

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:
~~Res~~/Ord No.: 5323
 Sponsor(s): Ronald E. Finley
 Date: April 6, 2020

| | | | | | | | | | | | |
|--|---|---|-----------------|--|-------|--|----------------|--|---------------|---|--|
| SUBJECT | Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: An Ordinance authorizing the Sheriff to designate a Sheriff's Office K-9 as surplus property and transfer ownership of "Diogi" to his handler, Sergeant Eli Postlethwait. | | | | | | | | | | |
| BUDGET INFORMATION To be completed By Requesting Department and Finance | <table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$0</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____ | Amount authorized by this legislation this fiscal year: | \$0 | Amount previously authorized this fiscal year: | \$0 | Total amount authorized after this legislative action: | \$0 | Amount budgeted for this item * (including transfers): | \$0 | Source of funding (name of fund) and account code number: | |
| Amount authorized by this legislation this fiscal year: | \$0 | | | | | | | | | | |
| Amount previously authorized this fiscal year: | \$0 | | | | | | | | | | |
| Total amount authorized after this legislative action: | \$0 | | | | | | | | | | |
| Amount budgeted for this item * (including transfers): | \$0 | | | | | | | | | | |
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| PRIOR LEGISLATION | Prior ordinances and (date): _____ Prior resolutions and (date): _____ | | | | | | | | | | |
| CONTACT INFORMATION | RLA drafted by Captain David Epperson Jackson County Sheriff's Office (816) 541-8017 | | | | | | | | | | |
| REQUEST SUMMARY | This agreement allows the Sheriff to transfer ownership of "Diogi," a 7 1/2 year old canine, to his handler, Sergeant Eli Postlethwait. "Diogi" is at the end of his duty life and it would not be cost effective to assign the canine to another handler for familiarization and retraining. It is in the best interest of Jackson County to allow "Diogi" to retire, recognizing his years of service and transferring his ownership to his handler. We are recommending waiving Ordinance #1139 to do so. | | | | | | | | | | |
| CLEARANCE | <input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office) | | | | | | | | | | |
| COMPLIANCE | <input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals | | | | | | | | | | |
| ATTACHMENTS | | | | | | | | | | | |
| REVIEW | <table border="1"> <tr> <td>Department Director: <i>M. E. [Signature]</i></td> <td>Date: 3/25/2020</td> </tr> <tr> <td>Finance (Budget Approval): If applicable: N/A</td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>Greg M. Schultz</i></td> <td>Date: 4-2-2020</td> </tr> <tr> <td>County Counselor's Office: <i>Bryan [Signature]</i></td> <td>Date: 3/30/20</td> </tr> </table> | Department Director: <i>M. E. [Signature]</i> | Date: 3/25/2020 | Finance (Budget Approval): If applicable: N/A | Date: | Division Manager: <i>Greg M. Schultz</i> | Date: 4-2-2020 | County Counselor's Office: <i>Bryan [Signature]</i> | Date: 3/30/20 | | |
| Department Director: <i>M. E. [Signature]</i> | Date: 3/25/2020 | | | | | | | | | | |
| Finance (Budget Approval): If applicable: N/A | Date: | | | | | | | | | | |
| Division Manager: <i>Greg M. Schultz</i> | Date: 4-2-2020 | | | | | | | | | | |
| County Counselor's Office: <i>Bryan [Signature]</i> | Date: 3/30/20 | | | | | | | | | | |

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

| Account Number: | Account Title: | Amount Not to Exceed: |
|-----------------|----------------|-----------------------|
| | | |

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Office of the JACKSON COUNTY SHERIFF

Sheriff Darryl Forté

INTER OFFICE
COVER SHEET



Office of the JACKSON COUNTY SHERIFF

Sheriff Darryl Forté

INTER-OFFICE MEMO

To: Major R. Fletcher #2
From: Captain R. Montgomery #6
Re: Retirement of Sheriff's Office K-9, Diogi
Date: 03-09-2020

Major,

As you and I have discussed, due to Sergeant Eli Postlethwait's recent transfer to the Sex Offender Registration and Enforcement Unit, a determination must be made regarding what to do with his K-9 partner, 7 1/2 year old Diogi.

Attached you will find a request from Sgt. Postlethwait which requests permission to retire Diogi and outlines benefits to include saving the Sheriff's Office funds in the form of vet visits, prescriptions, food, kennel time, training and other miscellaneous costs. It also requests permission for Sgt. Postlethwait to personally retain the canine. Included in Sgt. Postlethwait's request are two letters from our current trainer, Scott Hedger with Von Henger Kennels LLC, which state he believes it would not be cost effective to retrain Diogi for another handler as well as that he values Diogi at \$1.00.

Jackson County Ordinance 1139 (attached) states that when the county acquires a dog for use by the Sheriff's Office, the handler may acquire ownership of the dog upon reimbursement to the county of its acquisition cost when the handler retires or is transferred or promoted out of the canine unit and the sheriff has determined that retraining the dog for another handler would not be cost effective. Unfortunately, there is no way that Sergeant Postlethwait could afford to pay the original acquisition cost which Captain Epperson stated was approximately \$13,000.00.

Therefore, after review of the documentation, the K-9s current estimated value, Diogi's estimated time of 1-2 years left of service, the fact that he has been a member of the Postlethwait and Sheriff's Office family for years, and in accordance with past practice of other Sheriff's Office K-9s, Speedy and Blitz, I recommend an RLA be completed to authorize the transfer of ownership of Diogi to Sergeant Eli Postlethwait (please see the attached paperwork regarding previous RLAs submitted and approved).

*Sheriff,
 I recommend that Diogi be
 Retired and retained by
 Sgt. Postlethwait. Capt. Montgomery
 can complete RLA to authorize the
 transfer. A/major Capt M. R #4 03-11-2020*

Respectfully Submitted,

Capt. R. Montgomery #6
 Captain R. Montgomery #6

Approved as recommended

Darryl Forté 3-11-20



Office of the JACKSON COUNTY SHERIFF

Sheriff Darryl Forté

INTER-OFFICE MEMO

To: Capt. Montgomery #6

From: Sgt. Eli Postlethwait #27

Re: Diogi Retirement

Date: 2/21/20

Ma'am,

I would like to request the retirement of my K9 partner Diogi, due to my recent transfer to the SORE unit. Diogi and I have been working together since 2015 and he is currently an important member of my family.

I spoke with Scott Hedger, whom the county bought Diogi from and is the owner of Von Henger Kennels. Scott confirmed that most dogs working life is 8 to 10 years old. Diogi is currently 7 ½ years old. At this point, Diogi's age makes it impractical to retrain him with a second handler. By the time training is complete, and the second handler and Diogi had time to build proficient working relationship, Diogi would be at retirement age.

When Diogi retires, and ownership transferred to me, this will relieve the county of several costs associated with Diogi. The county will no longer be responsible for Diogi's daily care and health costs. This cost includes vet visits, prescriptions, food, kennel time, training and other minor miscellaneous costs. Diogi has recently been prescribed pain pills for possible rear hip pain. Diogi is currently in good health but due to his age, this can change at any time.

If retrained Diogi would not be operational during the time it took to post a new K9 position and selection process of a new handler. If retired, the county would save money in boarding and caring for Diogi during his downtime before retraining could take place. In addition to the financial burden associated with this downtime, Diogi would not be working and his skills would diminish as well, causing increased hardship to the new handler.

The K9 unit has had a similar situation in the past involving Dep. Beggs and K9 Blitz. Dep. Beggs left the department for other employment, and subsequently retired K9 Blitz. At that time Blitz was 6 years old, which is a year and a half younger than Diogi is now. Dep. Beggs was told that Blitz was too old to be retrained with another handler. Dep. Beggs was given a property release form and assumed ownership of K9 Blitz, relieving the county of the burden of care and maintenance associated to the dog.

Due to Diogi's age, and the associated cost and hardship of retraining, it is impractical to place Diogi with another handler. By the time Diogi would be working again in a full capacity he would already be ready for

retirement. Due to the reasons listed above, I request that Diogi be allowed to retire, and live the rest of his life with my family and I. Attached to this memo are two documents from Trainer Scott Hedger, and his opinions on this issue.

Respectfully,

A handwritten signature in black ink, appearing to read "Sgt. E. Postlethwait #27". The signature is written in a cursive style with a large, stylized initial "E".

Sgt. E. Postlethwait #27

Von Henger Kennels LLC

To: Sgt. Eli Postlethwait, Jackson County Sheriffs Dept.

Per our conversation due to the age of Diogi(8), his value for resale is limited. There is no market for an 8 yr old police dog, due to having a very small window of working life left. Dogs of this age are most normally either no value or donation type dogs.

That being said I would value him at \$1.00 due to his age.

Please let me know if you have any questions.

Scott Hedger

Von Henger Kennels LLC

Kingsville, MO

Von Henger Kennels LLC

To: Sgt. Postlethwait, Jackson County Sheriffs Dept.

In reference to our conversation, my opinion with regards to the re-training of Diogi. I feel like at his age of 8, retraining would not be a good use of funds.

He most likely best case scenario would have 1 ½ to 2 years tops of work life left. I feel like it would be money better spent to use the funds needed for the retrain towards a new K9.

If you have any questions please don't hesitate to contact me.

Scott Hedger

Von Henger kennels

Kingsville, MO

Resolution number by which it was declared obsolete, the original acquisition cost of the property, if known, the sale price, if any, and the governmental agency to which the property is to be sold or transferred. (Ord. 1323, Eff. 05-16-85; Ord. 3482, Eff. 05-18-04)

b. Time for Legislature to Respond.

If the County Executive has not received written objection by one (1) or more members of the County Legislature to the proposed sale or transfer within the period of five (5) working days, the County Executive may proceed to make the sale or transfer as indicated in the notice. (Ord. 1323, Eff. 05-16-85; Ord. 3482, Eff. 05-18-04)

c. Legislature Objects.

If the County Executive receives written objections by one (1) or more members of the County Legislature within the period of five (5) working days, the County Executive shall not make the sale or transfer but shall submit his or her recommendations to the County Legislature for approval. (Ord. 1323, Eff. 05-16-85; Ord. 3482, Eff. 05-18-04)

1138. Sale of County-owned Animals.

When the Director of the Department of Parks and Recreation determines that the department has animals in excess of the needs of the department, the director shall declare any such animals as surplus property. Thereafter, with the written approval of the Purchasing Director, the department may dispose of such surplus animals by contracting with a licensed animal auction facility for their sale, at terms satisfactory to the department. The proceeds of any such sale shall be credited to the unappropriated surplus of the Park Fund. (Ord. 2145, Eff. 9/17/92)

1139. Disposition of Sheriff's Canine Unit Dogs.

When the county acquires a dog for use by the Sheriff's Department's canine unit, the county's acquisition cost shall be documented. Thereafter the deputy sheriff assigned as the dog's handler may take ownership of the dog upon reimbursement to the county of its acquisition cost when:

- a) the dog is retired or relieved from duty due to age or injury; or
- b) the handler retires or is transferred or promoted out of the canine unit and the sheriff has determined that retraining the dog for another handler would not be cost effective. (Ord. 2192, Eff. 4/8/93)

1140. Items Acquired Solely For Purpose of Resale.

The provisions of this chapter relating to the disposal of county-owned personal property do not apply to personal property acquired by the county solely for the purpose of resale at a commercial establishment operated by a county department or agency. In such cases, the department director or agency head shall have discretion to determine