

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

November 1, 2005

The Board of Commissioners of Roseau County, Minnesota met, in special session, in the courthouse in the City of Roseau, Minnesota, on Tuesday, November 1, 2005, at 8:30 a.m. to discuss Roseau County Jail project finance options, discuss operational costs associated with separating law enforcement from the jail facility, and to review the bid alternates on the Roseau County Jail and Social Services building bids. Commissioners present were Orris Rasmussen, J. C. Stone, Alan Johnston, Russell Walker, and Mark Foldesi. Also present were Social Services Director Dave Anderson, Jail Administrator Janice Anderson, Sheriff Jule Hanson, Jon Jenson, Scott Habstritt and Tim O'Donnell. Other members in the audience included County Attorney Michelle Moren, Assistant County Attorney Lisa Hanson, Pastor Lou Hermansen, County Treasurer Diane Gregerson, County Auditor Anne Granitz, Deputy Auditor Brianna Milbrath, Roseau Community Coordinator Todd Peterson, Court Administrator Teresa McDonnell, County Recorder Rick Kvien, Burt Wiberg, Jack Swanson of KJ102 and Marlene Schmitz of Page 1 Publishing.

The meeting was called to order at 8:30 a.m. by County Board Chairman Orris Rasmussen. Commissioner Stone presented the colors and led the Pledge of Allegiance. Coordinator Harren informed the Board that Rich McCarthy of Klein McCarthy Architects and Company, LTD would only be available by phone from 8:30 a.m. to 9:00 a.m. and requested the Board reconsider the order of the agenda. The Board concurred and Mr. McCarthy joined the Board meeting by speaker phone.

Mr. McCarthy discussed the six alternate bid items on the Roseau County Jail and Social Services building bid tabulation sheet. Alternate 1 is the substitution of vinyl composite tile for sealed concrete. Krause Anderson (KA) bid this alternate at \$8,500 and Industrial Contract Solutions (ICS) bid the alternate at \$862. Mr. McCarthy advised leaving the sealed concrete in the bid as it is and not including the VCT alternate.

Mr. McCarthy discussed alternate 2, translucent panel skylights. Krause Anderson (KA) bid this alternate at \$8,900 and Industrial Contract Solutions (ICS) bid the alternate at \$8946. Mr. McCarthy advised leaving the skylights as bid with "Nanogel" insulation because of the increased R-value and energy savings.

Mr. McCarthy discussed alternate 3, west parking lot expansion. Krause Anderson (KA) bid this alternate at \$110,000 and Industrial Contract Solutions (ICS) bid this alternate at \$55,129. The engineers estimate was \$55,000. Mr. McCarthy advised that this alternate is significant in that there will be no staff parking available on the east side of the building during construction and the west parking lot is at capacity on court days. Unless another parking alternative is determined, some form of parking expansion will be necessary. The creation of a temporary parking lot is optional and could cost up to \$30,000. Mr. McCarthy noted that if ICS is awarded the contract it would be advisable to leave the bid as is. However, if Krause Anderson gets the bid, it would make more sense to deduct this alternate. Commissioner Stone noted that the Billy Hagen property located just north of the courthouse could be leased for parking during construction.

Mr. McCarthy discussed alternate 4, the Social Services building. Krause Anderson (KA) bid this alternate at \$1,445,000 and Industrial Contract Solutions (ICS) bid this alternate at

\$1,240,000. Mr. McCarthy stated that it was his understanding that the Board has already voted to deduct this alternate. He noted that the alternate bid includes site work such as exterior lighting, paving and new entrance and driveway into the building from 6th Street.

Mr. McCarthy discussed alternate 5, the security link between the jail and the courthouse. Krause Anderson (KA) bid this alternate at \$46,000 and Industrial Contract Solutions (ICS) bid this alternate at \$66,933. The deletion of this alternate from the bid would cut security link rooms #7A and #7B from the jail building, reroute mechanical and electrical connections between the two buildings, substitute a foundation and stoop at door 7A and add replacement sidewalk to accommodate revised grading in this area. Mr. McCarthy noted that the engineer's estimate for this link is \$98,000 and advised that this alternate is a good buy.

Mr. McCarthy discussed alternate 6, the vehicle sally port. Krause Anderson (KA) bid this alternate at \$62,000 and Industrial Contract Solutions (ICS) bid this alternate at \$112,530. The engineers estimate is \$104,000. Mr. McCarthy informed the Board that he has never designed and built a jail that did not have a vehicle sally port. The current Roseau County Jail, built in 1962, has a sally port. Mr. McCarthy noted that this may not be a decision the Board can make as the Department of Corrections will not likely approve the plan without the sally port.

The Board did not take action on any of the alternates discussed.

The Board discussed finance options for the jail project. Auditor Anne Granitz and Treasurer Diane Gregerson were invited to meet with the Board to present financial recommendations. Ms. Granitz and Ms. Gregerson declined making a recommendation because they believe it is the role of the jail finance committee, appointed by the Board, to make a financial recommendation. Commissioner Stone asked Ms. Granitz who was on this jail finance committee. Ms. Granitz indicated that the jail finance committee is comprised of Commissioner Stone, Commissioner Johnston, Ms. Gregerson, Ms. Granitz, Elliot Larson, and Sheldon Erickson. Commissioners were asked to state their recommendations for the record so the finance committee could have direction from the Board. Commissioner Foldesi stated that it was his understanding that \$2 million had been set aside for the jail project and it is his recommendation to use that money and buy down the cost of the bond. He added that he would be flexible on the amount of dedicated money spent and would agree to a lesser amount if advised. Commissioner Johnston stated that if the Board moves forward with only building a jail and not providing a location for the Law Enforcement Center or addressing the predicted expansion needs of social services that the Board should bond for the full cost of building the jail and save the cash reserves for the additional capital expenditures the Board will have before the jail bond is paid off. He further stated that if the Board uses the dedicated cash reserve now, there is no mechanism for replacing that fund. Commissioner Walker stated that he would not support using the \$2 million dedicated on the jail building alone because it does not include a provision for law enforcement nor deal with the space needs of social services. Commissioner Stone noted that he agreed with Commissioner Foldesi that the money dedicated for a capital project should be used to finance the jail. Commissioner Rasmussen stated that he would rely on the Treasurer and Auditor to advise him. He stated that he would support the recommendation of the Jail Finance Committee.

Commissioner Walker informed the Board that in Pennington County that has a population of 13,000, the social services levy is \$1.6 million and the department employs 31 staff. Marshall County has a population of 9,996, a social services levy of \$1.6 million and a staff of 42. Roseau County has a population of 16,303, a social services levy of \$1.1 million and employs 25 staff.

Commissioner Walker pointed out how this demonstrates the efficiency of Roseau County Social Services. It also shows that the request to add staff is justifiable. Commissioner Walker went on to say that Social Services is the cash cow of the county, generating millions of dollars each year for county services. Commissioner Walker noted that one of the reasons Roseau County Social Services operates so efficiently is because of the experienced staff. A number of these employees will be retiring in the next five to ten years and will be hard to replace.

Commissioner Stone stated that no one is irreplaceable and to make a statement that it will be hard to find competent people to work in social services is wrong. Commissioner Stone stated that he does not agree with the comment that the social services department generates money. He stated that there are three sources of funding for social services and that is federal, state and local tax dollars. Commissioner Stone further stated that he does not believe in looking ahead and solving problems for the future. He further stated that he believes in taking care of the issues that are present right now.

Social Services Director Dave Anderson stated that his department works hard to maximize state and federal money and that any non-local tax dollars generated helps take the burden off of local citizens and helps equalize the provision of care throughout the state and nation. Mr. Anderson also stated that to separate the social service employees, because of expansion, would be a huge mistake and the county would lose a lot of money because of it.

Commissioner Foldesi stated that either there is something he is not getting or there is something the rest of the Board is not getting. He stated it is his understanding that the Board never said anything about cutting social services and the decision to build the jail will have no impact on the continued operation of social services. Commissioner Foldesi questioned why the argument continues to circle back to social services.

Coordinator Harren stated that Commissioner Foldesi is correct in that where ever Social Services is located, they will continue to provide services and generate funding for Roseau County. The reason the conversation circles back to social services is that by not building a this new building, law enforcement no longer has a place to re-locate on the same site as the jail. This creates a dilemma that has not been planned for in either the design of the jail or operationally. The concern is that by building only the jail it will inadvertently cost tax-payers substantially more. The decision not to build social services has far more significance than simply not providing additional space for that department, it means that law enforcement will not relocate to the site where the jail will be built.

Commissioner Rasmussen stated that we have a dilemma and that none of us would be here today if it were not for the Department of Corrections giving Roseau County a sunset letter reducing our jail to zero capacity in July of 2007. Commissioner Rasmussen stated that he does not believe that the state should dictate to counties what kind of jails they have to build. Commissioner Rasmussen stated that at the beginning of the project social services was not in the equation. Commissioner Rasmussen stated that he fears that law enforcement, social services, and the court system will control all tax funding in the future at the expense of other services such as roads. He further stated that we are going in the wrong direction when we are spending all our money on these things. Commissioner Rasmussen stated that there are places in Minnesota where people are being forced out of their homes because they cannot afford to pay their taxes. Commissioner Rasmussen stated that we have to spend within our budget.

Sheriff Jule Hanson and Jail Administrator Janice Anderson met with the Board to discuss operational and capital costs associated with separating law enforcement from the jail facility. Sheriff Hanson advised the Board that dispatch is a function of law enforcement and not the jail and if the law enforcement center is separated from the jail it would be his recommendation to leave dispatch in the LEC. He told the Board that dispatch performs a number of functions in addition to answering 911 calls. These employees serve as support staff to deputies in a number of capacities from communication to record keeping. By law, the new jail must be manned by two staff. Currently dispatchers and jailers serve in dual capacity functions and are able to meet the needs of having two staff supervising the jail and handling dispatch functions at the same time. Separating dispatch from jailers would require at a minimum the addition of one 24 hour a day seven day a week staff at a cost of \$259,000 per year. Jail Administrator Janice Anderson stated that she has already advised the Board to expect the addition of food service staff in the new jail. Currently the jailer/dispatcher employees cook and serve meals and do the cleaning of the jail. This will be difficult to continue in the new jail due to inmate supervision regulations and the increased number of inmates that will need to be fed. The increased size of the facility will also make it more difficult for an employee working as jailer to do the cleaning. Ms. Anderson did state that the new jail design will make it possible to use inmate labor to provide janitorial services. Ms. Anderson further advised the Board that the true cost of separating law enforcement from the jail cannot be accounted for numerically. The safety factor of having a law enforcement officer available on the same site is critical to the operation of the jail. The time that the jail staff, courthouse staff, and community are most at risk is during the day while inmates are being moved back and forth to court. Ms. Anderson also stressed the enhanced efficiency of court related functions that would exist if law enforcement is relocated to the courthouse. Civil process is a big part of law enforcement operations and is one example. Many other functions of the court system and law enforcement are linked and would be enhanced by the relocation of law enforcement into the courthouse as was recommended by the Jail Study Committee.

Sheriff Hanson and Jail Administrator Anderson were asked how the separation of functions of law enforcement and jail could actually work if a contract is awarded on the jail as voted. Ms. Anderson responded that she did not know as there are many unanswered questions. The problems with the Roseau County Jail were identified back in 1982 and since that time only limited updates in equipment such as phone system and dispatch equipment have been made because it was understood that at some point in the near future the jail and law enforcement center would either be remodeled or a new joint facility built. If law enforcement stays where it is now, the air exchange and heating systems will have to be replaced. The phone system will have to be updated. Some type of secure fiber optic link will have to be run between the law enforcement center and the new jail. Some type of renovation of the space will be needed to make more efficient use of the building. All of the issues that arise out of separating law enforcement from the jail are solvable, but the costs are unknown. Sheriff Hanson noted that the old building is very inefficient to heat. He stated that the heating cost last year was over \$23,000, while the cost to heat the entire courthouse which is four to five times the size was only \$40,000. Sheriff Hanson agreed that anything is possible to do, but it will cost considerably more to just meet the operational needs of separating the functions than the cost to relocate law enforcement into the courthouse and relocate social services outside the courthouse.

Coordinator Harren reminded the Board of the information received from Ehlers and Associates which shows that the debt service to build both the jail and social services would be approximately \$100,000 more per year more than it would be to build just the jail.

Commissioner Foldesi stated that he wanted to see hard numbers. He noted there are many other numbers that have changed since the law enforcement/jail project was initiated such as construction and heating costs. Commissioner Foldesi also noted that he believes operational costs in the new jail will go up no matter what decision is made and that will have to be funded by the taxpayers.

Ms. Anderson explained that until the jail is at capacity, two jail staff, which is how the current facility is staffed, is all that will be needed. She informed the Board that the existing jail, which was built in 1962, was designed with linear supervision, which requires a staff ratio of 1 to 25. In the new jail, the design of the building provides for direct supervision, which means that jail staff will be able to visually see into each and every cell from the command center, so the staff to inmate ratio changes to 1 to 40.

Chair Rasmussen addressed audience members who requested to make comments. Pastor Lou Hermansen told the Board that things have changed in Roseau County over the past 40 years since the first jail was built. He stated that the county could get by with fewer cells because many things that were happening such as domestic violence and child sexual abuse were ignored. Fortunately that is no longer true. Our judicial system is taking action to deal with these situations and we can no longer deny that they exist.

Jail Study Committee member Jon Jenson stated that what was needed was to go back to the beginning and focus on building a LEC and Jail as was the original plan.

Jail Study Committee member Tim O'Donnell stated that the project began as a jail/law enforcement project. There was never any discussion of separating out these two functions and no accommodations have been made in any of the plans to deal with this scenario. He stated that the Jail Study Committee was directed by the Board to do a space needs analysis study to determine other possible capital expenditures that would be necessary before the jail and law enforcement project was paid for. It was as a result of this research that the idea came up to move social services out of the courthouse and relocate law enforcement in that space instead of building a Law Enforcement Center attached to the jail. This recommendation was made because it was less expensive and would solve other issues at the same time. Taxpayers would be able to solve the jail and law enforcement need and get a new structure to accommodate social services growth needs for less money than if they built a jail and LEC. The recommendations of the jail committee were cost based and not directed in any way by social service employees.

Jail Study Committee member Scott Habstritt stated that it all boils down to money. He stated the additional operating expenses of only building the jail may eat up the difference in debt service between building just the jail and building the complete project. If that is the case, it does not make sense to just build the jail and separate jail and law enforcement and not deal with the predicted expansion needs of social services.

Commissioner Stone stated that social service programs are declining and that he does not understand why we need more staff and more space for social services and asked why we are providing services that we don't have to provide. Social Service Director Dave Anderson disputed Commissioner Stone's information stating that Roseau County only offers mandated programs and that the increase in staff is the result of additional functions and programs that are forced on local social service agencies such as handling Minnesota Care applications. Mr. Anderson also informed Commissioner Stone that Social Services does in fact generate funding

and that for every dollar in local levy money spent, Social Services generates \$18 in state and federal money to be spent on programs for Roseau County citizens. Mr. Anderson added that most of the services provided in Roseau County are for the elderly. Commissioner Stone questioned this, asking what services were provided to the elderly. Mr. Anderson stated that \$15 million a year is spent in Roseau County on medical and nursing home care for the elderly and disabled.

Commissioner Foldesi stated again that his decision is about the money. He stated that he wants hard figures. He wants to see heating and cooling costs and janitorial expenses. He stated that his decision will be determined by what will cost taxpayers the least.

Coordinator Harren reminded the Board that the bids are valid for 31 more days. The Board directed Sheriff Hanson to return to the Board with operational costs associated with separating the two functions. Sheriff Hanson was further requested to contact Rich McCarthy to determine costs associated with renovating the existing Law Enforcement Center and to determine operational costs of the new jail. Ms. Anderson was directed to contact the Department of Corrections regarding staffing requirements and the security link and sally port options on the jail plan.

Pastor Lou Hermansen addressed the Board again, stating that he is very disappointed that the Board is going against the recommendation of the Jail Study Committee, a group of people from a wide range of constituencies that has worked for over two years on this project. He added that he did not know why anyone would want to serve on a committee for the Board if their recommendations were not going to be taken into account.

Jail Study Committee member Jon Jenson addressed Pastor Lou Hermansen, stating that things are still the same in Roseau County as they were 40 years ago. He said he still does not take the keys out of his vehicles or lock his home. He stated that he has a hunting cabin that he does not lock either and that he has never had any problem with theft or vandalism.

Commissioner Walker responded to Commissioner Rasmussen's concern for people who are on fixed incomes in Roseau County and the impact that building the social services portion of the project will have on them. Commissioner Walker stated that he is concerned about these people too. He used one of the constituents from his district as an example. This person is 80 years old and lives on a fixed income of \$10,069 per year. His home is assessed at \$92,300. His total real estate tax in 2004, excluding township and school district taxes, was \$900. He received a rebate of \$663. Commissioner Walker worked with Assessor Lorna Sandvik and determined the additional cost to this taxpayer if the Board approved the social services building and that amount is \$4.50.

Commissioner Foldesi stated that \$4.50 to that taxpayer could be the equivalent of \$100 or even \$1000 for someone else.

Upon motion carried, Chairman Orris Rasmussen adjourned the meeting at 11:30 a.m. The Board will convene its next regular meeting at 8:30 a.m. on November 15, 2005.

Attest:

Date: _____

Teresa Harren
County Coordinator

Orris Rasmussen
Board Chairman