

# Richland County Law Enforcement and Judiciary Committee

## Regular Meeting

MARCH 11, 2016

The Richland County Board of Supervisors Law Enforcement and Judiciary Committee met on Friday, March 11, 2016 at 10:00am in the County Board Room of the Richland County Court House in Richland Center, Wisconsin.

Those in attendance were: Committee Chairman Fred Clary and committee members Don Seep, Buford Marshall, Paul Kinney and Marty Brewer. Present from the Richland County Sheriff's Department were Sheriff James Bindl and Chief Deputy Chad Kanable. Also present for all or a portion of the meeting were Richland County Clerk of Court Stacy Kleist, District Attorney Jennifer Harper, Bloom Township Chairman Calvin Brown, members of Driftless Music Gardens-Coby Uziel, Crickett Lochner, Sherry Wallace, Taylor, Carol Ballwig.

**Agenda item #1: Call to order:** Meeting called to order at 10:00a.m. by Chairman Fred Clary

**Agenda Item #2: Read and Approve Notice of Posting for March 11, 2016 LEJC Meeting:** Committee chair Clary confirmed with Sheriff Bindl that the meeting was properly posted. Upon receiving confirmation Clary declared the meeting properly posted.

**Agenda Item #3: Read and Approve the Agenda for March 11, 2016 Meeting:** Motion by Kinney to approve the agenda. 2<sup>nd</sup> to the motion by Brewer. Motion passed unanimously.

**Agenda Item #4: Read and Approve Minutes of the February 12, 2016 LEJC Meeting:** Motion by Seep to approve the minutes as printed. 2<sup>nd</sup> by Kinney. Motion passed unanimously.

**Agenda Item #5: Driftless Music Gardens large group gathering:** Coby Uziel and Crickett Lochner represented the group. (handed out packet) The group is looking for support in Bloom township & village of Yuba to do a family oriented camping, music and arts venue. Want to hold events in June and Aug. 2016. They expect 500 people total over three days 1<sup>st</sup> event, 1250 people second event—all projection. They are selling tickets on line. Held on farm land. All needed facilities will be brought on the land, rented. They plan to lay gravel on property for trails. Address is 20265 Pine Ave., Hillsboro, WI. Website: ([www.driftlessmusicgardens.com](http://www.driftlessmusicgardens.com)) -No alcohol sales on site, BYOB policy. Food and non-alcoholic drinks will be sold on grounds. Will get sellers permit, food service permit and insurance for group and each vender. General store on scene for basic needs.

MARSHALL said the group will need camping permits. COBY indicated they have been talking with the State and application is made. SEEP-How far up Pine Ave? Crickett—2.5 miles. SEEP- Have neighbors been notified? COBY-Yes, and area is excited. SEEP- Have you met with town of Bloom? COBY- Yes, and was told to touch base with Richland County. SEEP-Support from Town of Bloom? Coby-we believe yes. Bloom Town Chairman CAL BROWN then spoke to the group, saying there is no support from Bloom

Township at this point. The group hasn't applied for driveway permits, and the town board has not blessed it. Member SEEP asked Chairman Clary if zoning looks for support from town board. CLARY stated Bloom township is not zoned. SEEP asked if the village of Yuba is aware of this? CRICKETT replied yes but not to the fullest detail. Member SEEP asked if they have held town meetings? CRICKETT said no. Committee member Brewer asked how is this different from the RAVE? CRICKETT said it is not being held on the ridge and will not be as noisy. It will have different music and different people. COBY said the type of music dictates type of people who attend. Our music is folk, blue grass, nothing really hard, no rave.

Member SEEP directed a question to land owner Sherry Wallace; do you support this? Wallace answered yes. SEEP then asked the group if they were incorporated? COBY said yes, we are an LLC. CLARY stated you mentioned it's a LLC with members, are members names for public record? COBY- Standard operating agreement is being drafted. CLARY-Who are all the members? COBY- by name? CLARY- Make it available as process goes forward.

SEEP asked if the group had a board. COBY answered yes, stating they have principle officers—Board has 5 members, Standard Operating Agreement (S.O.A). among all the members. SEEP then asked if they were going to name officers? CLARY also asked are you going to be a corporation or a company? COBY stated they were unsure about naming officers. He said they find it gets in the way if you give out titles. We are Limited Liability Partner.

COBY-Security is being addressed. We use an internal group. Some are bouncers or security members professionally. Everyone cares, people take care of people. District Attorney Jennifer Harper asked the question: How are the volunteer security persons checked? We have had issues with felony offenders who threaten law enforcement officers at other events, if security is not properly trained and background checked they don't react appropriately. What does a check mean? If there is an overdose on the property who is called and what is the plan? CRICKETT said they have the same group of volunteers for the past 7 years that they have had in Dodgeville and Vernon Co events. New volunteers are investigated by us, we are serious about that. COBY-We plan as best we can for the unknown. CRICKETT-last year an incident happened, medical in nature, shoulder dislocation of musician. We called 911 but transported them to the Hillsboro Hospital. He's fine.

SEEP-How far away is nearest residence? CRICKETT- ¼ mile, owner occupied home. SEEP-What was the location of other events? CRICKETT-The Bullpen bar on Hwy 33. SEEP- You mentioned you are going to allow alcohol on property. Will minors be there? COBY-yes. SEEP-How do you handle that? COBY-Media. No glass on location. Wristbands for minors. As people arrive they get wristbands and information. If someone violates and has alcohol, we approach and take care of it. BYOB means anything can come in, but no kegs, we check cars. If they bring glass we won't take it away, but we will say to them take it away from the public.

DA HARPER- Law Enforcement has gotten consent in the past to go through an event property. If there is a perceived issue with drugs, will there be consent? COBY-Whatever Law Enforcement or the community needs from us, we will work with. If that means consent with communication then I don't

think we will have any problems. HARPER asked; Do you anticipate any problems with the owner of the property? Sherry Wallace spoke up stating I am the owner, no problem, they are welcomed. There will be a lease agreement to that company for the land to be used. SEEP asked if there will be rent paid? COBY-yes, we have an agreed amount. SEEP-In events past what was the insurance carried? COBY-It is in the packet, we have experience with Westland Ins and we have spoken with them, they provided us with what they believe we need. SEEP-The Insurance covers the landowner and everything? WALLACE-yes CLARY-Quote does not include any added insures, so quote seen here (in the packet) does not include land owners

BREWER- I want to make sure Sheriff Bindl speaks with Sheriff Spears about past events. SHERIFF: Yes

KINNEY asked if this insurance is adequate (question posed to Clary). Clary said, that's the \$64,000 question. You are potentially over 200 campsites. COBY said the sites are 20x40 according to health services that holds 6 people. CLARY reminded him they must be a minimum of 10 ft apart. I'm looking at your map vs the numbers in your packet, it appears you are set up for 2700 people. The large group ordinance says 2000. My concern is you will exceed the 2000 rule. In that event would you be cooperative with our ordinance regulations? COBY-Absolutely. With Bloom and County both. We have both ordinances. Bloom Chairman CAL BROWN indicated Bloom gave them a copy of the county ordinance. Bloom has nothing.

MARSHALL said county ordinance still stands and the requirement for EMS and all in it stands. CLARY then stated there are a number of points in the ordinance that need to be complied with. Marshall then posed the question to Chairman Brown: your feelings? He replied the town board has reservations, Bloom was left to hold the bag and spent a lot of money after the event years ago. We don't want that again. We can't afford that. SEEP asked if Bloom had an ordinance? CAL BROWN-No. We have one that covers roads and campers, but no large gathering ordinance. SEEP asked Cal Brown what was the expense and problems before? Brown said during the RAVE, area elderly were afraid to stay in their own homes. Mud was tracked on road to the point of a safety concern and we had to have patrolman come in on overtime and scrape the road with grader and then have the Fire Dept. rinse it. It was on the ridge, large drums beat all night, people were upset. This was on the same farm but a different organization.

WALLACE-in 2001 I realize the event left a bad taste in people's mouths. CLARY-Everyone's mouth sir. WALLACE. Maybe that was my mistake but this is different. I know we had a bad rain, but I do believe (CAL BROWN) was asked if we would clean or if we would pay township for it. CAL BROWN-No one paid for it. COB said we never want a repeat of that, 15 yrs is a lot of learning time. This festival is different, and all held in the valley closer to the road.

KINNEY—(Question posed to Sheriff Bindl) Sheriff? SHERIFF BINDL- I have a bad taste in my mouth from the RAVE. It was a mess.

KINNEY-(Question posed to the Sheriff) Do you for see that again? Sheriff Bindl responded that he hoped not. Coby reminded everyone that they are not them.

DA HARPER-How many coming from outside the community rather than inside? CRICKETT- More local from Lax to Madison, many fans in VRQ.

DA HARPER-My perspective on the RAVE was tons of kids from Milwaukee doing drugs, our experience shows different drugs for different events. We prosecuted kids from Milwaukee not from here or Madison. CRICKETT-We focus on family. CAROL BALLWIG-I was prior owner of the Bullpen where this has been before. I was there and this is nothing like the RAVE. So laid back and very talented musicians. I understand the drug thing, but these people enjoy the very talented musicians. Not one incident in the 4 or 5 yrs we hosted it. We had Vernon County Sheriff's Dept. do walk throughs. It's totally different. SEEP-Thank you Carol, do you live in Bloom? CAROL BALLWIG-I live in Hillsboro.

MARSHALL-How many people were at last event? COBY-Peoplefest last year was 1000.

SEEP-How many acres? WALLACE-316 acres. Perimeter of event is around 50 acres.

SEEP- (Question posed to Cal Brown) CALVIN, total expenses for township during RAVE? CAL BROWN- Several hundred dollars. SEEP-(Question posed to Coby) Will your organization take responsibility for expenses the township may have? COBY-yes SEEP-have you heard of the Bunker Hill event? WALLACE- last year SEEP-How does this compare? WALLACE said a lot less people. CAROL BALLWIG-that's a party, this is laid back, it's not a party. TAYLOR- I have two little boys, I bring my kids every year. There is a petting zoo, water balloon fights and all.

CAL BROWN-First off, this is a lot of the same property of the 2001 rave. Many of the areas now to be used are the same. Still accessing from the same area, parking the same area. BYOB is a problem personally, how many people want grade school kids around that when no one knows what's being brought in?

COBY-Waste is very important to us, we are separating waste. Sanitation is set and listed, showers will be there. Hydration is set up according to Dept of health services recommendations. Last page of the packet shows all permits.

MARSHALL- (CLARY) anything we need to do now? CLARY-uncertain. We need to act on issued permits no later than May. (to Coby) In my mind there is a potential to exceed 2000, I am inclined to be more agreeable if you comply with our large group ordinance. KINNEY- It's all in the valley. The problem with road last time was with ridge road? CAL BROWN—No. WALLACE—Parking is the same,

SHERIFF- Explain professional security. COBY-A lot of volunteers are professional security people. They are our security chiefs and less experienced volunteers are under them.

Marshall asked about EMS service. Coby stated they would be using the town EMS. He was reminded the town of Bloom does not have its own EMS. Crickett stated they would be using LaFarge since it was their area, the committee agreed that is the Richland County EMS District. CLARY reminded that the County Ordinance states an actual vehicle from EMS must be on site. COBY said we will do our best to comply with any mandate you put on us. CLARY reminded him all the rules are for public safety, and he said he understands that.

SHERIFF-(Question posed to Coby) Start and stop times for music? COBY-Stop 12am outside, inside is 130 or 2am. Inside is a tent with walls.

SEEP-Is your organization a for profit organization? CRICKETT- yes COBY-its tiered, \$140 for two events and camping.

COBY- Gates open Thursday noon

CLARY-Can campers leave units on site in June for the August event.? COBY-No

CLARY-Thank you for coming.

**Agenda Item #7-Clerk of Court Update:** Clerk of Court Stacy Kleist handed out her report. She stated the month of February workload-increased over January. New cases may be down but amount of volume of POJ is up. It was a busy month. Judicial assignment update—we still have multiple judges. Next Wednesday, March 16<sup>th</sup> is Student Government Day in Richland County. (sponsored by American Legion). Tours and talks to students will be given. Collections- getting a lot of Tax refund intercept. Clary asked does the \$41,000 seen here include EMS bills? Kleist said no. Report concluded

**Agenda Item #8-District Attorney Update:** DA Harper informed the committee of a large case this next week where lives of county government workers have been threatened. Defendant is in custody now on a large cash bond, which was increased this past week. The case is being prosecuted by the WI State Attorney General's Office. The jail currently has a large population of hard offenders. Have never seen it like this before. We are waiting on evidence results for a potential homicide charge in one case. Currently have three possible homicide cases we are working. Waiting for the toxicology results on the victim of one and assistance with evidence from the FBI lab on another.

**Agenda item #9-Coroner Update:** No report.

**Agenda item #6-Future meeting times:** Chairman Clary explained it was conversation at the last meeting that we may need to change the start time of this committee's meetings. Clary reminded committee members it is not only to be convenient for members of the committee but also department heads that need to attend. Member MARSHALL-asked what are the choice of times? Clerk of Court Kleist preferred 8:30am? DA HARPER said 11am. CLARY asked with court schedules is it fair to say there may always be a conflict? DA HARPER-NO, KLEIST-me personally, 8:30am is best. Marshall asked if 8am is ok, Brewer said 8:15am. It was discussed maybe we could use both times and have department heads attend when they can. Consensus was meeting doesn't always go that long to cover both requested times. Motion by Brewer to change the start time to 8:30am. 2<sup>nd</sup> by Marshall. Motion passed unanimously.

**Agenda item #13 FAIRGROUND ORDINANCE UPDATE:** Committee member Marshall (who is also a member of the fair board committee) reported changes made to the ordinance. A change in the number of people in 12 hrs, and the insurance amount was increased to a \$3 million dollar clause. Chairman Clary asked if with these changes the Fair Board blessed the ordinance? Marshall said yes. Sheriff James Bindl stated he is ok with the ordinance. CLARY stated prosecution of this ordinance would be done by Corporate Council. DA Harper was in general agreement. Marshall also pointed out that the requirement for a group to need granted a large group permit was removed. SHERIFF Bindl stated all changes are made, and the fairground board said ok. Chairman Clary asked for a motion to move this forward to County Board. Motion by Brewer, 2<sup>nd</sup> by KINNEY. CLARY requested Sheriff Bindl to see if this can be put on the March County Board agenda for March yet today.

**Agenda Item #10: Approve monthly invoices and other Sheriff's Department reports:** Sheriff James Bindl answered questions regarding the bills. Motion to approve the bills by Marshall, 2<sup>nd</sup> by Seep. Motion passed unanimously. Sheriff Bindl went over the jail statistics for the month with the committee. Sheriff Bindl reported an incident to the committee that compromised the safety. A copy of a letter was given to each member and all who were still attending the meeting, which included Clerk of Court Kleist and DA Harper. The SHERIFF then addressed the committee-all of you got a letter from a Deputy that was in a shoot don't shoot incident. He had a problem with his radio, it didn't work. The Deputy had to ask another citizen involved in the incident to call 911 and tell them to get help. We contacted GenCom about the issue ,who said there is nothing we can do, I don't buy that. I spoke with Fred and would like to go to another vender for another opinion. Clary-(to the Committee) There is nothing from preventing the Sheriff to researching for another vender. We spoke of the water tower in lone rock to be used as an antenna mount with a repeater to help Richland, Sauk and Iowa Counties. We may need to research this. BREWER- How do we pursue this? CLARY- It is up to Jim. You just can't put a tower up anywhere. BREWER-Doesn't this go right in to the discussion Chad brought up last month? SHERIFF-this is different, we are talking about solving the problem in just Lone Rock. MARSHALL asked about using a private company tower? Chief Deputy Kanable said the issue is public safety equipment in a private building. Clary mentioned Eagle tower site is already a cooperative agreement with Iowa County, we split the costs there. Multi county agreement can be worked at.

DA Harper addressed the committee saying you need to understand this is very very dangerous. I spoke with the deputy, he had two 17" blades coming at him. There is a real need to be sure this is a priority. We are going to end up with a dead Deputy, dead deputies or a dead civilian. This has to do with people not dying or dying. Sheriff Bindl said the Deputy had his finger on the trigger. He had to yell to the lady downstairs to call 911 to get help for the deputy. Clary directed the Sheriff to get the balance of the 911 outlay account and have it ready for next months meeting. Member Kinney commented his area below Five Points there is no reception either, it's a problem. Clary said you are never going to solve this with our hills and valleys unless you put a tower on every hill. The map the guys showed us in the presentation shows probably 20% dead spots after spending 3 million dollars. Sheriff Bindl said I'm not giving up on this.

Sheriff Bindl also discussed with the committee an issue with making purchases over the board set limits. He gave a recent example of a squad car the county could have purchased for a good price from an auction, however with the requirements of committee approvals we can't consider such deals as the auctions expire prior to our ability to get approval. The Sheriff asked for guidance on this. Clary mentioned if it is over the set limit it must be brought before the board. Marshall asked how many days do these usually come up for, a couple weeks? Sheriff said yes. Clary stated there is nothing wrong with finding these deals and getting this to the committee and before the county board with it.

**Agenda Item #11 911 outlay invoice for committee approval:** Sheriff Bindl stated the reason he wanted to bring this up was because the work for the project will be done this next week.

**Agenda Item # 14 SQUAD UPDATES:** Chief Deputy Kanable passed around the monthly squad mileage charts. Clary stated the resolution to purchase the 2016 Chevy and 2016 Ford squads needs amended to include the changeover costs and the fact that the money from selling these will be allocated back to the new car outlay account. Committee agrees to have that amended in time for the county board meeting.

**Agenda Item #15 INTERNSHIP:** Chief Deputy Kanable informed the board the Sheriff's Department has the opportunity to sponsor an intern this summer from West Chester University. It will be a 12 week program and a non paid internship. Clary asked what duties will the intern be doing. Kanable stated ride alongs with patrol, time in dispatch, jail, court and the DA's Office. Motion by KINNEY, 2<sup>nd</sup> by MARSHALL for approval to go ahead with the intern sponsorship. Motion passed unanimously.

**Agenda Item #16 JAIL ADMINISTRATOR POSITION:** Sheriff Bindl addressed the board regarding moving Sgt Rita McCarthy to a Jail Lieutenant or Jail Administrator position. Bindl stated she is doing the work of both positions now. She needs compensated for the work she does. Clary said in the past it was questioned about naming an existing staff member as an Administrator. it was unsure whether the jail inspector would continue to count that person as a jailer. Would we need to add a jail position? We also talked about the 14 road positions. We spoke of eliminating a road position to accomplish this. Now, we still have the 14<sup>th</sup> position open but we have no funding for it. Clary directed the Sheriff to get the committee the information and put it back on the agenda for April. Marshall clarified that it would not be changing her position, just taking her from Sergeant to Lieutenant. Kinney asked what the difference was, with Clary responding about \$5000, and reminding that at Lieutenant there would be no overtime. Clary again stated to the Sheriff to get the jail inspector information and the committee will look at it.

## **MOTION TO AJORN**

BREWER, 2<sup>nd</sup> by MARSHALL

Minutes respectfully submitted,

Chief Deputy Chad Kanable