

City of Elkhorn Police and Fire Commission  
**MINUTES**  
Wednesday, September 24, 2008 @ 6:00 PM  
City Hall, Lower Conference Room

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**Commission Members Present:** Brad Wales, Paul Martell, Dana Kelnhofer, Larry Bray  
**Commission Members Absent:** Howard Sawyers

- I. **Call to Order:** Meeting was called to order at 6:06 P.M. by President Brad Wales.
- II. **Roll Call:** Commission members present: Wales, Kelnhofer, Bray and Martell. Also present: Assistant Fire Chief Flasch and Police Chief Christensen.
- III. **Withdrawals from Agenda:** There were no withdrawals from the agenda.
- IV. **Approval of Agenda:** Motion (Kelnhofer/Martell) to approve the agenda. Motion carried by majority present.
- V. **Approval of Minutes:** Motion (Martell/Bray) to approve the May 28, 2008 minutes. Motion carried by majority present.
- VI. **Public Comment:** There was no one from the general public present.
- VII. **Items of Business**
  - A. **Fire Department**
    - **Monthly Reports**

Assistant Fire Chief Flasch advised there was nothing out of the ordinary to report. He further informed the Commission that he along with Chief Smith did not feel that many of the previous applicants that were hired would be making it through the probationary period. Commissioner Martell asked if it was due to participation. Assistant Chief Flasch advised that was part of it, these candidates however have not been to any training or schooling, they have just been too busy to participate.

President Wales asked if these candidates have been contacted regarding their participation and Assistant Fire Chief Flasch advised they had been and they have each been talked to. Commissioner Martell expressed his frustration because he thought this was one of the best groups that have gone through the hiring process. Commissioner Martell then asked where that put the Department with members. Assistant Fire Chief Flasch informed the Commission that the Department currently has between 45-50 members, with 30 that are active with participation, which has been the same number for about one and a half years.

President Wales asked what the department was going to do as far as ideas for recruiting. Assistant Fire Chief Flasch advised they were working on getting a group together to discuss this issue.

Commissioner Kelnhofer inquired about the cost to the Department as far as schooling for members, and if the Department is out the money if the members do not make probation. Assistant Fire Chief Flasch advised that the Department is out the money that is put in for schooling on the member. Commissioner Bray inquired whether the State funded any of the training costs, and Assistant Fire Chief Flasch was not sure.

**B. Police Department**

- Monthly Reports

President Wales asked how busy it was this year with the Walworth County Fair, compared to last year. Chief Christensen advised there were a couple thefts from motor vehicles, but other than that, it ran smoothly. He added that the Department teamed once again with the Walworth County Sheriff's Department on bike and foot patrols and how beneficial that arrangement is. Commissioner Bray along with Commissioner Kelnhofer expressed their delight with the amount of presence at the fairgrounds.

- Internal Affairs Policy Review

Chief Christensen wanted to start by saying because the Department brought this policy to the Commission; it does not mean to insinuate that there are a large number of citizen complaints. Rather, State Statutes require that the Department have a written policy and the policy will be utilized by the Department on those occasions when there is a complaint and as a guide for the Commission. Chief Christensen stated that the insurance company that the City has is called Cities, Villages and Municipality Insurance Company, otherwise known as CVMIC, and they are very proactive with addressing issues before they actually become an issue with the Department. Chief Christensen advised the policy went to their legal council on September 1<sup>st</sup> for their review and was also forwarded to Association members for review and comments.

Chief Christensen advised that he is bringing the policy before the Commission for thoughts or opinions. Chief Christensen highlighted the purpose of the policy which is to protect the integrity of the Department along with the officer. Chief Christensen shared with the Commission the procedure for filing a complaint against the Department and the Police and Fire Commission's role in that procedure.

Commissioner Martell asked if there has been a specific citizen complaint to the Department, Chief Christensen said there had not and that it may not always be a citizen complaint, it could be an internal complaint or it could be any type of allegation, whether it is a search and seizure issue, rudeness of an officer, etc. Commissioner Martell asked if it could be something very trivial then, and Chief Christensen advised it could.

Commissioner Kelnhofer asked the Chief on an average, how many complaints are filed in a year. Chief Christensen said it is an extremely small number. Commissioner Kelnhofer also asked if this was a new policy or whether it is a revised policy and Chief Christensen advised that it is a new policy. Commissioner Bray felt this was a good idea to have one in place before it is actually needed.

Chief Christensen then informed President Wales that if someone were to go directly to them regarding a complaint there is a sample form that is contained in the League of Wisconsin Municipalities Handbook for Wisconsin Police & Fire Commissioners. Chief Christensen wanted the Commission to review the document and give some thought about utilizing that form for complaints that are received directly by the Commission. Chief Christensen inquired whether the Commission would prefer to have the complaint form placed on the City's website but expressed some concern about that. Commissioner Martell also agreed and said that the people are given options when they come to the police department, that putting it on the website would be a bad idea. Commissioner Bray advised that the Council will also know the policy and they can direct them to the proper place also.

Chief Christensen asked that if the Commission felt positive about the policy to make a motion to move forward after the legal review. Motion (Kelnhofer/Bray) to approve the policy, contingent upon legal review, to the Council. Motion carried by majority present.

#### Reserve Officer Update

Chief Christensen advised the Commission that on August 18<sup>th</sup>, Jon Jagielski was hired as Reserve Officer. He remains currently employed part-time with the Big Bend Police Department. He was able to get some training accomplished prior to the fair and also assisted with traffic control duties during the fair. Reserve Officer Jagielski has begun his field training with Patrolman Douglass under the supervision of Lieutenant Anzalone.

Chief Christensen also advised the Commission that due to Reserve Officer Schiefelbein's leave of absence, the Chief has been informed to go ahead and staff those empty hours with another part-time Reserve Officer. The Department is in the process of completing a background investigation on Andrew Hotter, who was on the eligibility list, and is from Johnson Creek. Chief advised that Andrew Hotter worked traffic control for the fair with the Department and is currently filling the open hours of Community Service Officer Kimberly Jackson, who is on a temporary leave of absence. Chief Christensen advised the thought was that Mr. Hotter would be able to staff the Community Service Officer position until C.S.O. Jackson was able to return, and then transition into the Reserve Officer position. However, Mr. Hotter advised Chief Christensen that the Watertown Police Department has begun a background investigation on him to staff a full-time position with their department.

Chief Christensen advised the Commission that the Department will be reviewing the current Reserve Officer eligibility list to determine whether to staff the position.

Establish Eligibility List for Full-Time Patrol Officer

Chief Christensen advised the Commission that Patrolman Michael Nigbor has orally informed him of his intent to retire at the end of April, 2009. Chief Christensen expressed that the Commission may need to meet on a regular basis to complete the hiring process. The Chief's goal is to start the recruiting process at the beginning of the second school semester. The Chief shared with the Commission the job announcement that would most likely be used and pointed out the prerequisites. He also stated that unlike the part-time position, the requirement of Law Enforcement Standards Board certification would not be a requirement for the full-time position. Chief Christensen shared that he would rather select the most qualified candidate, regardless of certification. Chief Christensen estimated that it would cost an individual approximately \$2,000 to \$3,000 to put them self through the academy and the Department should be able to utilize that as a recruiting tool.

Commissioner Martell was leery about putting a candidate through schooling when there is no return on a commitment from the candidate. Chief Christensen said that there is a tuition reimbursement clause in the Association's contract for the candidate at the time of hire, and the academy expense is paid by the State. In addition, there would also be an eligibility list created that the Department could choose from if the qualified candidate chooses not to commit to the Department.

President Wales asked if there was any psychological testing done on the candidates. Chief Christensen advised that he has required psychological testing for all sworn candidates that have been hired. In the past the Department has utilized Standard & Associates, from Chicago, however this past time utilized another service that was closer.

Chief Christensen asked that the Commission look over the driving qualifications that have been used in the past and President Wales advised that he did not see anything wrong with it if the Department has already been using it.

Chief Christensen advised that between now and the next meeting, a time line would be created for the hiring process, and the Department would look at what type of testing would be administered. Commissioner Martell expressed his desire to get the process going and not wait until Patrolman Nigbor retires.

The Commission agreed to meet again on November 12, 2008 at 6:00 P.M.

- VIII. **Adjournment:** Motion (Martell/Bray) to adjourn the meeting. Motion carried by majority present. Meeting was adjourned at 6:52 P.M.

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Howard Sawyers  
Secretary