



May 22, 2014

A regular meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:00 a.m. on May 22, 2014 at the Days Inn 240 South Pugh Street, State College, PA 16801. The following Commissioners (*) and other individuals were present:

Chairman Keith Graybill*
Commissioner John Yarnell*
Commissioner Michelle Beaver*
Commissioner P. Beth Dombrowsky*
Commissioner Mark Hamilton*
Commissioner Erik Christensen*
Commissioner Russell Shurtleff*

Mr. Nicholas Klimowicz, Admin. Officer
Ms. Shannon Bennett, Secretary
Mr. Robert McCullough, Advisor
Mr. John Manning, Legal Advisor (PBPP)
Mr. Thomas Dougherty, Advisor (PBPP)
Mr. Greg Young, Advisor (PBPP)
Mr. Daniel McIntyre (PBPP)

1. CALL to ORDER and PLEDGE of ALLEGIANCE:

2. REVIEW and APPROVAL of the MINUTES of the PREVIOUS MEETINGS:

MOTION 1405.01: Commissioner Shurtleff made a motion to approve the minutes from the March 20, 2014 meeting. Commissioner Yarnell seconded the motion and it was passed by a unanimous voice vote.

MOTION 1405.02: Commissioner Dombrowsky made a motion to approve the minutes from the April 7, 2014 meeting. Commissioner Hamilton seconded the motion and it was passed by a unanimous voice vote.

3. ANNOUNCEMENTS and REPORTS:

• **Chairman**

- ✓ Chairman Graybill stated that he would combine the Chairman announcements and report.
- ✓ Chairman Graybill announced that, in the absence of an Executive Director, Administrative Officer Klimowicz has functioned in that capacity and that everything has been flowing smoothly. Administrative Officer Klimowicz will continue to function in this capacity until a new Executive Director can be selected. Chairman Graybill noted that he had forwarded a request to the Board of Probation and Parole for Administrative Officer Klimowicz to be paid out of class pay.
- ✓ Chairman Graybill announced the creation of a Search Committee whose function would be to review the applications and conduct interviews for the Executive Director's position. Chairman Graybill appointed Commissioners Potteiger, Beaver and Dombrowsky.

- **Acting Executive Director**

- ✓ Administrative Officer Klimowicz announced that, at the request of Chairman Graybill, his verbal announcements and reports would be joined by a written report.
- ✓ Administrative Officer Klimowicz reviewed a newspaper article that had appeared in the Times Leader in April that mentioned the Commission; the article had been brought to his attention by Advisor Manning.
- ✓ Administrative Officer Klimowicz announced that John Flite, an MI from Philadelphia County Adult Probation, had retired in April. He noted that Mr. Flite frequently taught at BTA's for the Commission.
- ✓ Administrative Officer Klimowicz announced that Mifflin County Probation was now armed after their president judge signed the administrative order on May 14, 2014. They plan to send the first batch of officers to the September BTA with the remaining officers attending a BTA next year. Administrative Officer Klimowicz noted that Commissioner Beaver had been assisting their department with the arming process

4. REPORTS of OFFICERS and STANDING COMMITTEES:

- **Acting Executive Director**

- ✓ Administrative Officer Klimowicz reviewed the fiscal year for 2013 and 2014 financial update, noting that it does not reflect and revenue that will be added through to the end of the year. Administrative Officer Klimowicz also noted the inclusion of the FETC monthly expenses reports for February, March and April.
- ✓ Administrative Officer Klimowicz reported that the 75th BTA was held in April and May; Range A had 14 students with one failure while Range B had 11 students with no failures. The 76th BTA is scheduled to begin on June 3 – 6; Range A is scheduled for June 10 – 13 but Range B had to be cancelled due to lack of enrollment. Administrative Officer Klimowicz stated that there is a possibility of running another BTA class in December.
- ✓ Administrative Officer Klimowicz reported that all three Course 8 train-the-trainers had been completed with a total of 57 students.
- ✓ Administrative Officer Klimowicz reported that three in-service Course 8's had been run so far with positive student feedback. Administrative Officer Klimowicz noted that the long term plan is to examine the post-Course 8 qualification scores of those students who took Course 8 and look for any improvement.
- ✓ Administrative Officer Klimowicz reviewed the in-service update.
- ✓ Commissioner Yarnell brought up the issue counties are having with getting ammunition, noting that his county has been waiting 8 months for their shipment. Advisor Young stated that their shipment ammunition finally came in and that they are considering submitting their next order now.
- ✓ Chairman Graybill brought up the financial aspect of the training courses and noted that there are allowances for additional classes to be added to the in-service schedule. Administrative Officer Klimowicz stated when classes are cancelled due to

low enrollment, those classes are moved to later in the year and to an area of the state where it is needed. In addition, not every class that is being held at HACC is filled but we are not paying for students who aren't there. In addition, the BTA classes are budgeted to include targets and equipment for 15 students on the line; money is saved when the unused targets and equipment is carried forward to the next BTA. Chairman Graybill stated that with the motion made earlier in the year [Motion 1403.2], counties would not be receiving BTA ammunition reimbursements at the end of the year; Administrative Officer Klimowicz stated that is saving the Commission \$50 per student each year.

- ✓ Administrative Officer Klimowicz reviewed the counties conducting in-house training, noting that there four counties who have scheduled in-house BTA's
- ✓ Administrative Officer Klimowicz reported that the next CFI school, which the Board training agents conduct, will be held in July or the beginning of August. Administrative Officer Klimowicz noted that the course has been moved to HACC's indoor range this year and that the counties are responsible for their own expenses.
- ✓ Administrative Officer Klimowicz reported that he had audited a Coarse 3 class at HACC. Administrative Officer Klimowicz noted that while the Policy Committee has not yet implemented written auditing procedures, the notes and observations would be used to assist the Policy Committee in developing those procedures. Administrative Officer Klimowicz reminded everyone that the Commission did pass a motion [Motion 1401.03] that there would be a total of four class audits done this year and concluded that his should not be a problem despite having no Executive Director at present.
- ✓ Administrative Officer Klimowicz reviewed the different projects the FETC staff would be working on in the next few months, to include revising the Executive Director's position desk manual, creating a detailed BTA procedural manual, creating short webinars with WebEx such as FCTMS training, and the Commission's Annual report which is normally released in September.
- ✓ Administrative Officer Klimowicz reported that the upcoming FETC budget process will begin in June and that Jeff Cushey will be assisting with that process. Chairman Graybill stated that he has invited Jeff Cushey to a future Commission meeting, noting that Mr. Cushey's team puts together all the financial reports.

- **Policy Committee**

- ✓ Nothing to report; did not meet.

- **Curriculum Committee**

- ✓ Nothing to report; did not meet.

5. REPORTS of SPECIAL COMMITTEES:

- **Officer Safety Research Committee**

- ✓ Nothing to report; did not meet.

- **Fiscal Committee**

- ✓ Nothing to report; did not meet.

6.UNFINISHED (OLD) BUSINESS:

- **Sunshine Act Posting Procedure**

- ✓ Administrative Officer Klimowicz recommended that the responsibility to process Sunshine Act-required posting return to the Commission staff. Advisor Manning had no objections. Chairman Graybill noted that returning responsibility to the staff would negate any possible issues with paperwork moving back and forth between staff and Advisor Manning.

MOTION 1405.03: Commissioner Yarnell made a motion to rescind Motion 1311.22 and return the responsibility of the Sunshine Act to the Commission staff. Commissioner Dombrowsky seconded the motion and it was passes by a unanimous voice vote.

7. NEW BUSINESS:

- **Request for the Initial of CFI Status**

- ✓ Becky Coe, Cumberland County Adult Probation

MOTION 1405.04: Commissioner Dombrowsky made a motion to to grant initial CFI status for Becky Coe. Commissioner Beaver seconded the motion and it was passed by a unanimous voice vote.

- **Request for the Renewal of CFI Status**

- ✓ Thomas Ford, Cumberland County Adult Probation

MOTION 1405.05: Commissioner Dombrowsky made a motion to to grant renewal of CFI status for Thomas Ford. Commissioner Hamilton seconded the motion and it was passed by a unanimous voice vote.

- **Crawford County Adult Recertification/BTA Waiver Request**

- ✓ Administrative Officer Klimowicz reported having received a letter from Crawford County in reference to Officer Robert Stein and that the letter was included in the packet along with Motions for similar situations. Administrative Officer noted that this was not a break in service; Officer Stein was working for the adult probation department where they carried weapons then transferred to juvenile probation where they did not carry weapons. He did not carry from 2008 onward and did not attend any requalification or any other formal training. However, he did continue with his own personal weapon. Officer Stein then transferred back to Adult probation in March of 2014. Admininstrative Officer Klimowicz noted that there are several motions that dealt with similar situations but that it is up to the Commission as to what is required of Officer Stein in order for him to be qualified to carry a duty weapon again. Administrative Officer Klimowicz reminded the Commission about the

Motion that was passed in March 2014 where the officer was required to go through remedial training with his department's instructor [Eric Burkholder]; upon completion of the remedial training he would then qualify in the course of fire. After completing that, he would be granted a waiver from attending Basic Training. Chairman Graybill asked about the March scenario how long the officer voluntarily gave up his weapon; Administrative Officer Klimowicz believed it was about a year. Administrative Officer Klimowicz stated that Officer Stein did attend several advanced trainings while he was still certified to carry. Commissioner Christensen noted that it's important we be sure he was fingerprinted; Commissioner Yarnell asked Administrative Officer Klimowicz to verify that Officer Stein was printed.

MOTION 1405.06: Commissioner Dombrowsky made a motion that we allow Officer Robert Stein to have the BTA requirement waived for the lapse in time. Mr. Stein would be required to take the BTA test and requalify with a Master Instructor. Commissioner Yarnell seconded the motion and it was passed by a unanimous voice vote.

8. LEGAL ISSUES AND COMMENTS:

EXECUTIVE SESSION: 9:47a.m. – 10:12 a.m to discuss issues regarding personnel.

MOTION 1405.07: Commissioner Shurtleff made a motion that our Chairman be authorized to approach the Civil Service Commission about changing the Executive Director position from a civil service to non-civil service position. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Chairman Graybill stated that he will forward a request to the Civil Service Commission based on the motion.

9. PUBLIC COMMENT AND QUESTIONS

- ✓ None.

10. ADJOURNMENT

MOTION 1405.08: Commissioner Yarnell made a motion to adjourn at 10:14 a.m. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

Respectfully Submitted,



Nicholas F. Klimowicz
Administrative Officer