

## **Minutes Jail Study Committee July 17, 2008**

Members present: Sheree Nelson, Wally Geske, Deloris Vind, Geraldine Van Tassel, Ray Seiler, Douglas Winters and Paul Halderson. Barb Semb and John Bortle (9:08 a.m.).

Also Present: Sheriff Richard Anderson, Chief Deputy Brian Puent, Lt. Harlan Reinders, and RN Ron Hanson of the Trempealeau County Sheriff's Department. Tom Poweleit with Venture Architects. Jeri Marsolek with the Trempealeau County District Attorney's Office. Community members present included Barbara Gronemus, Shirley Roberts and Ottie Becker.

The meeting was called to order by Halderson at 9:04 a.m. stating proper posting and notification has met open meeting requirements.

Motion by VanTassel and seconded by Winters to accept the agenda as submitted. Motion carried 7-0.

Motion by Seiler and seconded by Geske to accept the minutes of the May 29, 2008 and June 2, 2008 meetings as submitted. Motion carried 7-0.

### ***Presentation by Venture Architects***

*Concept Plans* – Poweleit presented information on the concept plans for the proposed Law Enforcement Center, based on a 102 bed facility.

Poweleit also provided information on the history of the jail's average daily population from 1991 through 2007. The average daily population has been growing at a 7% average, but that average has been very inconsistent during this time period. Based on this information average daily population projections were provided based on 6% and 7% increase in population. The five year projection for the year 2013 indicates the projected average daily population to be between 72.05 and 75.51 inmates. The ten year projection for the year 2018 indicates the projected average daily population to be between 96.41 and 105.91 inmates.

*Project Budget* - The committee reviewed the draft project budget as previously presented. Costs assume bidding in spring 2009. The cost of utility fees/costs to extend services has not been finalized as of this date. At this time there is continued discussion with the City of Whitehall regarding those costs. Depending on the total cost for utility fees/cost to extend services, that cost could possibly come from the design contingency calculated into the draft project budget.

The committee also reviewed the draft project budget for the potential courthouse remodel (space that would be vacated by the Sheriff's Department/Jail).

*Draft Operational Budget* – The committee began by reviewing the 2008 Operational Budget. The committee also reviewed the five and ten year draft operational budgets. The draft operational budgets included scenarios for doing nothing versus building a 102 bed facility. Poweleit advised that when comparing the numbers provided it appears that the most cost effective option in regards to the operational budget is to build a new facility.

Nelson advised that the problems she sees with these numbers is that they are not factoring in the cost to build and bonding. She advised that when you add in the cost and return of investment you come up with a new set of numbers on what it costs to house these inmates.

Seiler advised there are two other things that need to be looked at, the fact that the jail is getting older and how much we can rely on other counties housing our inmates. Nelson advised that these

numbers only give half the picture. Seiler advised that there would also be savings on transportation, fuel and time associated with out of county housing.

Geske advised the other question is how much the county can raise taxes each year and if other departments will be affected by the increased operational budgets. Semb advised that the operational budget would be in our levy limit and could affect other areas within the county. It is believed that the bonding costs would not fall under the levy cap.

Seiler advised there is another issue that is extremely unpredictable, there have been more stories in the news about public theft. He believes if the economy continues there will be a lot more crime. District Attorney Marsolek advised that there has been a large increase in embezzlement, theft and forgery cases in the last 18 months. She further advised that as our inmate population is increasing the population in other counties is also increasing.

Geske advised he would like to show people how it would impact their taxes if we do nothing versus how it would impact their taxes if they build a new facility. Seiler advised that the levy is going to keep going up with staff expenses.

Winters questioned what if we don't do anything and in five years we have to remodel the current facility.

Halderson advised that the out of county housing costs are reaching the point where they are almost equal to the bond amount.

Geske advised there are different tax levels throughout the county. VanTassel advised the only thing the county has control over is the county tax. Winters advised that you have to have growth in the township, city or village to maintain the tax level. Halderson advised that the discussion always comes back to tax impact.

Nelson advised that her concern is that the current debt would be paid in 2015, but wrapping this bond around the existing bond would have additional costs. Nelson advised that she does not think the numbers are there yet to support this project.

Sheriff Anderson advised that in doing nothing there are other costs that need to be taken into consideration. These include the age of the facility or potential staff increases associated with transporting inmates out of county. There is also the money paid for housing inmates out of county, which has been increasing over the years.

Bortle questioned Poweleit regarding what an extra pod would cost. Poweleit advised he does not have that cost at this time but he could figure it out. Nelson advised if the county wants to look 30 to 50 years out then we need to consider a master plan that includes a third pod.

### ***Review of Committee's Process Up to Date***

Vind advised that she wanted to keep in mind that the public that spoke at the previous meeting was not in favor of the decision that was made to build off-site.

Halderson advised when the committee began there were four options one included an addition to the existing facility. The drawbacks were less beds, inefficiency, lack of space for future expansion and increased staff because the addition would not allow for a full pod design. Also the cost of adding on would be almost equal to the cost of new facility.

The second option was to use the city building. The drawbacks were that any project would have to replace the city's building space and revenue, which drastically increased costs.

The third option was to build off-site. After much discussion the committee determined that this was the most feasible option for long term planning. This option also freed up space for other departments and meeting space within the courthouse.

The fourth option was to do nothing.

The committee determined the best option was building off-site. This was presented to the County Board at which time the board approved spending \$5,000 to look at the off-site facility.

Halderson advised that no matter what decision is made there will always be someone who is not in total agreement.

Nelson advised that she has talked to a lot of people in her district. She advised that she has explained it to them and put a positive spin on the benefits. She further advised that they are still mad about what happened eight years ago. It all seems to come down to that they want to know what the numbers are and what they are getting for their money. Nelson states they don't care about the intangibles or the benefits, it is all about costs. Halderson advised that he hopes the County Board cares about the intangibles as it is their duty to care about what is occurring within the county. Sheriff Anderson advised that the intangibles will affect the pocket book when there is a lawsuit, like those that Monroe County has seen. Geske advised that most people don't think the inmates should have an opportunity to sue.

Seiler advised that the public needs to be informed that we are under state and federal mandates and the local level does not have control of the system.

VanTassel advised she does not care what happens to the inmates but she is concerned about the staff. She said the staff working conditions are her biggest concern.

Bortle advised that he believes the study by UW-Extension was ultra conservative regarding the impact that out of county housing has on jail operations. Bortle further advised that they are on the County Board to make decisions. This is part of operating our county and the community's safety. Bortle further questioned that he has been asked why this wasn't done ten years ago. He has been told that if the county is going to build a jail they need to build it right so we are not looking at this issue ten years from now. Bortle advised that he thinks the County Board needs to make the decision that they think is right and not worry about reelection.

Sheriff Anderson questioned if a subcommittee is needed to analyze and prepare the numbers that Nelson has requested.

### ***Current Overcrowding Issues***

*Transport Issues* – Lt. Reinders advised that he spoke to the Sheriff about some of the issues with transport as part of his duties are overseeing the transport of inmates housed out of county. Lt. Reinders advised that these issues have been building over the last couple of years as out of county numbers have risen. Chippewa County is an extension of our facility but they are also their own separate entity and to some degree they dictate how we are going to conduct business.

We are only allowed to house certain inmates in Chippewa County. They will not take inmates that have problems or medical/mental health issues. The department has also recently been advised that Chippewa County will not take non English speaking inmates as they do not want to incur the interpreter costs. Reinders advised there was an individual in our jail who spoken broken English and there were no issues. When the inmate was transported to Chippewa he advised them that he did not speak English. At that time Chippewa County contacted Trempealeau County and advised that we needed to come and pick him up.

The transport officer not only transports inmates housed out of county. The transport officers also picks up individuals being held on warrants in other counties. This officer is also responsible for

individuals with mental health issues. The transport officer is also responsible for transporting individuals sentenced to prison. The current transport officer is also the evidence custodian for the department. When the increase in out of county transports is added it creates a serious issue within the department, not only from a financial standpoint but it also increases stress on employees.

Lt. Reinders advised in the past week there was one afternoon where he spent four hours scheduling transports. It has reached the point where the department has had to pull patrol officers off the road in order to handle all the transports that have been occurring.

The Sheriff's Department receives transports from the District Attorney's Office, Judge's Office, Corp Counsel, Inmate Medical and other counties holding individuals on our warrant. There has also been an increase in our probation holds and the number of individuals be sentenced to prison.

Another issue that has come up is that when we bring people in for court we have to transport people out of county because there is not enough space to hold the inmates awaiting court. In yesterday's incident there were only six beds open in Chippewa County and one of their jailers advised that they did not want anymore inmates. At this time we are somewhat at the mercy of Chippewa County because we are so dependent on their willingness to house Trempealeau County inmates.

District Attorney Marsolek advised that the problems that Lt. Reinders talked about are just logistic issues. There is an entirely separate set of issues associated with the court process.

Lt. Reinders advised that he has a concern with the issues and the inability to fully address these issues. The amount of time that is spent on transports and other issues associated with out of county housing directly impacts the amount of time they have to address the other needs of the citizens in our community. Completing the tasks associated with out of county results in neglect of other duties that should be done.

Because we are restricted on the types of inmates that Chippewa County will take there are many occasions where an inmate will be taken to Chippewa County one day and will then need to be brought back for court, etc. just a couple days later.

Lt. Reinders then went through a list of other issues that are created because of the need to transport inmates out of county.

- Attorney's demanding to see their clients in our facility rather than an out of county agency.
- Chippewa County is upset with current court procedures.
- Trempealeau County Jail unable to adequately provide inmate programming due to the constant movement of inmates.
- Time spent arranging transports results in less time devoted to other work duties. Increased stress placed on staff.
- Increased gas costs and wear/tear on vehicles.
- We are experiencing loss of inmate property and missed transports and/or court appearances.
- We must send out "best" inmates out of county leaving difficult inmates with major medical/mental health problems in our facility.
- Inmates do not remain out of county during the duration of their jail stay. They are transported several times for court appearances.

- If the inmate becomes a behavioral problem at the out of county agency, we are required to return that inmate to Trempealeau County.
- We must ensure no contact orders are maintained while out of county.
- We must ensure appropriate court, probation and other inmate paperwork is sent to the out of county agency.
- We must ensure inmates are released on the appropriate release date from the out of county agency. If they do not have a ride back to their community, we are responsible for transporting that inmate back to Whitehall.
- We have greater room for error with the constant deposit and release of inmate funds.
- Inmates do not have access to family, attorneys, probation or public defenders, etc.
- Lack of coverage in the County when an officer is taken from the road to conduct a transport.
- We incur cost of medical/mental health costs for our inmates while out of county.
- Increased housing cost.
- If Chippewa County is full, it would force us to house inmates in another county at a higher rate, further drive and more cost to the county overall. Not to mention time.
- The greater number of transports could result in a greater chance of a motor vehicle accident inmate escape and/or officer injury.

Chief Deputy Puent advised as out of county housing numbers increase the department is not going to be able to get by with the current staff. There is a possibility of adding one to two more transport officers. There will come time where there will also be a need for additional personnel to oversee the administration of transports.

Chief Deputy Puent further advised that housing out of county does not address the issues with the current jail brought up by the Department of Corrections.

Seiler advised that staff increases impact the levy and there is a cap on that type of levy. Geske advised that staff increases in the Sherriff's Department will have to be matched by a decrease in staff by other departments within the county.

Sheriff Anderson advised that it has reached the point where Detectives and Administration have completed transports because of the staffing issues.

Jail Nurse Hanson advised that a pregnant inmate was transported to Chippewa did not want her so we had to go back and pick her up. There have also been medication issues associated with housing inmates out of county. RN Hanson advised that medical and mental health issues have become a major factor in the jail. There is an increase in tuberculosis cases. At this time the tuberculosis cases have been inactive and are not contagious. If they were active the jail does not have adequate ventilation to house these inmates. There is no area to separate these individuals with high risk medical/mental health issues.

Inmates are currently moved through the main hallway of the jail with access to the medical, administration and other areas. Last week there was an instance with an inmate fighting with jail staff in that hallway. As a result the inmate has been charged with battery to a law enforcement officer.

District Attorney Marsolek advised an individual would have to have a criminal history to be sentenced to jail time.

*Chippewa County Video Court Issues* – Chippewa County has recently sent a letter describing Chippewa County's dissatisfaction with video conferencing.

***Bonding Estimates Received from Paul Syverson***

This is regarding the effect of Tax on \$100,000 Assessed Value Property for various Bond Issues.

Paul Syverson spoke with Mike Hallman of GKST on a \$16 million and \$18 million Bond issue, plus a 2.5 million courthouse remodel. His suggestion again was to wrap them around existing bonds. The committee reviewed the numbers providing for wrapping the new bond around existing bonds.

Nelson advised that her issue is to look at this as a stand alone issue and calculate in all potential costs. If you don't add in the return and cost of your investment you don't have a true cost.

Nelson and Bortle both advised that their concern is that with a 102 bed facility we may also be seeing overcrowding issues again in ten years.

Seiler advised that he has been thinking about this for the past eight to ten years. If this plan is not satisfactory then we need to come up with an alternative but no one has been able to do that so far. Seiler further advised that ten years ago he was in opposition but now it seems that this is the way to go as no one has been able to come up with an alternative plan.

***Presentation to County Board***

Halderson questioned where we go from here before the presentation is made to the County Board. Semb advised she did not put this item on the July meeting as she did not feel it was ready to come to County Board yet. She would like to have all the necessary information before it is presented to the County Board.

Seiler questioned if we should invite Mike Hallman to explain the Bond Issue. Chief Deputy Puent questioned the possibility of Mike Hallman working with a committee member to clarify the numbers.

Halderson questioned Nelson on her thoughts about her questions on the numbers. Nelson advised that she believes it requires an extensive study to obtain the necessary information to present to the public. Halderson advised that he could ask Hallman to ask for a stand alone bond. Nelson questioned why they would rewrap. Poweleit advised that it is typically done because the previous bond is at a higher rate.

Halderson advised he thinks it comes down to a comparison of out of county housing costs versus the annual bond payment.

Seiler advised there was an issue a few years ago when the county decided to pay off a bond and the decision was made to wrap around existing debt. That decision resulting in a savings to the county.

Halderson questioned if the majority of the committee is satisfied with the information in hand or if there should be a further cash flow analysis.

Motion by Bortle and seconded by Van Tassel requesting a draft operational budget for a 119 pod facility. He further requested an estimate on construction cost for an additional 119 bed pod in 10 years. The operational budget will be based on both the 6% and 7% increase in inmate population. Motion carried 9-0.

Nelson advised that she would like at the higher population increase and use the 7% increase for inmate population. Nelson further advised that she did not think 3% increase in utilities was

accurate. Nelson further questioned if portions of the jail could be brought on at different times. Poweleit advised that with a single pod it would all need to be added at one time.

Nelson questioned DA Marsolek on what would be an adequate number to calculate an increase in inmate population. DA Marsolek advised that she thinks 6% is a fair number to calculate an increase in inmate population.

VanTassel questioned if we were to add a second pod down the road how many employees would have to be added.

Nelson and Halderson will work with Paul Syverson to gather the bond information. Once this information is gathered it will be forwarded to Venture Architects to include in the Draft Operational Budget.

### ***Public Relations***

Vind advised that it would be beneficial to develop a website for the Jail Study Committee. Vind advised that she spoke with Darryl with the IT Department and he advised that was something he could do. Nelson advised at this time the information that could be posted would be the proposed concept plans and proposed construction budgets.

Vind advised if you do it as you go along accurate information will be reported. Semb advised she believes there is a possibility of adding a link to the Trempealeau County Website for the Jail Study once the numbers are finalized.

Bortle would like the website setup to determine how many hits it receives.

Poweleit advised that Eau Claire County has a website for their jail construction. This website is being updated on a regular basis.

The Jail Study Website will be discussed further at the next meeting.

Halderson advised that we need to have final numbers before the presentation to the County Board. Halderson feels that after the presentation to the County Board it will be important to do presentations within different regions of the county.

Geske questioned when the decision would be made on whether this issue should be put to referendum. Geske advised that decision will affect on how public relations should be handled. Geske advised it is their job to get them the information so the public can make an objective decision. The information has to come before the referendum.

### ***Public Comment***

Becker questioned how many acres that jail site would cover. Poweleit advised that the current design would utilize approximately ten acres. Becker advised that the City of Independence has a ten acre site that would be available. Becker states he believes the jail could be built in the City of Independence but the Sheriff's Office would have to remain in the City of Whitehall. Becker further states that they have the appropriate turn lanes and water and sewer to that site.

Becker states that it is important to get the appropriate information out to the public. Becker states an amortization schedule would be beneficial for showing how this potential building would be paid off.

Becker was questioned what's the city's interest. Becker advised that he thinks it is a great asset to the community and they would be willing to work with the committee. Becker was further questioned if this was the view of the counsel. Becker advised that the counsel has discussed this issue. When it came out in the paper that it was discussed by the counsel there was positive feedback from the community.

Shirley Roberts questioned how the daily inmate population is calculated. Roberts was advised that the inmate population is counted at a certain time each day and that number is used to determine the daily population. Geske advised that this issue was recently discussed in a county magazine. Most inmates are in and out, they don't stay in a county facility for an extended period of time.

Gronemus advised that she agrees with Sheree and feels that refinancing is not beneficial. Gronemus further advised that we don't know what is going to happen on the state level regarding regulations for crimes and how it will impact the future. She states she does not object to ensuring that employees are working in a safe environment but she wants to know the costs. Gronemus states that she spoke with the man who built this facility and he said an addition is possible. She would like us to look at the possibility of adding onto this facility. There was a meeting involving the City of Whitehall Public Works Committee, Barb Semb and Paul Halderson. She questioned if there was an agreement. There is no agreement at this time as the information regarding costs is still being gathered.

Gronemus was advised that based on current standards it is not possible to add another story to the current facility. She was also advised that an addition to the current site would require additional staff.

Gronemus advised that she objects to the jail site being placed on the flat site on County Road Q. She states that land is very precious and it is a pure use of that property to build a jail. She states this land is being rented on a regular basis as agricultural property.

Gronemus advised that she thinks the communication system should take priority over any other projects at this time.

***Set Next Meeting Date/Time***

The next Jail Study Committee meeting has been scheduled for August 13, 2008 at 9:00 a.m.

Committee Chair, Halderson, adjourned the meeting at 12:07 p.m.

Rebecca M. Suchla  
Administrative Assistant