

Official Proceedings
Codington County Justice Advisory Committee
Lake Area Technical Institute
Watertown SD 57201
May 25, 2016

The Codington County Justice Advisory Committee (CCJAC) met on May 25, 2016 at Lake Area Technical Institute Room 433. In attendance were all committee members: Al Koistinen, Megan Gruman, Greg Endres, Lee Gabel, Toby Wishard, Tyler McElhany and Larry Wasland. Also present were non-voting members of the committee Tom Walder and the Honorable Robert Spears, as well as Codington County Commissioners Brenda Hanten and Myron Johnson, and Craig Atkins of Watertown Development Corporation. The meeting was called to order at 6:12 p.m. by Chairman Lee Gabel.

Agenda Approved: Motion to approve the meeting agenda was made by Ms. Gruman, motion seconded, all in favor; agenda approved.

Minutes Approved: Motion to approve the minutes from April 13, 2016 was made by Gruman, motion was seconded. All voted in favor, minutes approved.

BKV Group's Initial Jail Space Program

Bruce Schwartzman (representing BKV Group) and Allen Brinkman (independent jail consultant) reviewed an initial jail and sheriff's office space breakdown, or "space program" (see attached slides). In preparation for this meeting, Bruce Schwartzman and Allen Brinkman noted that they prepared the initial jail and sheriff's office space program based on two conference calls (May 16th and 19th) with Sheriff Wishard and Chief Corrections Officer Walder (Commissioner Gabel was present for both calls).

Key points of the discussion:

- 120 beds should be sufficient if the facility has enough flexibility for classification of inmates.
- The primary way to achieve flexibility is to build smaller inmate units. This allows more of the total beds to actually be used than larger inmate units would.
- To mitigate the risk of eventually needing more than 120 beds:
 - The master plan must include an ability to add space. The initial program Included shell space for a four cell over / four cell (4/4) unit for 16 beds. Another way to provide for the ability to expand would be to have additional ground space entire jail pod building
 - The four booking cells would potentially provide an additional 16 beds in an overflow situation.
 - Some inmate units would have sub-day rooms to enhance classification flexibility.
- Of note, having the smaller more flexible units will have a direct effect on staffing, (possibly requiring more staff).

Highlights of the discussion regarding the initial jail space program (see attached slides):

- This plan provides 265 sq ft per inmate (total gross square footage divided by the number of beds). Similar facilities allow from 250 sq ft per inmate in Thief River Falls, MN, to 325 sq ft per inmate in Blue Earth County, MN.
- This initial program uses the ACA standards of 70 sq ft (per two-person cell) of unencumbered floor space. It is possible to use similar standards to those of neighboring states, which provide about 70 sq ft overall cell floor space for a two-person cell.
- Page 5 provides a summary of jail areas. The food service area and laundry area are based on 140 beds. Additionally, longer laundry and kitchen shifts can be run if needed. A work-release support area provides a check-in area for contraband check and for inmates to change clothing.
- Page 10 describes healthcare and inmate programs, including an outdoor recreation area. The recreation area can be built as an enclosed room with a garage-door type opening. This helps with weather conditions and also prevent possible contraband being thrown into the facility.

Initial Evaluation of Preliminary Sites

Fifteen preliminary sites were reviewed. This was the result of brainstorming by committee members with ideas from the public, the city and from Watertown Development Corp. The goal of the initial review was to take sites off the table if they were known to be unavailable, known to be unsuitable, or judged to be of inadequate size. For size suitability, a 32,000-square-foot jail facility with attached sheriff's office was assumed. It is unknown at this time whether a court facility will also be relocated to the site or if the current courthouse area will be remodeled.

Following an extensive discussion of the sites, six sites remained, as well as an additional option for the courthouse site:

1. A portion of the block just east of the courthouse if used in conjunction with the current courthouse facility (site 2 in the attached slides). It is known that the CenturyLink building is not available. If the Midland building is available there is a possibility of repurposing for county offices. If demolished and rebuilt into a new jail/sheriff facility, the building would take up most of the space with very little parking or room for expansion.
2. The block west of the courthouse, used in conjunction with the current courthouse facility (site 5 in the attached slides). The east half of the block (city owned) is viable if the auditorium is used. There are historical preservation considerations with the auditorium. The west half of the block (privately owned) has been assessed by First District at \$329,037. Gabel agreed to research the possibility of getting the floorplans of the auditorium so that BKV could examine them for possible repurposing of the building.
3. The county-owned property along Highway 20, currently used by the Highway Department (site 6 in the attached slides). This site was previously considered. At 17 acres, perhaps both jail/sheriff's office and Highway Department facilities could be designed onto the property. This site would involve the transport of prisoners to a justice facility, increasing operational costs.

4. The previously-considered justice facility site near Highway 212 on the west edge of town (site 8 in the attached slides). It is county owned and of adequate size, ten acres. It is just outside of the city limits. All utilities are believed to be accessible. It is assumed that a road would be part of the county's cost; if the property is annexed into the city, the street will need to meet city standards with curb/gutter, asphalt, etc.
5. The block to the east of 3rd St W, between 1st Ave N and 3rd Ave N, north of the fire station (site 14 in the attached slides). Adequate size but concern about possible contaminated soil on the south end. Site is across the street from a known contaminated site (old gasification plant from the early 1900's). Would require soil testing before proceeding further.
6. Existing courthouse block (site 15 in the attached slides). BKV will examine remodeling possibilities for the current courthouse? Options to examine:
 - Operating the existing courthouse with a new jail/sheriff space at another site? This would likely require an addition to the courthouse to provide for inmate holding and a sally port.
 - One story jail/sheriff's office (inmate units have two levels). Overlay of the proposed jail/sheriff space shows the site space to be very tight.
 - Two story jail/sheriff's office (about the height of a typical three story building).

BKV will do a 3-dimensional massing to show the site as it would appear, since a taller facility would be near the height of the courthouse. Both of the latter two options may require the purchase of additional nearby property for parking. A taller facility will add to operational costs.

The next step will be to put "footprints" on the sites and begin to analyze. Soil conditions on most sites are presently unknown. This can have a major impact and needs to be investigated with typical costs of \$4-6K per site for test boring.

Discussion of Ideas:

- *Thoughts on having a remote jail facility with an attached courtroom.*

This is an option that might lessen the need to transport inmates if a future jail is not attached to the courthouse. This is similar to what judges must do now to hear cases in other counties. Since mid-June 2015 all files are electronic; so moving files is not an issue. Such a courtroom would probably be only for non-jury trials. Additional input should be sought from the court administrator.

- *Thoughts on future jail population trends.*

Between now and 2035 it is likely that some drug-related Class 5 and 6 felonies will be changed to class 1 misdemeanors. This would involve perhaps 7-10 days of jail time as opposed to 60-90 days currently.

The largest alternative, to incarceration, the 24/7 program, which has been in place since 2007. As of 2016, Codington County has consistently been running 100 people in this program. Last month there were 117 in this program. If 10-15% of those people violated their program and had to be jailed, the jail could not support the additional population right now.

- *Thoughts on phasing.*

If we were to renovate or add on to the courthouse, how would that affect our court hearings in the meantime? We would have to plan the renovation/construction in phases to allow continued operation.

- *Thoughts on site considerations.*

Is a tunnel or skyway a possibility for connecting an addition to the courthouse to a jail across the street? It can be expensive but do-able and BKV will look into it.

Will there be a comparison between operational costs of a consolidated facility/site option vs. options with separate jail and court facilities? This is required in the RFP/agreement with BKV and will be addressed.

Will remodeling of the current jail/sheriff facility be considered? The square footage could possibly accommodate the space needed for the sheriff. Structural issues and costs will need to be examined.

Unfinished Business, New Business, Open:

Chairman Gabel presented a graph (attached) that compared a straight trend line projection (dotted red line) based on ADPs going back to 1985 versus Mr. Garnos' projection (dotted and solid black lines), which went back to 2008. The projection using ADPs since 1985 resulted in a higher projection than the projection based on ADPs since 2008. This is apparently due to the implementation of the 24/7 incarceration alternative program in 2007, which appeared to reduce the rate of increase in ADP. Mr. Schwartzman commented that this helps to validate the 120-bed figure.

Sheriff Wishard relayed thanks from his staff for the work being done by the CCJAC in what is essentially a life/death situation. It can be a tremendous liability to the county when the facilities are not adequate.

Future Meetings: The next CCJAC meeting will be June 21 at 6:10 p.m.; it was decided to again meet in room 433 at Lake Area. An initial public presentation is scheduled for June 28. Chairman Gabel is assembling a video presentation for that meeting.

Adjournment: A motion was made by Wasland to adjourn the meeting; motion seconded and all in favor. Meeting adjourned at 8:53 p.m.


Secretary, CCJAC

June 21st, 2016

Date Approved