

Resolution 12-06-05-01

A Resolution Determining the Future of Continued Negotiations With the Sheriff's Department for Contracted Police Services.

Whereas, on August 17, 2005 the State of Wisconsin Legislature adopted Act 40, which allows municipalities to abolish its police department if it enters into a contract with the Sheriff's Department to provide law enforcement services for the village; and

Whereas, the contract must address at least the following issues:

1. Division of municipal assets and liabilities relating to the police department.
2. Description of services that the county would provide and the dollar amount for the services.
3. A procedure for the municipality to request additional services and the dollar amount for those services.
4. Term of the agreement and the procedures for renewal, extension, or termination of the agreement; and

Whereas, Act 40 also requires for approximately two years after the contract takes effect, and to the greatest extent possible, that the county would hire any additional deputies from the ranks of the former police officers who lost their positions; and

Whereas, Act 40 also states that no agreement that is entered into may take effect before the termination of any collective bargaining agreement that covers the Village's police department employees; and

Whereas, the Village of Fontana police department had one member resign on short notice in May of 2005 creating a vacancy; and

Whereas, on May 28, 2005 in a joint protection and Village Board meeting, the Village of Fontana board of trustees authorized the police department to advertise and hire a part time officer and create a full time eligibility list; and

Whereas, recognizing the hiring of new personnel would take a couple of months the board authorized contracting with the Walworth County Sheriff's department on an as needed basis to fill the vacant shifts; and,

Whereas, the Walworth County deputies received satisfactory reviews and the temporary contracted services worked out well for the community;

Whereas, to date the Chief has been unable to provide the Village of Fontana's Police and Fire Commission with a suitable candidate to fill the part time position or the full time eligibility list; and

Whereas, the State of Wisconsin imposed a State Levy Limit, which restricts the expansion of the taxing levy; therefore creating a budgetary restraint on the community; and,

Whereas, the finance committee and the Village board are always looking for ways to save the community money and still provide services; and,

Whereas, on September 12, 2005 the Village Board of Trustees evaluated the options and authorized the Village Administrator and the Village Attorney to commence the preliminary study to see if a contract with the Sheriff's department would provide economic benefit for the municipality, and,

Whereas, on September 23, 2005 the Village Administrator opened the dialog with the Sheriff's Department and initiated a meeting to discuss possible contract parameters; and,

Whereas, on September 27, 2005 the Village Administrator presented a copy of the letter dated September 23, 2005 to the Chief of Police and explained the importance of maintaining a full complement of officers; and,

Whereas, on October 6, 2005 the Village Administrator and the Village Attorney sat down with the Sheriff and the Under Sheriff to review the items in the letter dated September 23, 2005 and follow up information was necessary; and,

Whereas, on November 12, 2005 the Village hosted a town hall meeting to assist in disseminating the facts surrounding the history of the economic study, which was prompted following a number of inaccurate reports and statements in the newspaper. At the Town Hall meeting a number of citizens showed up to voice their opposition and concerns with the concept of contracting with the Sheriff's department; and,

Whereas, the Village Administrator and Village Attorney made the commitment to ask the Village Board to adopt a resolution outlining the parameters of the negotiations, which were as follows:

1. That any contract with the County must produce a tax savings to the Village taxpayers.
2. That all current full-time police department employees must end up with County or Village employment that is comparable in the level of pay and benefits to their current position.
3. That any services provided by the County must be equal to or better than the services currently provided.
4. That the Village commit itself to regular open meetings with its citizens on this subject, including an open session discussion and public hearing prior to any final decision being made on a contract with the County.

Now therefore be it resolved, the Village board of trustees after hearing the concerns raised at the November 12th Town Hall meeting agree to drop the economic study.

Adopted and Approved this 6th day of December, 2005.

Village of Fontana on Geneva Lake
Board of Trustees

By: _____
Thomas W. Whowell, President

Attest: _____
Dennis L. Martin, Clerk