those people who are not part of the event out of the event and if there are trespassers he can call the sheriff. Jr. Marshall asks about the vendor area and whether the general public can be in the vendor area as he is worried about insurance coverage for the event. More discussion regarding the insurance options and whether Teuber can find the 3 million dollars worth of insurance coverage the ordinance requires.

New discussions regarding whether law enforcement personnel will be allowed on the grounds. Luczak and Teuber both say yes. Sheriff Berglin said he would like that in writing and irrevocable. Luczak said that would not be a problem. Fred Clary said that if the Sheriff and the respective departments sign off he will issue the permit on behalf of the committee. Berglin said that fencing is still an issue as the ordinance requires the fencing. More discussion on fencing and the insurance required by the ordinance. Marty Brewer then asks the committee if they are willing to waive the

fencing requirement of the ordinance. Fred Clary said that it seemed that all issues have been worked out except the insurance and the fencing. Teuber said his insurance people have been working for 6 months to find the 3 million dollars of insurance coverage and they cannot find it. Committee discussion regarding whether committee could approve a permit with waivers included. After discussion, motion by Don Seep that the condition of requiring 3 million dollars of insurance coverage can be satisfied by a letter from an insurance broker that such coverage does not exist and only a lower amount of at least a million is available and is provided for the event. 2nd to this motion by Paul Kinney. Motion passes on a 3-1 vote.

Discussion regarding fencing continues. Fred Clary takes a poll regarding whether they feel fencing is such an issue that would stop the event. Starkey said he did not have a position, Jr. Marshall said that plastic fence is useless in large assembly gatherings, Don Seep says the ordinance says barrier fence is required, Luczak said that a perimeter fence is a compromise to the lack of a double fenced bar area. Lt. Frank offered that it be required next year, Hougan said that barrier fence along Bunker Hill Drive would designate the event and help organize the event. Paul Kinney said that he has seen people ignore plastic fencing at events in the past. After discussion motion by Don Seep that the committee waive the fencing requirement for the bar area at this year's event because it could be a safety problem with people trying to walk over it. 2nd to this motion by Jr. Marshall. Motion passed with one no vote. Sheriff Berglin wanted it noted in the minutes and to the committee that he does not agree with waiving the requirement. Motion by Don Seep to waive the required boundary fence on Bunker Hill Road for this year only. 2nd to this motion by Fred Clary. Discussion: Jr. Marshall said the entire area should be fenced similar to the country concert area that is near Prairie Du Chien and not with cheap, plastic orange fencing. Call for the question. Motion passed with 1 no vote. Sheriff Berglin again stated the he wants it in the minutes and the committee to know that he opposes the waiver of any fencing required by the ordinance. Committee Chair Fred Clary then reminded Teuber he needed 2 documents to be signed and received before he would issue a permit. That is the irrevocable blanket authorization for law enforcement to be present on the property during the event and the statement that 3 million dollars of insurance on the event is not possible but 1 million has been paid for and is "in effect."

Agenda Item #5: Clerk of Court Updates: Richland County Clerk of Court Stacy Kleist provided the committee with a paper copy of her monthly report for July and went over the report with committee members.

Agenda Item #6: Clerk of Court Staffing Update/Deputy Clerk Resignation. District Attorney Update: Richland County Clerk of Court Stacy Kleist advised that she has had an employee (a deputy clerk) on sick leave recently and that this person has recently resigned her position so now she needs authorization to advertise the position and fill the vacancy. Discussion. After discussion, motion by Paul Kinney to authorize Kleist to advertise to fill the vacant deputy clerk position. 2nd to this motion by Don Seep. Motion carried.

Agenda Item #7: Reclassification of Clerical Assistant Position in the Clerk of Courts Office: Richland County Clerk of Court Stacy Kleist addressed the committee advising that she would like to see the one clerical assistant position in her

office reclassified to a deputy clerk position. Kleist said that she feels that making this reclassification would allow her office to be more flexible with its employees as all office employees could then be cross-trained and do court work in the court rooms and make the official data entries into the protected circuit court computer record keeping system. Don Seep asked about the cost for such a change and any potential cost savings the change could mean for the county. Kleist said that the cost in wages would be around \$2,200 more in the budget and not a significant change in fringes. Fred Clary said that there had been a large number of re-classifications coming forward recently and all have not been approved but they had all been forwarded to finance/personnel. Clary said that budgeting this year will be difficult as the general budget is almost \$500,000 in the hole before they start. Don Seep advised Kleist that she would have to show the county a return on their investment. Clary said that reclassifications are done because the job has significantly changed along with the duties evolving. More discussion. After discussion, motion by Jr. Marshall to forward the request for reclassification to the finance and personnel committee for their evaluation. 2nd to this motion by Don Seep. Motion carried.

Agenda Item #8: Updated Contract with GovPay for Processing of Electronic Payments: Richland County Clerk of Court Stacy Kleist advised the committee that the county has had a contract with GovPay in the past but that certain barriers were in place like the person making payments had to swipe their own credit card to make a payment. She said that updating the contract would continue to see people able to make credit card payments and electronic payments and remove some of the barriers currently in place to making payments. Clary asked Kleist if she was recommending the update of the contract. Kleist said yes. Motion by Don Seep to approve the update of the GovPay contract. 2nd to this motion by Paul Kinney. Motion passed.

Agenda Item #9: Resolution to Express Opposition to Proposed Lapse in State Funding to the Circuit Court System: Richland County Clerk of Court Stacy Kleist offered the committee a sample of the LaCrosse County resolution which is similar to the boiler plate resolution other counties in Wisconsin are using regarding this issue. Clary asked if the Wisconsin Counties Association has taken a stand on the issue. Kleist replied that she didn't know about the Wisconsin Counties Association but she knew the state's clerk of court association has taken a stand that includes encouraging county boards to pass resolutions to bring attention to the issue. Clary said that usually the Wisconsin Counties Association would take a stand on such matters but that he has not seen anything on the issue. More discussion. After discussion, a motion was made by Paul Kinney to approve the sample resolution and forward the sample resolution to the full county board for their input or passage. 2nd to this motion by Don Seep. Motion carried.

Agenda Item #10: District Attorney Update: Committee Chair Clary advised DA Harper had to leave the meeting to appear in circuit court so her report is moved to next month.

Agenda Item #11: Update on Victim Witness Reimbursements by the State: Committee Chair Clary said similar to agenda item #10 this agenda item would be addressed next month.

Agenda Item #12: Coroner Updates: No coroner present at meeting when this agenda item came up.

Agenda Item #14: Approve Monthly Invoices and other Sheriff's Department Reports: Sheriff Berglin went over his report along with a review of the bills submitted to the committee. Berglin noted a sharp decline in the number of medications being given to inmates in the jail by the new medical staff in the jail. After a review of the bills, motion by Jr. Marshall to approve and forward the bills to audit. 2nd to this motion by Don Seep. Motion carried.

Agenda Item #15: Current Eligibility List: Chief Deputy Hougan addressed the committee advising that the current 2014-2015 eligibility list is down to 1 female applicant and less than a 5 males on the jailer/dispatcher side and less than a ten on the road patrol/task force side. He requested permission to re-open the list and accept more applications to be added to both sides of the existing eligibility list. Motion by Don Seep to re-open the 2014-2015 Eligibility list and take more applications to add to the candidates list. 2nd to this motion by Jr. Marshall. Motion passed.

Agenda Item #16: Mapping/Radio Updates: Lt Robert Frank addressed the committee advising that due to a recent breakdown in communication the antenna and cable on Tower Hill was recently replaced as it had malfunctioned due to old age. Frank advised the cost of the replacement antenna and cable was \$7,000. Clary said that the finance committee is aware of the emergency expenditure.

Agenda Item #17: Adjourn: Motion by Paul Kinney to adjourn, 2nd to this motion by Jr. Marshall. Motion passed. The next meeting set for Thursday, September 11, 2014 at 1pm. Change in day and time is due to Finance and Personnel meeting on Fridays to formulate 2015 budget. Motion carried, meeting adjourned.

Minutes Respectfully Submitted by,
Chief Deputy Tom Hougan