

MONTGOMERY COUNTY JAIL COMMITTEE MINUTES
July 27, 2009

The Montgomery County Jail Committee met in quorum Monday, July 27, 2009 at 7:00 P.M. at the courthouse basement meeting room. The meeting was called to order by Vice-Chairman Sheriff Joe Sampson. There was a roll call of members with committee members Clint Rubey, Drue Powers, Julie Rubey, Jim Parker, Jim Sifford, Jon Young, Ken Rech, Dan Cain, Ron Brown and Sampson present. Also present were clerk to the committee Joni Ernst and audience members Supervisor Karen Blue, Jerry Dietz, and County Attorney Bruce Swanson.

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

Motion to approve the minutes of June 23, 2009 committee meeting by Parker, second by Brown. All in favor. Minutes stand as read.

Sampson called for public comment. No comments. Committee member Margaret Stoldorf arrived at 7:05 P.M.

Sampson asked for Mike Morman of Durrant to give the committee an update of the needs assessment project. Morman first reviewed the contract that had been rewritten since the original presentation to the Board of Supervisors. He outlined the phases in the contract with Phase I the needs assessment, conceptual design, and architectural site evaluation, Phase II referendum assistance if needed, and Phase III design, construction documents, bidding, and administration of construction. He emphasized that each phase would stand alone, and the Board of Supervisors could choose not to continue with Phase II or Phase III.

Morman further outlined the contract and accepted questions from the committee. He reviewed the reimbursable expenses at 1.25 times the actual cost of the reimbursable item. Morman was questioned why they would receive 1.25 times the cost. He replied that it would help cover the cost of administration. Rech stated that this was the normal cost of doing business and is common in these contracts. Parker asked if this would be for each phase. Morman said it was. C. Rubey asked if the reimbursable rate was negotiable. Morman said it could be negotiated.

Stoldorf stated that she thought the \$10,000 cap that was given in the original presentation to the committee would cover all of the reimbursable items, but now the reimbursables have been added on top of the \$10,000. Morman apologized that there was a misunderstanding and explained that he would probably reach the \$10,000 maximum charge and go beyond that in his hourly charge, which would not be paid by the county, and the reimbursables would be separate from the \$10,000 maximum. C. Rubey proposed \$10,000 plus the actual cost of expenses during Phase I, then the reimbursable rate of 1.15 after Phase I if necessary. Rech said he would like to see a budget schedule for reimbursables. Morman said that it will be included in the cost estimate.

Parker emphasized that it was important that other options need to be addressed in Phase I, not just consider the building of a new jail. Examples would be renovating an existing building, fixing the current jail, or not doing anything – whatever would be best for the taxpayer. Morman responded that was the intent of the needs assessment, and they will be looked at. Stoldorf said that it had been discussed with Morman previously, and those options need to be included in the contract. Morman said it will be further stated in the revised contract.

Stoldorf asked why Phase III was included in the contract, as the committee was just looking for a needs assessment. Morman answered that it would save about two months if a referendum is passed and the county opts to stay with Durrant for Phase III. He emphasized that the county can still decide to go with another firm if they are not satisfied or wish to go out to bid.

Parker said that public perception would be that we are going with Durrant for Phase III if it is in the contract, and asked that the revised contract come back to the committee before it goes to the Board of Supervisors. J. Rubey stated that ultimately it would be up to the Supervisors. Parker said that the Board should take into consideration the recommendations of the committee, though. Morman said he would send the revised contract to the Jail Committee and the County Attorney first, then if the committee is satisfied, it will go to the Board of Supervisors.

Stoldorf questioned the termination expenses. Morman said that the county would only be billed for those expenses actually incurred. Stoldorf asked Swanson's opinion. Swanson stated that Morman is stating in front of everyone that they won't bill for Phases that the county is not in or approved. Morman said that if the county wants to go to a RFP (request for proposal) they can, and won't be billed for the phases that the Board has not contracted for.

Rech recommended that reimbursables be set at 1.15 times the cost for Phases I and II, and asked if Morman needed to clear that with someone else. Morman said no, he could okay that.

C. Rubey asked if 1.15 could be the set rate for Phase III, also. Morman said that he could put reimbursables "to be negotiated" for Phase III. Majority consensus that 1.15 be the rate set for Phase I and II in the revised contract. Non-consent from Stoldorf, who stated it should be a flat fee of \$10,000. Morman said he could provide figures for a per trip cost to Montgomery County.

Morman said he will revise the contract to include the options to be studied in Phase I, so it clarifies what is to be done. He said he would look at a few suggested structurally sound buildings for comparisons such as the "No Frills" building. He will also look at various potential building sites.

Morman stated he would make the changes as the committee had indicated and would get those to the committee for review.

Morman moved on to his update on the needs assessment. He said he was concerned about the accuracy of the numbers presented in the past studies and was working to track down actual inmate data with the Sheriff's office.

Sifford asked about the funding options for the jail project. Ernst stated that most likely it would have to be general obligation bonding, as the county could not absorb it in the general fund. She said there had been a letter from the State Auditor's office the last time the issue had gone to referendum and it stated the ways a county could pay for a jail. She said she would forward that to the jail committee members for information. She also stated she had received notice from IJobs that should the county proceed with a new jail, it would qualify for the IJobs grant, which could be up to 50% of the project cost.

Sampson asked that the committee set the next meeting date. It was decided to meet again after the PONI course.

Motion by C. Rubey to adjourn, second by Stoldorf. All in favor. Meeting adjourned at 8:53 P.M.

JOE SAMPSON, VICE CHAIRMAN

ATTEST: JONI K. ERNST, CLERK