

Official Proceedings
Codington County Justice Advisory Committee
Lake Area Technical Institute, Room 430
Watertown, SD 57201
June 27, 2017

The Codington County Justice Advisory Committee (CCJAC) met on June 27, 2017, at Lake Area Technical Institute. Attending were committee members Lee Gabel, Al Koistinen, Greg Endres, Larry Wasland, Brad Howell, Megan Olson and Troy Van Dusen, as well as non-voting members Tom Walder and the Honorable Robert Spears. Bruce Schwartzman from BKV Group Architects and Toby Morris from Dougherty and Co. were in attendance. Meeting called to order by Chairman Lee Gabel at 6:13 p.m.

Agenda Approved

Motion to approve the meeting agenda was made by Van Dusen. Motion seconded, all in favor, agenda approved.

Minutes Approved

Motion to approve minutes of the May 2 meeting was made by Wasland. Motion seconded, all in favor, minutes approved.

Discussion: Revised criteria

Chairman Lee Gabel set out discussion points in determining a path forward after the bond election failed by a narrow margin (see attached slides).

The committee had determined long-term operational costs to be a top priority, with the project cost being secondary (see attached). However, arriving at the acceptable project cost is critical to passage of a bond election. Therefore, project cost will need to be addressed accordingly as work continues. No recommendation to the commissioners to re-prioritize criteria was adopted.

Since project cost will likely have to be lower, it is unlikely that all the recommendations made in the jail and court space assessments can be addressed (at least not in the near term). The consensus of CCJAC was that the liability of the jail is the most urgent issue. Judge Spears agreed, stating that the remodeling of the lower level of the courthouse to assist with the courtroom space was acceptable to him, and judges may need to review the sentencing guidelines.

Discussion: Funding Options

Toby Morris of Dougherty & Co. gave an overview of the funding options. He works with counties throughout South Dakota. Mr. Morris worked with Codington County in both the 2014 and 2017 bonding proposals. Both were for a General Obligation (GO) bond which automatically goes to a vote of the people. The GO bond has the lowest interest rate. Another option is the Certificate of Participation (COP), which can be referred to a vote. COP has an extra .5% to .75% interest rate over the life of the

loan. If a COP does not get referred, construction can begin quickly, saving overall costs. A lease-back, with an interest rate of 1-2% higher than a GO bond, is an additional option but was not felt by the committee to be viable due to the increased interest rate. The consensus was that a GO bond is still preferred over other bond types.

Funding other than property tax would require legislation. Codrington County led the way in 2016 with SB 105, which would have authorized counties to ask voters for a temporary sales tax, rather than only property tax, to fund the construction of justice facilities. The proposal was killed in committee due to the 2016 sales tax increase to fund teacher pay raises.

Discussion: Design/ Location Options and Costs

The menu of options considered before the CCJAC recommended the most recent proposal to the county commissioners was again reviewed. Three basic options were discussed for future consideration:

- New jail with an in-custody courtroom on the auditorium block (no remodeling of the current jail, no court space remodeling, sheriff's operations remain as is).
- New jail with an in-custody courtroom on the auditorium block, and courthouse remodel (marginal to no increase in court floor space).
- Add on to the current jail. Schwarzman reiterated that there could be no podular design within the current jail due to structural limitations. This would likely mean dividing a facility between minimum and maximum security levels and possibly including an in-custody courtroom.

In addition to the courthouse and auditorium blocks, the west US 212 location is still a possibility.

Discussion: Revised Timeline

Before in-depth consideration of this options, Gabel will discuss the possibility of updating jail inmate population projections with consultant Bill Garnos. If possible, this may include projecting the need for minimum and maximum security. Once this is done, BKV will be more able to assist in considering the options above.

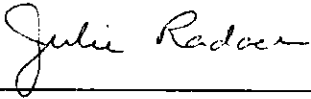
Complementary jail-alternative efforts are ongoing, such as 24/7 program, mental health initiative, juvenile diversion. The Sheriff and Court are currently experimenting with the best use of electronic monitoring.

Discussion was held on the timing of a future election. Generally, the higher the turnout, the greater the chance the bond issue will pass. The general election of November 2018 will probably be very high voter turnout due to the governor's race. The consensus was that voting on the bond issue during the November 2018 general election was preferable to a special election.

Future meetings and Adjournment:

August 8 at Lake Area Technical Institute, 6:10 pm, was set as the next meeting. An additional date of September 12 was selected.

Motion to adjourn by Koistinen, seconded, all in favor. Meeting adjourned at 8 pm.



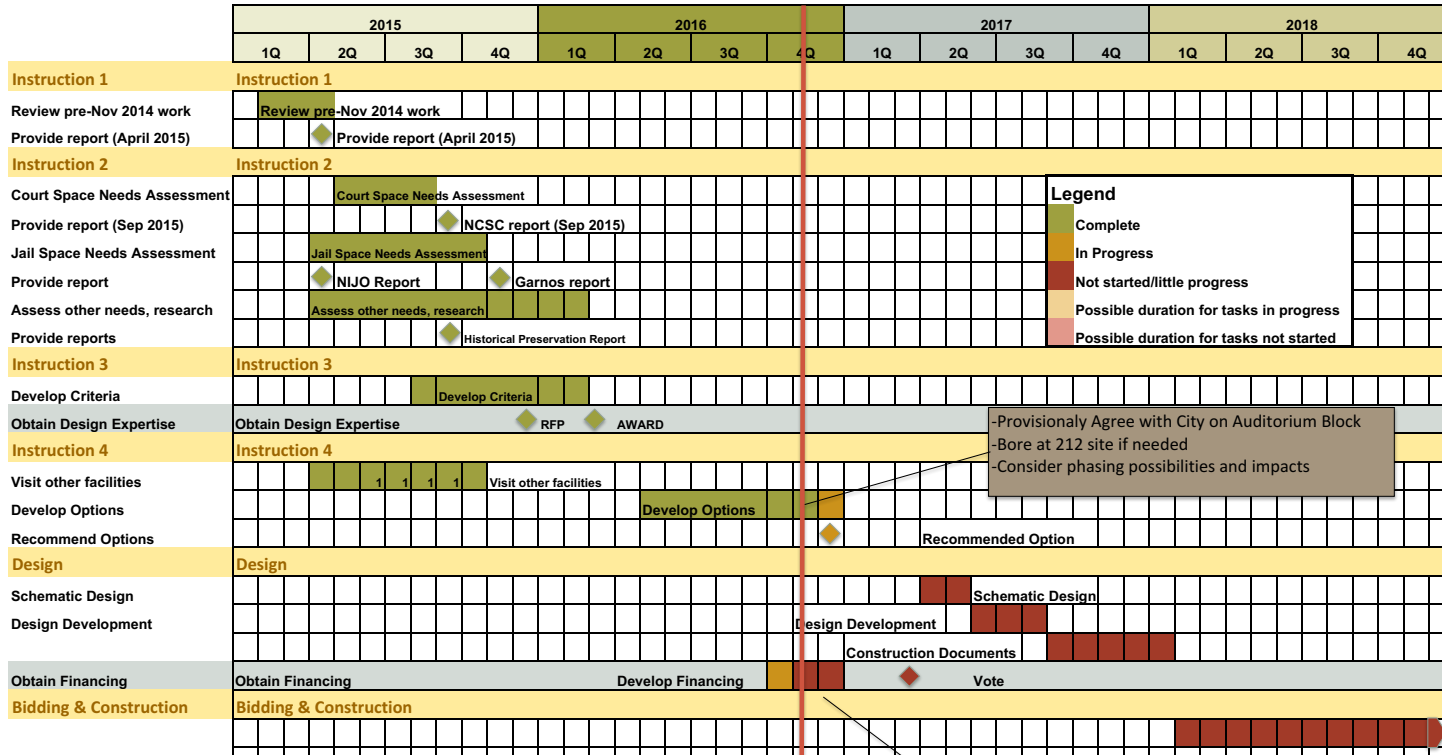
Secretary, CCJAC

__August 8th__

Date Approved

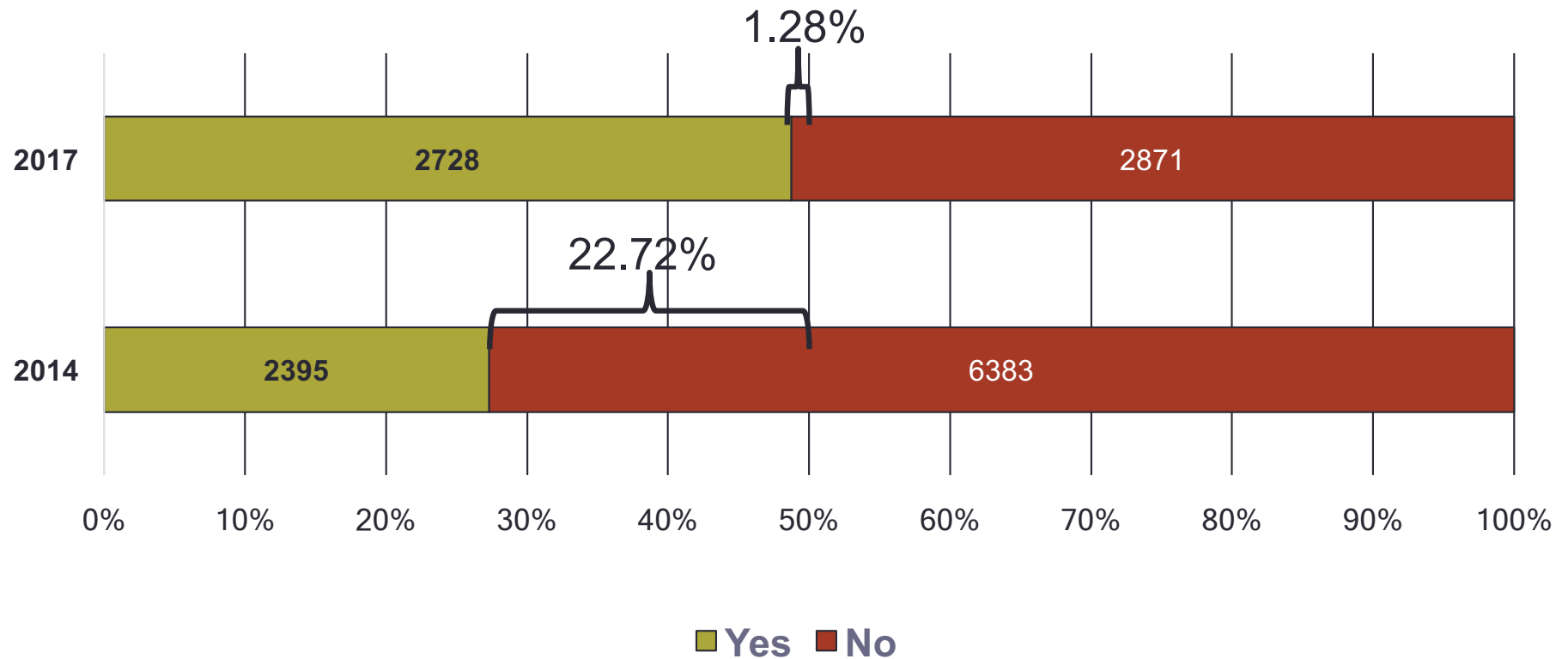


Timeline – Before Vote



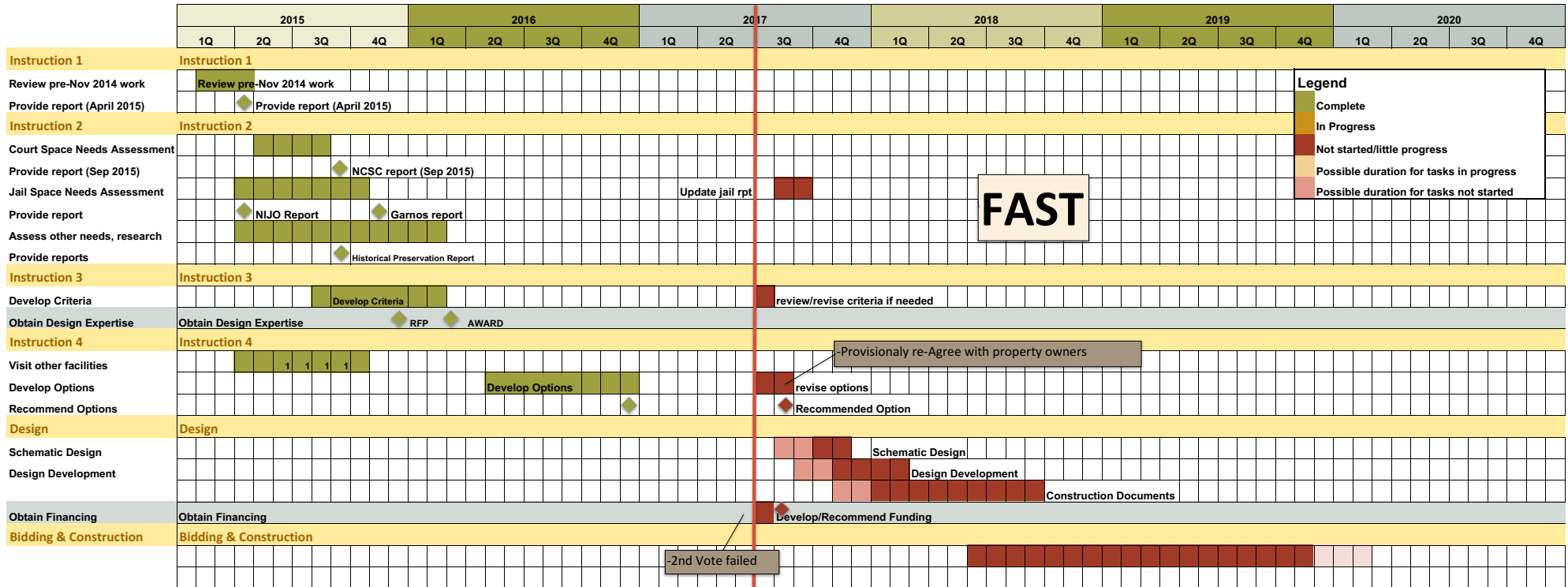


June 20th, 2017 Vote Results (compared to 2014 vote)

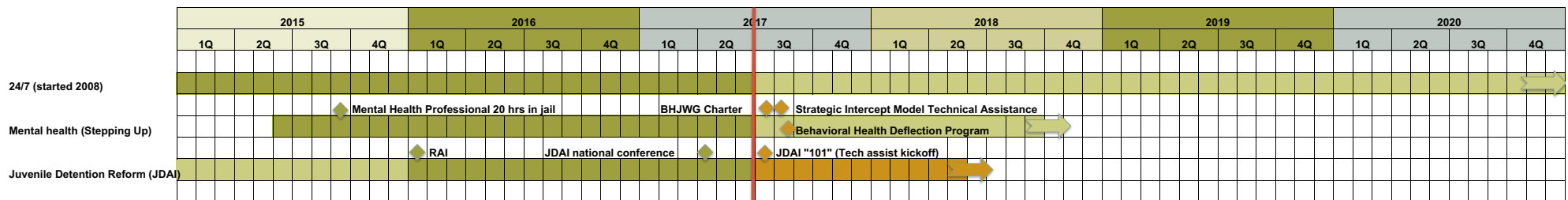




Timeline – Best Case

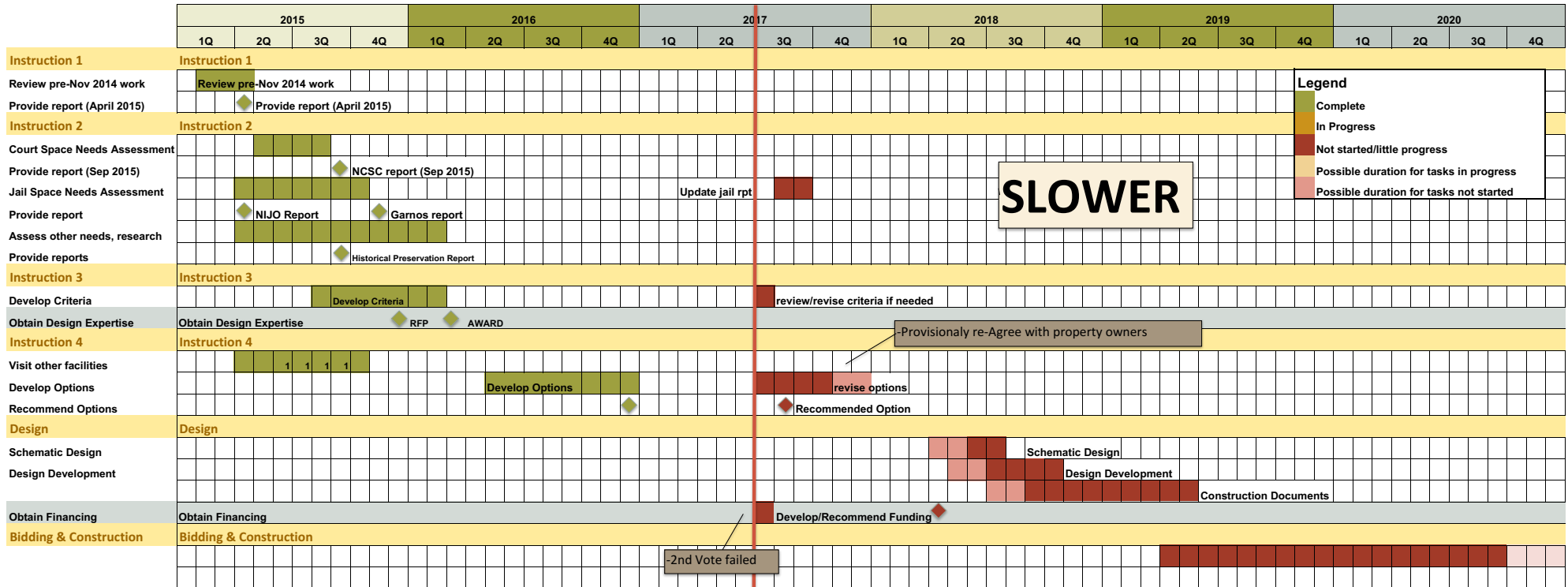


Complimentary Efforts

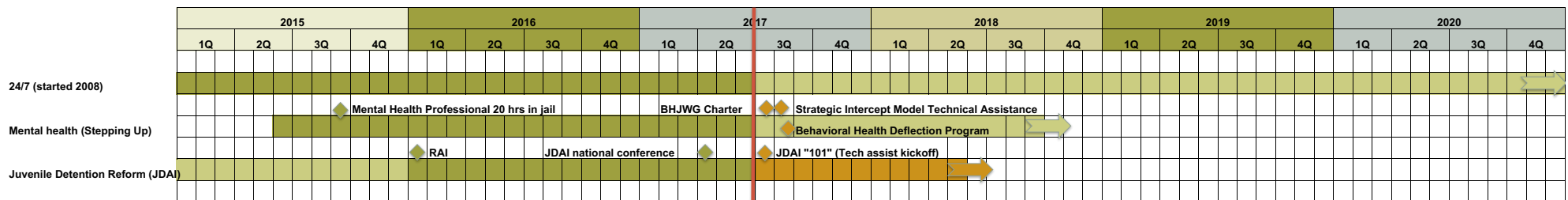




Timeline – Less than Best Case



Complimentary Efforts





Criteria, review & revise

Codington County, SD

Approved January 26, 2016

Justice Facility Basic Construction Option Comparison Criteria

#	What	Description	Key Source/Reference	Priority
1	Minimum Size, Required Type of Space & features	Court Space: Minimums based on 20-year projections	NCSC Report pages 26-35	Must do
		Jail Space: Minimums based on 20-year projections	Garnos' Report pages 99-101	
4	Expandability Strategy	Does the option provide a way to expand the facility should the required capacity eventually exceed the space minimums (see Criteria 1)?	-NCSC Report pages 18, 21-24 (Goals 3,6) Garnos' Report pages 99-101	
8	Historical Preservation	Must preserve North façade, rotunda	Historical Society, NRHP	
7	Operational Cost	How much will it cost to operate (sheriff, jail, maintenance, utilities)?	Architect	
2	Efficiency of Design	How well does the facility design enable effective and safe operation of court/jail/other affected offices and user-friendly access?	NCSC Report pages 18-25 (Goals 2,4,5,6)	
			Garnos' Report pages 70-104	
5	Future Expandability	How difficult will it be for future generations to expand?	-NCSC Report pages 18, 21-24 (Goals 3,6)	
			Garnos' Report pages 99-101	
6	Project Cost	How much will it cost to renovate/add/build and furnish?	Architect	
3	Mid-term Adaptability	How readily would the structure accommodate sooner-than-expected workload growth, policy & technology changes?	NCSC Report pages 12, 21-22, 24-25, footnotes on 28-30	
		This may be additional space and/or modifiable features	Garnos' Report pages 99-101	
9	Aesthetic	Appropriate appearance (& rehabilitative approach for options involving current courthouse)	NCSC Report pages 17-18 (Goal 1), Historical Preservation Report	
10	Location	How well does the option address the desire to maintain current courthouse-related (county administration and judicial) activity in Watertown's business district?		3




Funding options

- GO – must have vote lowest %
- COP- referable, .5% to .75%
- Lease Back – referable, 1 to 2% higher than GO
- Property tax reform restricts levy



Design Options & Costs

Codington County Justice Facilities Study - Cost Option Matrix

February 20, 2017		Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
		New Jail	New Jail + Existing Jail Remodel (Sheriff Operations doesn't move)	New Jail + Existing Jail Remodel (Sheriff Operations doesn't move)+Courthouse Remodeling	New Jail + New Sheriff Operations Area	New Jail + New Sheriff Operations Area + Existing Jail Remodel	New Jail + New Sheriff Operations Area + Existing Jail Remodel + Courthouse Remodeling
	Rework Courthouse Parking	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
New Jail	\$ 10,800,000	\$ 10,800,000	\$ 10,800,000	\$ 10,800,000	\$ 10,800,000	\$ 10,800,000	\$ 10,800,000
New Sheriffs Operations					\$ 4,150,000	\$ 4,150,000	\$ 4,150,000
Existing Jail Remodeling		\$ 1,400,000	\$ 1,400,000			\$ 1,400,000	\$ 1,400,000
Existing Courthouse Remodeling				\$ 1,200,000			\$ 1,200,000
Site Work	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
Generator	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
Contingency & Escalation Factor	\$ 1,273,300	\$ 1,423,100	\$ 1,551,500	\$ 1,717,350	\$ 1,867,150	\$ 1,995,550	\$ 2,151,350
Estimated Construction Amount	\$ 13,173,300	\$ 14,723,100	\$ 16,051,500	\$ 17,767,350	\$ 19,317,150	\$ 20,645,550	\$ 22,293,514
Land Acquisition (Estimated)	\$ 262,000	\$ 262,000	\$ 262,000	\$ 262,000	\$ 262,000	\$ 262,000	\$ 262,000
Soft Costs	\$ 3,161,592	\$ 3,533,544	\$ 3,852,360	\$ 4,264,164	\$ 4,636,116	\$ 4,954,932	\$ 5,328,744
Total Estimate Project Cost	\$ 16,596,892	\$ 18,518,644	\$ 20,165,860	\$ 22,293,514	\$ 24,215,266	\$ 25,862,482	\$ 27,922,258
Future Bldg. Projects Fund	\$ (5,000,000)	\$ (5,000,000)	\$ (5,000,000)	\$ (5,000,000)	\$ (5,000,000)	\$ (5,000,000)	\$ (5,000,000)
Bond Amount	\$ 11,596,892	\$ 13,518,644	\$ 15,165,860	\$ 17,293,514	\$ 19,215,266	\$ 20,862,482	\$ 22,922,258



Location Options

- Auditorium Block
- 212
- Courthouse Block
- ?



Other Design/Location Options/Ideas

- Update Jail data
- Consider min security portion to reduce need for max security (depends on what data says).
- Consider renting office space for county office(s) to make space for court.



Basic Options

Aspects	1	2	3	4
Funding	GO Bond ~\$13M + 5.5M FBPF	GO Bond ~\$?M + 5.5M FBPF	GO Bond ~\$?M + 5.5M FBPF	GO Bond ~\$?M + 5.5M FBPF
Design	Jail w small CR only.	Jail w small CR & jail CH remodel.	Min/Max Split w CR	Add on to current
Location	Aud block	Aud block	Aud & CH Block	Court House Block
Public Awareness	Public info mtgs	Public info mtgs	Public info mtgs	Public info mtgs
Timing	Nov 2018	Nov 2018	Nov 2018	Nov 2018

Always Ongoing:

- Jail alternatives, process improvements
- Funding alternatives (legislation)



Complimentary Efforts – Jail Alternatives

- Alternatives
 - 24/7
 - Behavioral Health - Stepping Up
 - Part time MHP
 - Deflection Program
 - JDAI
 - Experimenting with Electronic Monitoring
 - Drug Court
 - Down the road Possibilities
 - Case process
 - Other diversion ideas



Future CCJAC Meetings

- CCJAC Meetings
 - August 8 (CCJAC only, if needed)
 - Sep 12 (with architect)
- Public Presentations – Wait

- To do
 - Update Jail projections, work release/min/max idea, confirm, adjust
 - Then, eval options,