

MONTGOMERY COUNTY JAIL COMMITTEE MINUTES

October 14, 2009

The Montgomery County Jail Committee met Wednesday, October 14, 2009, at 5:30 p.m. in the Basement Meeting Room of the Courthouse. The meeting was called to order by Chairman Donna Robinson. Those present were committee members Brad Wright, Clint Rubey, Donna Robinson, Julie Rubey, Jim Sifford, Ken Rech, Roger Ehmke, Dan Cain, and Ron Brown. Sheriff Joe Sampson and Chief Drue Powers arrived at 5:35 p.m. Also present were clerk Joni Ernst and visitors Supervisor Karen Blue, Jerry Dietz of KCSI, and Michelle Lingle of the Red Oak Express.

Ernst provided copies of the Durrant memo dated October 8, 2009 from Mike Morman that listed the items yet to be addressed in the analysis, and a working document from Morman that was addressing each item from the RFQ that was unanswered at the previous week's meeting.

Motion by Rech, second by J. Rubey to approve the agenda. All in favor. Motion carried.

Motion by Wright, second by Cain to approve the minutes of the October 7, 2009 Jail Committee Meeting. All in favor. Minutes stand approved.

The Chair called for public comment. No public comment.

Chairman Robinson opened up discussion of last week's needs assessment analysis and presentation. Wright questioned the activities listed on page 4 of the assessment. He inquired about the "numerous meeting" that were held with "various groups and individuals." He didn't believe that had been accomplished. Sampson stated Morman had been down several times to meet with him, and they had visited the Red Oak police department and had looked at two vacant properties with realtors. Wright believed this was an overstatement.

Wright and the committee members reviewed the errors on the analysis spreadsheet. Sifford noted that the bottom-line savings were inaccurate, because there had been no interest figured into Column A, titled "Total Project Costs/25 years w/ 5.25% interest (incl FFE)." The column was only projected for 15 years and only principal included. The error made by not including the interest is \$154,953 per year, and would be \$2,324,295 over the 15 years. Sifford said it was big error that affected the savings that were being projected to the public. C. Rubey pointed out that the heading still read "Ringgold County, August 8, 2006," and the committee questioned whether the information contained in the analysis was Ringgold County's or Montgomery County's. Ernst stated she had been in contact with the Ringgold County Auditor Laurie Greenman and she was going to send a copy of their analysis so the two could be compared. C. Rubey also noted that the mechanical square footage had not been included in the totals, and questioned where the 34,000 square foot building had come from. Rech said that the numbers didn't track well when they were verbally putting numbers out at the end of the meeting, such as the two to three acres of land needed for the project if it included law enforcement offices. He said that was a lot of land for this project. Robinson stated that Morman and Lewis had just been throwing numbers out off the top of their heads, and the 34,000 would possibly be the square footage if law enforcement offices were included with the jail.

C. Rubey asked if they would want more money above the \$10,000 to go back and correct the report. Ernst said the contract capped the billable hours at \$10,000. Rech read the contract out loud to the committee, specifically page 2 which stated the Architect's responsibilities for Phase I "Needs Assessment, Conceptual Design, Cost Comparison Analysis which included: a. do nothing b. send all inmates out, c. remodel

existing building, d. demo existing building, e. renovate existing building in Montgomery County, and Architectural Site Evaluation.” The committee discussed the contracted items that had been omitted from the analysis, which were the cost comparison analysis of a., c., d., and e.

Rech said the report was completely inaccurate. The Phase I: Detailed Description on page 3 states “Review and evaluate previous assessments of the Montgomery Co. Law Enforcement Center. Collect current data assessing the current status of the County’s law enforcement needs as well as possible integration of the local Red Oak Police Department. Report on findings after generating a new report and evaluating the old reports. Provide initial Conceptual/Schematic Design concepts for use in cost estimating as well as for use in referendum materials. Provide cost comparison for each option. The only items completed had been the review of the previous assessments and collecting current county law enforcement data. The reporting that Morman had done the previous week was based on inaccurate information, and only two options had a cost comparison.

Wright asked at what comfort level would the committee be, even if the information was corrected and presented again. Rech said that they wouldn’t know that until they saw a product with correct information. Ernst stated she could not take the information and in good faith present it to the citizens for a referendum, and stated that she would not recommend using Durrant if the recommendation moved forward to a referendum.

Wright asked if the committee could just walk away at this point. He said it would take a whole lot to make him comfortable with this situation. Sifford stated he would not be comfortable with new information, and it looked like the report had been slapped together in five minutes. Rech again stated it was not accurate at all.

Robinson asked again if the committee would be at a comfortable level with Durrant if they were given the opportunity to correct the information and give the committee a new product, and then move forward at that point.

Sifford asked why we would want to do business with an organization like this. He said he would not be comfortable using them. Cain stated we have the obligation to provide accurate information to the citizens of Montgomery County, and we weren’t given that.

Sifford stated Durrant’s credibility was gone. Robinson said the committee would have more credibility with the voters if the committee rejected this company.

Ernst stated that Auditor Greenman had said Ringgold County had paid Durrant more than \$200,000 and they still didn’t have a jail.

Rech stated Oakview had been one of the local contractors bidding on that project, and were the low bidders, and the design was 25% over budget. He said they rejected all bids and started over. He said that we can expect some waves, but he wasn’t comfortable with what he was seeing.

Wright stated he would like to see someone initiate termination. Brown asked how the committee would select a new consultant. Sifford said they had a second choice selected. C. Rubey said that the vote was very close. Robinson said that Prochaska has been in touch as well as HMN and they have been very interested in this project.

At that point, C. Rubey made the motion to recommend to the Board of Supervisors termination of the Durrant contract. The motion was seconded by Ehmke. The roll call vote was unanimous in favor of the motion.

More discussion followed the vote. Cain stated that the analysis looked like Durrant had punched in a few numbers to project out. C. Rubey said no wonder

Ringgold was in trouble. Robinson said that it is obviously important to have a committee, and Ringgold did not have a committee.

Wright said this project is too big and too important to the county. Robinson stated that we have been delayed, but have been going through the study and assessment process for over twenty years. She said she would call State Jail Inspector Delbert Longley tomorrow after the Supervisors meeting, and inform him of the committee's recommendation and let him know that they were still moving forward.

C. Rubey said Durrant viewed both Red Oak DieCast and No Frills, so was neither one feasible, because it wasn't in the cost analysis. Cain and Ernst said that was information that the public needed to know, and they needed to see the cost of each.

Wright added that they should have included a "green field" sites in their proposal, not just the property adjacent the sheriff's office. J. Rubey said that the architects they used for the school bond issue reviewed other existing buildings and included them in the analysis, but detailed the costs and why they were not a good alternative. Sampson said Durrant was supposed to do that, but didn't.

Wright asked if the next meeting time was still valid, or if the termination would change it. Ernst said they would have to wait for the Supervisors to take official action. Robinson said they could leave the October 27th meeting date to keep the committee moving on this.

Sifford asked if they could make consultant recommendations tonight. Robinson said the Supervisors would need to contact the two other consulting firms and see if they would be willing to sit down for a less formal interview with the jail committee, and during that time they could review any fee changes or recent information that would impact the information from the original formal interviews. Wright suggested Robinson and Ernst work with a schedule and Prochaska and HMN. Consensus of the Board to task Robinson and Ernst.

Sifford asked about gathered data from Durrant, and said the committee should be entitled to the raw data at least.

Wright asked about the land space. Robinson said they could work that out when they had the discussions with the companies. C. Rubey wondered how many properties would they need to look at. Wright said it just needed to be a level piece of property near utilities to provide a good comparison.

The committee wrapped up their discussion and with no additional comments, motion to adjourn by Wright, second by Brown. All in favor. The meeting adjourned at 6:30 p.m.

DONNA ROBINSON, CHAIRMAN

ATTEST: JONI K. ERNST, CLERK