

MONTGOMERY COUNTY JAIL COMMITTEE MINUTES

December 14, 2009

The Montgomery County Jail Committee met Monday, December 14, 2009, at 6:00 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, Donna Robinson, Drue Powers, Jim Parker, Ken Rech, Margaret Stoldorf, Roger Ehmke, Ron Brown, and Sheriff Joe Sampson. Also present were Prochaska representatives Don Prochaska, Scott Lundberg, and Steve Riley, clerk Joni Ernst and visitors Red Oak Express editor Greg Orear and Supervisor Karen Blue.

Motion by Wright, second by Powers to approve the agenda. All in favor. Motion carried.

Motion by Parker, second by Stoldorf to approve the minutes of the November 24, 2009 Jail Committee Meeting. All in favor. Minutes stand approved.

The Chair called for public comment. No public comment.

The meeting continued with introductions of the Prochaska staff members and Prochaska asked that they review the spreadsheet prepared by Riley which summarized the history of studies and results done on the Montgomery County Jail in the past 15 years, compiled from information gathered from the Auditor's office. Prochaska asked what the committee expected from them, and stated that he thought they would like a solution, and not just another study. He said they didn't want to over-promise and under-deliver. Riley reviewed the summary spreadsheet and emphasized the need to save effort and not repeat past experiences with these studies.

Prochaska stated that the committee needed to find a financial threshold that was acceptable to the taxpayers, and then work backwards with that threshold. He asked what was the least Montgomery County could build, and possibly make it expandable. He said often what happens is "scope-creep," where a project begins to snowball by adding to the project, until it is unmanageable. He said it would be best to focus on a horizontally-expandable facility, as any vertical-addition plans would add to the cost of the initial foundation.

Wright asked about due diligence for the taxpayers. He said he agreed 100% with Prochaska. Prochaska responded that the committee and past committees have done due diligence with the multiple studies from the past. He stated that priorities needed to be set, and then how they would be financed. Rech said that many of the past studies were driven by Polk County and the federal marshals; he said our responsibility is Montgomery County. Prochaska said that the community would be more accepting of a smaller jail, make it lean, with no fat. He said if the focus is on an acceptable minimum, due diligence will have been done.

Prochaska asked the group to share their perceptions on the project and what any obstacles might be. Robinson said that the committee continues to look back at all of the fees that have been paid for past studies, and it is time to move forward. She said she was optimistic, and it was time to make decisions on a united front. She said Montgomery County citizens are responsible for providing a jail that is safe for staff, inmates and the general public. The obstacle she saw was selling the jail to the taxpayers.

Wright said that taking no action is a decision, and taxpayers should be educated on the funding of the action or inaction. Robinson stated that there would be cuts to services if the county couldn't bond for the project.

Sampson stated that this has been studied to death, people are tired and wondering why we are doing another study. He stated we need a safe and secure facility with 24, 25

or so beds, and very plain Jane. Prochaska echoed that you don't build a church for Easter Sunday.

Wright stated that the committee should ensure expandability was an option, and if a law enforcement center is part of it, make sure it works. He stated he wouldn't want to use the county-owned land adjacent to the Sheriff's Office if it would land-lock the jail and it could not be expanded. He stated other buildings would have to be removed from the area if using that block. Prochaska said there would be an open discussion where to locate the jail facility, and he asked if proximity and logistics was an advantage to that location. Wright responded certainly, but didn't know if that should be a controlling factor or not. Prochaska said if there were too many options, ballots get split, and the most emotional part of any project is the location. Wright stated the obstacle he saw was the public's lack of understanding of budgets. Wright said he appreciated the discussion, and hoped the communication continued over the next six months. He departed the meeting at 7:00 p.m.

Stoldorf stated the facility should get down to bare bones, and asked if it was the committee's responsibility to the public to build a jail or a law enforcement center. She believed that the committee should make the decision on the location whether it was the county farm, the area across the street or a green-field site; it should not be a public decision. She said as the committee presented their solution, she would personally like to see numbers comparing other options. She stated she and Sampson had researched the transport option and to hire transport officers and have a holding facility, use part-time personnel, it would cost \$443,000 a year. She stated they included depreciation on the vehicles, included labor, fuel, holding facility, and administrative staff at the holding facility. The four options she would like to see explored are a new jail, refurbishment of the existing facility, rehabilitation of another existing building, and a 24-hour holding facility with transport. Parker agreed it would be good information to have.

Rech said he was concerned about having too many options out there, and the committee should evaluate and pick one, then get behind it. Prochaska agreed that they should pick the best option, but be prepared for an "audit" of the selection.

Powers said he supports the law enforcement center, as the city needs evidence storage and the county has outgrown their storage. He said the city doesn't have a communications center or a training area. He believed the jail should be 20 to 25 beds, and not shoot for the moon. Parker said he wouldn't have a problem with that, but how would the cost be shared. Stoldorf said that was her concern, too, and asked if the city would pay rent or build a portion of the facility.

Prochaska asked if it would be too polarizing for the community. Parker responded that there was some contention out there, and everyone should pay their fair share. He said there would have to be an agreement set before it could be a joint facility.

Powers departed the meeting at 7:25 p.m.

Ehmke asked what the surrounding counties were doing, and Prochaska said if Montgomery County moves first, it takes away some of the other counties' options. Sampson stated that Fremont County moves all of their females to Adams County, and he thought it would be wise to build three or four cells for females.

Ehmke said the committee would need to prove it is not feasible to use the current jail. Prochaska stated it would be at a substantial cost to remodel the existing facility. Robinson said the supervisors would need to figure out the funding. Stoldorf asked if it was a foregone conclusion then that the current jail could not be used. Riley responded that yes, it could be restored, but not as a jail and it would have to be repurposed. Stoldorf said there are people out there that believe the current jail still has life. Prochaska said that people will ask for a structural analysis of the jail. He said the jail

could stand another 300 years, but will it function as a jail; the current facility does not have the necessary life support functions that are required. He said there could be alternative uses, but not one of the consultants will say that it should be a jail.

Ehmke said he understood and also agreed that a law enforcement center should be explored. He thought the obstacles would be funding and financing. The Local Option Sales and Services Tax was discussed, but it was agreed that it wouldn't be an option, because if funds were diverted to a new jail, those LOSST dollars currently going to Secondary Roads, the county fair, and courthouse repairs would have to be replaced by property tax dollars, so the county citizens wouldn't gain anything.

Stoldorf asked about leasing a building. Rech stated that you still would run into a tax cap. Riley stated that most equipment could be financed through a lease-purchase option through debt service. Parker said, yes, but it was still a tax shouldered by the tax payers.

Brown said he liked the thought of a bare bones facility, just going with the essentials. He understood using the lot across from the courthouse as a location. His concern was that using the existing jail would be cost prohibitive, and it really needed to go. Prochaska said that the condition of the building must be considered, and right now it is on life-support. Brown said the law enforcement center should be thrown out if it becomes cost prohibitive. Sampson agreed that it should be looked at, and if it is not feasible, get rid of the idea. Brown said the biggest obstacle would be funding.

Prochaska asked what the threshold of the project should be. Parker and Stoldorf said that it would be a tax levy discussion, as people would have a tax limitation. Parker said if everything isn't worked out and in place, the referendum would fail. He said the committee needed a plan, then a cost. He believed the facility should cost anywhere from \$3 to \$5 million, and more than that would be out.

Rech said they should look at the program and the budget and meld the two together. He said he would have a real concern about trying to build an adequate facility for \$3 million. He stated that they needed to convince people that it is their responsibility to fund the jail, all audiences including commercial property owners and ag owners. He saw the greatest obstacle as selling both groups on the idea; a section of land brings in income for ag owners, but residential property owners with just homes do not bring in income for the tax payer.

Riley asked what it would take to convince everyone. Parker said it would come down to dollars. He said a steel building could be built as a jail at a reasonable price.

Robinson said it had been beneficial to meet and go over all of these points of discussion. Prochaska said the group's expertise and insight to the community would help the committee "own" their ideas.

They briefly discussed the contract, and Riley assured the group it would be a simple contract and would not include future service or the design phase.

The next meeting date was set for January 13th at 6:00 p.m.

With no additional comments, motion to adjourn by Stoldorf, second by Sampson. All in favor. The meeting adjourned at 8:32 p.m.

DONNA ROBINSON, CHAIRMAN

ATTEST: JONI K. ERNST, CLERK