

MINUTES
POST Conference Call
02/14/2011

I. Call meeting to Order, roll call, identify guests

Council Members Present: Winnie Ore-Chair, Ray Murray, Lewis Matthew, Bob McCarthy, Mike Anderson, John Schaffer, Greg Watson, Mike Anderson, Jim Smith, Tony Harbaugh, Dennis McCave, Harold Hanser, Steve Barry,

Staff Members Present: Wayne Ternes–Director, Tana Meuer, Clay Coker

Council Members Absent: Frances Weeks, Georgette Boggio,

Staff Members Absent: Deborah Butler

Guest: Kevin Olson

II. Approval of minutes from December 16, 2010 meeting

Bob McCarthy moved to approve the minutes

Dennis McCave seconded

Motion carried

III. Introductions to new council members

New Members: Winnie welcomed Lewis Matthews, John Schaffer, and Jim Smith as new members on board with the POST Council. Winnie also stated she would like the new members to become part of a committee and felt John Schaffer would be a great benefit to the Curriculum Committee.

Harold Hanser requested to be placed on the Curriculum Committee.

Winnie also suggested the Policy Committee where he could apply his legal expertise.

IV. Old Business

1. Annual Training Requirements for Public Safety Officers (discussion)

Wayne commented that the council is working toward annual training hours being mandated.

Winnie suggested mandating the hours only and *not* the topics.

John Schaffer stated he's from North Dakota and they require 40 hours every 2 years.

Wayne commented that after checking other states, Montana has '0' training hours requirement, Arizona, 8 hours annually, Utah has 40 hours annual.

Jim Smith stated he is from Nevada and they require 40 hours of training annually.

Tony commented that we need to continue to recognize that not only do we represent a lot of diverse employees, but the size of the agencies, and that it's rare to have reasonable training close by.

Wayne will continue to check with surrounding states to see what their requirements are.

Winnie explained that more and more computer based training is becoming available.

John Schaffer asked if we had an action plan for the time between now and May's council meeting.

Winnie stated we will have a draft resolution to present at our May's meeting. And hopefully until then, get everyone talking to those they represent about reasonable hours.

Tony stated MSPOA has a meeting scheduled in March and he will make sure this makes it on the agenda.

2. Resolution 10-001 In Service Hours category (for adoption)

Wayne stated that the in-service percentage is what we are looking at. Wayne would like to make it 15%.

Winnie explained that the percentage agreed upon, would be allowable toward the intermediate and advanced certificate.

Tony Harbaugh moved to approve the resolution as written with 15% allowable hours.

Ray Murray seconded

Motion carried

3. Investigative/Complaint Files

a. Compliance Report

Wayne stated that after our December meeting, he and Clay reviewed the 2010 complaint files and those that are in progress and/or done, and at this point there is only 8 going to hearings officer.

Clay stated we are cleaning up from last year and as of this year, we are averaging one complaint a week (7) for 2011; all of which are open cases.

Clay and Wayne put together a welcome aboard packet to the newly elected sheriffs. This packet consisted of an Administrators Desk Reference, agency roster and a letter requesting POST be notified if any staff corrections are necessary etc. Clay is working closely with agencies on clean up in hopes to simplify the maintenance of the database.

Winnie asked what the response rate has been from sending out the request to update their agency rosters etc.

Clay explained about 3 or 4 out of the 11 sent out were returned with updates on ranks, hires, terms etc.

Wayne stated that they are working with the agencies to get them to understand that when people change rank, we have not been getting these updates. This is important when it comes to applying for upper level certificates. POST must have their records current to meet some of the requests we get.

IV. Guest Issues

Kevin stated a concern in executive action in the appropriations, is that they have eliminated funding for the Correction/Detention Officer Basic Program Manager at the Law Enforcement Academy. This is actually a Department of Corrections FTE position. This may take corrections officers out of the Law Enforcement Academy.

Winnie asked Steve if there was any help that may be rendered from the council that might be able to have any say.

Steve stated at least Dept. of Corrections has the operational funding. And it appears the FTE funding has been inserted back into Justice so there isn't much more that could be gained.

Kevin asked if they moved the funding for the FTE from Dept. of Corrections to Dept. of Justice, but just not appoint a FTE to it.

Steve confirmed that was accurate, just moved the funding. Steve wasn't sure if there were any restrictions on the funding; at least nothing on the amendment that indicated that.

Steve also explained that since the funding was moved to DOJ, generally the budget office will eventually take the FTE position away (from DOC). So this would cause an issue with Justice reestablishing that FTE through the budget office, or as a modified FTE to utilize the funding for the position.

Kevin commented if they didn't take the funding for the FTE, he feels comfortable that if they couldn't get the FTE attached to it through the Legislative process, that they could probably get the budget office to give them that modified position; for at least the next two years.

Kevin stated that the contractors are on sight at MLEA for the audio-visual systems. The wireless internet is up and running on campus and being utilized by the students, so this is a big step.

V. New Business

Wayne stated that our May meeting will be held at the Sacajawea Inn in Three Forks. We are currently looking at the dates May 10-12.

Winnie commented she would like one full day of uninterrupted strategic planning to really get a direction, look at some administrative rule changes, definitions, etc.

John Schaffer commented that May 10-12 is the Special Olympics Summer Games and this is a valuable time for him.

Winnie stated we will move our meeting to May 3rd, 4th and 5th; beginning with a tour through the Jail on Tuesday afternoon and the committee meetings following, then strategic planning all day on the 4th and the POST Council meeting the 5th.

Winnie would also like the council members dine together Wednesday evening the 4th.

Wayne had a coroners meeting held in Bozeman continuing with the review of the DACUM, reviewed the DACUM and confirmed it and started the process on at how the basic and advanced training might look in the future. This process continues to move forward.

Kevin commented the reason Coroner training has been done in December in the past is because it's not unusual to get a large enrollment. And if there is another basic course on campus the same time, they can't accommodate those large classes.

Wayne stated that our goal is to pilot a class of about 16 students possibly in August, before running a full course in December.

1. Director's Report

a. Defining reserve/part-time/full-time Public Safety Officers (discussion)

Wayne stated that if it's not defined in law, this council has the authority to set, by rule, those definitions of what we need.

Wayne explained that the issue with reserves is that there is no required amount of time they must work to stay on the books; they do not have to work one shift and their basic certificate continues.

Wayne also commented on the part time officers. Currently there is no definition in law that defines what a part time employee must work to be 'considered' part time; however, being part time, they can attend the basic

training, but they're really not an employee and don't fit the rules and laws to come to the academy.

Wayne will provide the council members with a copy of Minnesota's definitions of Reserves and part time officers.

Winnie asked everyone to look at their policies and any local ordinances that might define this and bring them for review.

Winnie stated we have the authority to define this so after review we can do a draft resolution at the May meeting.

Ray asked Wayne to pull together what all the required training is in the surrounding states.

Wayne will gather the information and forward it out.

2. Approval/Denial of Pending Certification List

Bob McCarthy moved to approve the pending list.

Greg Watson seconded

Motion carried

3. Approval/Denial of Extension Requests

Dennis McCave moved to approve the extension list.

Steve Barry Seconded

Motion carried

Tony abstained for the vote since one request was from Custer County.

4. Approval/Denial of Equivalency Requests

Dennis McCave moved to approve the equivalency request

John Schaffer seconded

Motion carried

5. Council Member Reports

~ Mike Anderson

Mike has been spending time on HB230, a bill that would move Montana Board of Crime Control (MBCC) from Department of Justice (DOJ) to Department of Corrections (DOC); eliminating some of the staff, take some funding and move them to the same floor of offices as DOC. Mike and the board (MBCC) are opposed to this bill.

Mike stated the language did get amended after much work. They got their independence and two positions back but the problem is the funding was taken

out contingent on HB230 passing. Even though it's amended, it'll still pass so Mike believes they will still lose the funding for those two positions of Executive Director and Bureau Chief. Somewhere shy of \$200,000.

Mike also commented that this effects law enforcement and criminal justice system state wide. MBCC brings in \$10 million a year that goes into law enforcement and they feel this is being jeopardized.

Mike stress concerns that if they do change to DOC, it may change the funding they receive at the federal level. They would have to once again approve sending the money to MBCC at the DOC. The risk of losing programs from being unfunded for 2-3 months is great.

Wayne asked Mike if the language stating that the Board hires their own staff, was still the same in the law.

Mike said it was amended.

~Lewis Matthews

No report

~John Schaffer

Municipal Law Enforcement is active in the legislature. Funding and retirement are big issues for them.

~Dennis McCave

Dennis stated that they a new administrator taking over.

Dennis commented that he needs to get back on track with the Curriculum Committee.

Winnie asked Dennis if he has talked to anyone at Gallatin County jail and how Things are going there.

Dennis stated they are about to complete their regional CDOB training which was conducted on site in January. They now own the building and now starting to break it in. The occupancy should take place around April 1st-end of March with still more training to do.

Winnie asked Dennis if he knew anything about the Sidney jail.

Dennis does not know anything about Sidney.

Tony stated he has been in the new facility and they should have inmates transferred into it by now.

Winnie also asked if anyone has heard of any changes in Cascade County with the new sheriff relative to the jail since it was a hot topic during the elections.

John commented that they haven't heard much of anything, but they do have their reserve program put back together.

Winnie asked Dennis to find out what's going on around the state in detention. Winnie feels it's important to pay attention and stay updated; especially in the area of on-going training.

Dennis mentioned that Gallatin County is hosting NIC to do two duplicate 8 hour sessions of direct supervision training.

~Greg Watson

Greg commented he hasn't been very active with his Committee since accepting his new position in Missoula.

Greg has also been very consumed with moving the Mega Loads.

Greg stated that MHP has been pretty active with the legislature.

~James Smith

No report at this time, just adjusting to the position with the council.

~Tony Harbaugh

Tony stated he too has been very busy with the legislature.

Tony and Dennis have a few things to bring to the MSPOA meeting for discussion.

Tony is very pleased with what they accomplished during the coroner meeting. This should be coming together fairly quickly now. Tony sends out a big "Thank You" to Derek VanLuchene who has been helping in the process of the Coroner outcome.

~Steve Barry

Steve commented that they have a temporary acting appointment in their Youth Services Division Administration because the administrator left and became their subcommittee chair.

During the Legislative Process, they did lose one Training and Development Specialist position as part of the 5% cut. Their cuts were primarily focused around curriculum development.

Steve has a meeting with the warden about the definition of a public safety officer.

They have an application in to NIC for a Staffing Analysis Training course. But they don't know whether it'll happen or not.

DOC also has an application in for Women in Corrections Leadership course through NIC.

~Ray Murray

Bob stated HB73 was initiated by Labor and Industries; it would have strengthened the ability for us to investigate unlicensed practice. This bill has been killed but with the attempt to resurrect it, it doesn't look hopeful.

~Bob McCarthy

No report

~Harold Hanser

Harold said the Federal Government is cutting back on the money coming into the regional Drug Task Force.

VI. Public Comment

No public present

VI. Adjourn

Winnie adjourned the meeting.

*** Executive Sessions are closed to the Public in order to protect the privacy rights of individuals.**

All times are approximate, actual times may vary depending on presentation/discussion time.