

## **Minutes of the Judiciary and Law Enforcement Committee**

**Friday, August 17, 2018**

Chair Wolff called the meeting to order at 8:30 a.m.

**Present:** Supervisors Peter Wolff, Jim Batzko, Mike Crowley, Tim Dondlinger, Tyler Foti, Jennifer Grant, and Chuck Wood.

**Also Present:** Legislative Policy Advisor Sarah Spaeth, Sheriff Eric Severson, Inspector Jim Gumm, Business Manager Lyndsay Johnson, Jail Administrator Mike Giese, Senior Correctional Facility Manager Angela Wollenhaupt, Captain Frank McElderry, Deputy Inspector Torin Misko, Financial Analyst Josh Joost, Business Manager Bob Snow, Facilities Manager Shane Waeghe, Reporter Dave Fidlin of *The Freeman*, Senior Human Resources Analyst Teri Henning, Budget Management Specialist Bill Duckwitz, Senior Financial Analyst Mark Yatchak, Chief of Staff Shawn Lundie, and Budget Manager Linda Witkowski. Recorded by Mary Pedersen, County Board Office.

### **Tour of County Jail**

Sheriff's Department staff led the Committee on a tour of the County Jail.

### **Update on Courthouse Project and Budget Implications**

Severson discussed challenges they face and concerns with the new courthouse project and its impact on their budget. He said they do not agree with budget that was developed by the Department of Administration. The plan to use Sheriff's Department fund balance for the six new correctional officer positions needed during construction of the new courthouse is not acceptable and using forfeiture and jail assessment dollars are not good long-term funding sources. These positions will cost \$350,000-\$400,000 annually. The current 2019 budget includes five correctional officer positions to be paid for with the Sheriff's fund balance. This will result in positions being cut elsewhere. He noted that the department has not had a cost-to-continue budget for 15 years.

Severson said he cannot support the courthouse project because there is no plan for operating costs which he referred to as a failure of government. He said he has been advising of these problems for 18 months and nothing has been done. He feels the project has been done "in the shadows." Wolff disagreed and said it's been extensively studied. Severson said his budget "will be a mess" because of this project.

Wolff asked if he would support three of the positions being paid for using tax levy and three using fund balance. Severson said that has not worked in the past which he explained further.

Lundie, on behalf of the County Executive, said public safety has always been the #1 priority and that continues with the 2019 budget soon to be introduced. The Sheriff's request for the six new positions is included in the budget. While there is disagreement with how their budget is funded, it will be balanced. Lundie noted three of the positions will be permanent and three will be eliminated when construction ends. The operational plan is to use fund balance the way they always have and that is to not use it permanently. In the 2019 budget, the Sheriff will receive over \$400,000 in new tax levy. One position will be funded with tax levy in 2019 and five will be funded using fund

balance. In the 2020 budget, the plan is to have two tax levy funded positions and then fund four positions with fund balance. For the third year of construction, the three permanent positions will be paid using tax levy and the three remaining fund balance positions will be eliminated. Over this three-year period, they blend in the use of tax levy, which is limited, and they will continue to decrease the amount of fund balance that is used to pay for those positions. Lundie noted the levy cap is 1.5% and everyone is feeling these pressures. Answering Wolff's question, Lundie said the property tax increase for 2019 will probably be a little more than 1%. Dondlinger asked has anyone quantified the efficiencies and savings associated with the new building? Waeghe said there will be increases in maintenance, housekeeping, and utilities which the Public Works Department will have to absorb within their budget although the new equipment will be more efficient. Dondlinger said ongoing operational costs after a new building is completed should be included in any construction plan and was surprised none of this was addressed. Lundie said he did not know if this information exists in one document but will reach out to other departments to determine if they will experience any staffing changes/needs. Snow said his department have begun looking into this and shares some of the Sheriff's concerns. Staffing will be affected but they're not sure to what extent at this time. This will be analyzed further but he believes they are ok for 2019. Dondlinger said the lack of planning/financials makes this unsustainable and it needs to be dealt with. Crowley concurred with Dondlinger.

**Discuss and Consider Ordinance 173-O-035: Accept The 2018 State Of Wisconsin Department Of Transportation Highway Safety Grant And Modify Waukesha County Sheriff Department's 2018 Budget To Authorize Grant Expenditures**

Johnson and Misko discussed this ordinance which authorizes the appropriation of \$64,201 of Wisconsin Department of Transportation grant award funds in the Sheriff's 2018 budget. Johnson said this amount reflects the difference between the \$50,000 included in the 2018 budget for this revenue and the \$114,201 that was ultimately awarded. The funding will be used to increase enforcement activities on road segments identified by the State as "at risk" based on crash frequency or severity due to alcohol use, travel speed, or lack of seat belt use. All of the funds awarded will be used for additional overtime and associated benefit costs. County indirect or administrative costs are not covered by this grant funding. Misko noted this ordinance has no levy impact.

MOTION: Wood moved, second by Crowley to approve Ordinance 173-O-035. Motion carried 7-0.

**Discuss and Consider Ordinance 173-O-036: Authorize Use Of Jail Assessment Revenue For Medical Services For Jail Inmates**

Witkowski and Duckwitz discussed this ordinance which will expand the allowable uses of jail assessment revenue to include funding for jail medical services. Previously, the County Board limited use of jail assessment revenues to funding jail-related capital projects (including multi-year assets, e.g., equipment related) and debt service payments related to jail facility project costs. The ordinance also limits the amount the jail assessment revenues that can be used to fund the jail medical services contract to 20% of the actual revenues received two years prior, provided that there is still sufficient revenues to fund other obligations (i.e., enough funding available for jail equipment replacement plan, jail capital projects in the five-year capital plan, and debt service on qualified capital projects). For example, the Sheriff's department would be eligible to budget approximately \$115,000 in 2019 (20% of the \$573,000 received in 2017). Staff went on to discuss

funding uses for the previous three years, the current-year budget, and three projected future years. The county has received about \$575,000 in jail assessment revenues the previous three years, on average. This ordinance would affect the 2019 budget, allowing the County to mitigate increases in tax levy-funded jail medical services with the use of jail assessment revenues.

MOTION: Wolff moved, second by Dondlinger to approve Ordinance 173-O-036. Motion carried 7-0.

### **Approve Minutes – May 11, 2018**

MOTION: Wood moved, second by Foti to approve the minutes of May 11. Motion carried 7-0.

### **Executive Committee Report – June 18 & July 16, 2018**

The Executive Committee, at their June 18 meeting, discussed projected operational funding needs by the Sheriff's Department for the courthouse capital project and future budget issues, approved an ordinance, went into closed session to discuss potential litigation regarding the opioid crisis, heard an update on the economic development, transportation, and the Washington, D.C./local county government trip, and heard standing committee reports. At their July 16 meeting, the Executive Committee approved five appointments, heard a legislative update, standing committee reports, and an update by Chair Decker on workforce development and transportation, and Emergency Preparedness Director Gary Bell presented the fire department shared service feasibility study.

### **Future Agenda Items**

- Long-Term Operational Costs for the New Courthouse (Dondlinger, Wolff)

### **Future Meeting Dates**

- Friday, September 14, 2018 (Capital Projects)
- Friday, September 28, 2018 (Budget)
- Friday, October 12, 2018

Wood and Grant indicated they would not be able to attend the September 14 meeting.

### **Legislative Update**

Spaeth gave an update on the State's study committees.

MOTION: Crowley moved, second by Dondlinger to adjourn at 11:34 a.m. Motion carried 7-0.

Respectfully submitted,

*Michael A. Crowley*

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Secretary