



**FRANKLIN COUNTY
JAIL SUBCOMMITTEE
MEETING SUMMARY
August 3, 2017
6:00 P.M.**

Members Present:

*Paul Crawford
Wayne Ellard
Linda Gunter
Mayor Harris Little
Colonel Don Pinkard
Bob Ragsdale
Jeff Sosby
Sheriff Stevie Thomas
Chief Deputy Jimmy LeCroy
Captain Greg Sisk
BOC Chairman Thomas Bridges
Commissioner Robert Franklin*

Members Absent:

Judge Thomas Hodges

Staff:

*County Manager Beth Thomas
County Clerk Elaine Evans*

GMRC Facilitators:

*Adam Hazell
Daniel Martin*

Media:

Shane Scoggins, Franklin County Citizen

Guests:

Tom Wright

***Adam Hazell** of GMRC welcomed everyone to the third and final meeting of the Jail Subcommittee. The purpose of this committee was to make recommendations to improve the situation and make things better. Mr. Hazell said he and Mr. Martin will take the summary notes from the three meetings and put together a report that will be delivered to the Jail Subcommittee members for review and comments. After the review and comments a final version will be drafted and submitted to the County Commission. The presentation to the Commission will need to include the physical and financial needs for the jail situation. Also, long-term planning should be established and policies changed as needed.*

The County Commission is not required to act upon the recommendation from the Jail Subcommittee. Mr. Hazell said that this committee was formed to provide a basis of why the County Commission should go one way or the other. From the



previous meetings Mr. Hazell said it was agreed that expansion is a priority and building is too expensive. The existing jail facility needs an upgrade in order to be able to sustain an expansion. There is also room to grow at the existing site. Mr. Hazell said solid guidance needs to be given so this situation is not repeated. The hardest part of this process will be the funding which is the focus of tonight's meeting.

Mr. Hazell said after the recommendation is given to the County Commission a Request For Proposals will be sent out for renovation of the existing facility as well as the proposed expansion. A formalized budget for the jail will be needed for tracking purposes. The County administration will have to look at this need along with all the other needs within the County. Mr. Hazell said the possibility of housing inmates for other counties has been discussed as a way to finance the expansion by executing agreements with them. Also for consideration is whether there will be objections from adjacent property owners for an expansion. After the recommendation is presented and the path is decided on this will have to be marketed to the voters. Mr. Hazell then posed the question to the members, how will the jail project be paid for.

Sheriff Thomas said the options are bonds or get a low interest loan. He said to take what is being paid out now for housing and make the payments on the loan. And the extra beds from the expansion could be used to house for other counties. Sheriff Thomas said he doesn't think a bond can be done because the hospital is hanging over the head of the County. Mr. Hazell asked for clarification of what is going on with the hospital bond. What needs to be avoided and what is the lesson learned so that this does not happen again.

Mayor Little said the lesson learned is not to back bond debt on a rural hospital without a major partner. He said he does not think that people will reject a bond out of hand as people are only against the bond debt for the hospital if they have never needed the services. Mayor Little said it seems like a lot of money, the 8 million dollars for the hospital but it is a 60 million dollar facility operated by a world class hospital system and it will be there forever. The hospital also generates 400 plus jobs and is a tremendous economic engine for this area. He said that it did not matter if a bond or a loan is asked for from the voters, it is still financing.

Colonel Pinkard questioned if this was taken to the voters and a bond was turned down, could a loan then be taken out. Mrs. Thomas said no, there is only four ways that governments can go into debt. The options are revenue sources, authority debt, capital lease/purchasing or general obligation. General obligation debt is completely backed by the taxing power of the County with voter approval. Mrs. Thomas said for public disclosure that tax anticipation notes can be taken out without voter approval. Tax Anticipation Notes are temporary notes that are taken out for a short period of time and have to be paid by December 31st of each year. They are supported by the taxes collected by the government. If enough taxes are not collected to pay off the tax anticipation note then taxes have to be upped the next year to pay off the debt.

Wayne Ellard said he thought the local banks would be willing to work with



the County with a good rate, probably in the range of one percent. Mrs. Thomas said the local banks are good to the County but not with that good of a rate and this would still require approval by the voters. Mr. Martin questioned for clarification if an approximate amount had been settled on for this project. Mr. Wright said the amount would be around 3.5 million to 4 million. Mrs. Thomas asked if this included the renovations. Mr. Wright said yes. Mrs. Thomas said on an amortization schedule for 20 years the debt service payments would be \$263,000 per year.

Linda Gunter asked how much the County is paying per month to house inmates out. Mrs. Thomas said the average payment per month from October to June was \$25,000. She said the debt service payment would be around \$27,000 per month. Sheriff Thomas said this would be money that would come back to the County instead of paying to other counties. Mrs. Thomas said yes but it would be paid to a bank. Sheriff Thomas said there would be other savings. Mayor Little said that inmates are not housed for free. It would bring the inmate cost down but the operational costs would go up. Sheriff Thomas said the transport costs would go away. Mayor Little agreed that the transport costs would go away. He said that the debt service as well as operational costs has to be considered. Mr. Ellard questioned if the County has any money sitting somewhere that could be used for this. Mrs. Thomas said the Jail Fund balance is around \$500,000 and there is \$98,000 in SPLOST III. Included in SPLOST V are projected collections of 1.4 million over six years for upkeep and maintenance of all County properties.

Mr. Wright said there is \$500,000 that could be associated with the construction of the jail. He said then the project would be 3.5 million. Mrs. Thomas said based on everyone's projections she would hold this for cost overruns. Mr. Wright said instead of 4 million this would basically make the \$27,000 debt service be on 4.5 million. Mrs. Gunter asked if the voters have to approve bringing in inmates from other counties. Mrs. Thomas said that is up to the Sheriff. Mrs. Gunter asked if the Sheriff wanted to do that. Sheriff Thomas said yes to be able to pay the bills. Mrs. Gunter asked if it is feasible that \$25,000 could be made a month on inmate housing. Sheriff Thomas said when the jail was first built \$20,000 a month was made on inmate housing and was turned over to the County. Mrs. Gunter questioned if this could be done with only adding 70 or 98 beds. Mr. Wright said it would be 96 beds. Mrs. Thomas said 30 of those beds would cover the County's cost of housing out. There would only be 60 beds a month for inmate housing for other counties.

Mr. Martin questioned how many more personnel will be needed for this. Mrs. Thomas said according to the numbers from the Sheriff a new facility operations would be \$880,000. Sheriff Thomas said that if it is at full capacity another full time employee would be needed. Mayor Little said he thought it was determined that 12 employees would be added. Captain Sisk said yes, three per shift would be needed. Sheriff Thomas said something needs to be done; this does not need to be kicked any further down the road. He said a lawsuit is coming if something isn't done. Colonel Pinkard said he has been doing this type of work for 38 years and has seen lawsuit after lawsuit hit the jail. He said two of the main reasons for lawsuits are failure to protect and indifference. If no one acts on this situation both reasons are present.



Colonel Pinkard said Sheriff Thomas does not have an adequate classification system for separation of inmates. He said if someone gets hurt the County will pay big for it. As a resident of Franklin County Colonel Pinkard said he does not want to have to pay some inmate who is sitting in jail. Sheriff Thomas said he does not want to pay the additional 20% which begins in January. Mrs. Thomas questioned what 20%. Mr. Wright said beginning January 1, if the building is not already permitted an additional 20% will be added according to a new State energy code. Mrs. Thomas asked how much would be saved with the new rules. Mr. Wright said probably 10% to 20%. Mrs. Thomas said the savings would be paid for upfront. Mr. Wright said yes, this would be energy savings for future years.

Mrs. Gunter asked Sheriff Thomas and Captain Sisk if they were happy with 100 beds. Sheriff Thomas said he would like to have more than that. Mrs. Gunter asked what he wants. Sheriff Thomas said that the proposed price for the expansion is 3 million. How would the County come up with 15 to 18 million for a new jail? Mr. Wright said what is being proposed is the first phase of 100 beds for a certain type of cell. The second phase would be for a different type of cell and it would add approximately 160 to 180 beds. This would all take place on the same location. Mr. Wright said for the County to maintain their growth every three to five years some type of building will need to be going on.

Paul Crawford *said his questions were answered for costs of an expansion and new personnel. He said a jail is for temporary hold for local. He questioned where the hold up is of getting these people in out of the jail. Mr. Crawford wanted to know why the County is stuck with some of these people for long terms. He said that the system needs to be faster to move these people out. Sheriff Thomas said the wheels of justice turn slow. He said someone has to be charged, and then they have the right to go in front of a Magistrate. The Magistrate Judge can set or deny bond. If the bond is denied then the case goes to the District Attorney. Then it goes to the Superior Court Judge if the District Attorney denies the bond. Then an attorney gets involved. Sheriff Thomas said if someone is in jail they have broken the law somewhere. He said these people need to serve time for what they have done and they have to have their time in court. Mrs. Thomas said based on this it brings to the forefront how much would be needed to fund an addition ADA, public defender and part time judge. Mrs. Gunter asked if this would speed up the process. Sheriff Thomas said yes it would speed up the process. Mr. Crawford asked would this be an expeditor. Mrs. Thomas said no, this would be just for Franklin County.*

Colonel Pinkard *said with an increase in judges there is usually an increase in the people who are incarcerated. They expedite the cases but there are more people who are sentenced. Mrs. Thomas questioned if those people would go into State prisons. Colonel Pinkard said the State can be slow in picking them up. Mrs. Thomas asked if the State could be charged for inmates in the local jails. Colonel Pinkard said yes but only after 15 days and the rate is \$22 per day. He said if it is a two year or less sentence on a non-technical probation violation the inmates are remanded to the county jail to serve their time because the law allows the State to leave them in the county jail. Sheriff Thomas said if someone has been sentenced for less than one year*



they usually end up staying in the county jail. Colonel Pinkard said it is cheaper for the State to leave them in the county jail. Mrs. Thomas said it is money that comes into the County after they are sentenced that does not while they are waiting to be sentenced.

Mayor Little said all of this can be talked about later; this meeting is to be about how to finance the expansion. He said the numbers have been talked about so the funding options need to be discussed. Mr. Martin asked what the timeline is for going the bond route. Mrs. Thomas said a bond referendum for general obligation debt can only be put on a general election. The general election dates for the next eighteen months are November 7, 2017; May 22, 2018 and November 6, 2018. The referendum would have to be approved by the Board of Commissioners. The information has to go to KSU to build the ballot. The deadlines to be able to get this on the ballot are September 1, 2017; March 1, 2018 and September 1, 2018. Mr. Ellard said this year is probably out. Mrs. Thomas said there is nothing on the County ballot for November 7, 2017 and the cost for this would be \$10,000.

Mayor Little asked Mr. Wright what the cost to get permitted would be. Mr. Wright answered the cost would be around 80% of the fee of the costs. Mrs. Thomas said that \$42,000 has already been paid for the drawings. Mr. Wright said this was for the preliminaries. Mr. Martin asked Mr. Wright to explain the timeline for permitting. Mr. Wright said to complete the drawings would be about sixty days. After this it can go out for bids and permits. The permits can be done prior to having a contract. Mayor Little asked how long from the permits. Mr. Wright said once the documents are executed and permitted there is a one year period to start. Mayor Little asked if this was put on the ballot and turned down is there a time limit before it could go back on the ballot. Mrs. Thomas said the only information she has is if general obligation debt is turned down by the voters then alternative financing cannot be done for five years. She said there really is not any alternative financing for jails. Mayor Little said if the proposal was not passed on the first vote then maybe it could be scaled back and voted on at the next election.

Mrs. Gunter said since the voters don't have to approve the improvements to the jail why not start working on it now. She also asked who approved spending \$42,000 on drawings. Sheriff Thomas said the Commissioners approved the payment. Mrs. Gunter said why not go ahead and start work on this. Mr. Wright said this has to go out for bid for 30 days. He said to do a Request For Qualifications for this process for 30 days. Mr. Hazell asked how long the State takes for permitting. Mr. Wright said about 30 days. Mr. Ellard suggested using a construction management firm to oversee the construction. Sheriff Thomas said someone would need to be there to watch what is being done. Mr. Ellard suggested using Carroll Daniel Construction out of Gainesville. Mrs. Thomas said the process will still have to be bid out.

Mrs. Thomas told the members that they will have to promote what is presented to the voters. Mrs. Gunter said she thought some of the \$42,000 should have gone to market this instead of to pay for the drawings. Commissioner Franklin said according to the grand juries it shouldn't be hard to sell because they all say to build a jail. Mrs. Thomas said yes but not a single one from any grand jury signed up for this



committee. Mayor Little said that the threat of a lawsuit is not a positive way to sell this but there is a positive story that can be told. He said because of the tight timeline November of this year is out. Going to the voters in May of next year would give everyone a chance to be able to sell this in a positive way. Mr. Hazell asked what would be needed to make this happen for the November ballot. Mrs. Thomas said a recommendation to the Board of Commissioners and they would have to vote. Mr. Hazell asked when they meet. Mrs. Thomas said August 7 and again the last Tuesday of the month. She said there are two Board of Commissioners meetings that this could come up for discussion and it would have to pass at one of those two meetings. Mayor Little asked if this would be to get the permitting started. Mrs. Thomas clarified that this would be to get this on the referendum. Mayor Little said he thought this is too quick. There has to be time to get this out to the public and Sheriff Thomas will have to be the point man for this project.

Sheriff Thomas asked Chairman Bridges and Commissioner Franklin if this was presented to the Commission Board if they would vote for the permitting to get this started. Chairman Bridges said he would need more details. He said he agreed with Mayor Little, he is all for putting it on a referendum and let the voters decide. Sheriff Thomas said the Commission Board already approved the plans and these are the same plans. He only is asking for the permitting process to start to move this thing along. Mrs. Thomas stated to Mr. Wright that there is not a signed agreement between him and the County. She asked how long would it take for him to enter into an agreement with the County. Mr. Wright said what was proposed was a standard agreement and there were a couple of sentences that the county attorney didn't like and would not even talk about. He said his insurance carrier had questions and the county attorney did not want to answer their questions or talk about it. Mrs. Thomas said so the same process would have to be gone through. Mr. Wright said it can be done and can be done in a short time as he knows what the questions were. Chairman Bridges said he is sure that the Commissioners will vote to put this on a May referendum. He does not want to rush things so that everything can be in place. Mayor Little said the argument can be made to start the permitting because of the changes in the code. Commissioner Franklin said he did not want to spend the extra 20%. Mrs. Thomas asked if permits are non-binding. Mr. Wright said you don't have to do anything.

Bob Ragsdale said the reality is the only thing the committee can suggest is that the jail be expanded. He said the details that have been talked about are for the County Commission to decide. Mr. Ragsdale said if 20% can be saved by getting the permits as soon as practical then the County Commission should do that. He said the permit should be moved at a rapid pace and to renovate the jail as necessary. Also the Commission should look at ways to alleviate the burden on the jail by ankle bracelets, work release and any other possibility.

Mr. Ellard gave a motion to proceed with permitting this project in an expeditious manner. Mr. Ragsdale said that this is for the County Commission to decide. Mrs. Thomas asked Mr. Wright how much the permit would cost. Mr. Wright said it is a percentage of the contract budget. It is 75% of the fee. Mrs. Thomas



questioned if it would be in the range of \$168,000. Mr. Wright said that the engineers and others would be involved. Mrs. Thomas told Mr. Wright that \$98,000 is the only cash that is available. Mr. Wright said the payments can be spend out over time as it would be up to December to get it permitted. Chairman Bridges said if \$168,000 was paid and the voters turned it down then money would be wasted. He said he would like to see the voters approve this before the permitting is started. Mr. Wright said anything permitted after December will be an additional 15% to 20%. Chairman Bridges said a jail construction builder would need to be talked with.

Mr. Hazell said from what has been said it seems that everyone is in agreement on going with the May referendum. Chairman Bridges said that a case has to be built to take this to the voters in May. Commissioner Franklin said he does not understand why the people who criticize to the Commissioners are the same ones who go to the Sheriff and say they are for an expansion. He said the Commissioners and the Sheriff are trying to figure out what is needed. Mayor Little said the only sure way is to take this to the voters. He said he thought the recommendation from Mr. Ragsdale is the way to go. Mr. Ragsdale said he is reconsidering the push off by the County Commission for permitting. He said halfway houses, ankle monitors, work release and other things need to be considered. Mayor Little said this committee was formed to make a recommendation to the Commission on how to pay for the expansion. Mr. Hazell said the recommendation needs to be how this can be paid for. He said this will work best if the details are worked out before going to the voters. And if the permitting can be worked prior to January that is great but if not it will be dealt with later. Judge Cody Grizzle asked about the 20%. Mr. Wright said that this is coming from the federal government to the state government and it is for energy codes that have already started.

Mrs. Gunter made the recommendation to the members to make a recommendation to the Commissioners to move forward with the jail but let the Commissioners look at the economic impact from the 20% for the permitting and to put this on the May referendum. Add also to expand the jail and maybe use some of the quick fixes like putting ankle bracelets on people. Sheriff Thomas said it is easier said than done as a Judge would have to make that decision. Mr. Ellard said that Captain Sisk presented some things that are needed at the jail. These should have been routine maintenance but are now priorities. Mr. Wright said the additional cameras and additional security are added into the expansion amount to tie in together. Mrs. Gunter said if this is taken to the voters that the additional amount in taxes should be marketed as how much each person will pay per year. Chairman Bridges said the amount that is taken to the voters should be 4 million instead of 3.5 million to take care of any overruns.

Mayor Little said an argument can be made for early permitting because of the increase in cost. Also if the permit is done then the bids can come in before going to the voters to ask for the money. Mayor Little said after bids come in the amount is known of what is needed. Mrs. Thomas asked how long the bid prices are good for. Mr. Wright answered that he has done some on 90 to 120 days. Mrs. Gunter said maybe this should go on the November ballot so that things can get started. Mr. Ellard said



Mayor Little made a good point when he said to put out for bid and get the amount needed to go on the ballot in May. He said this would be an actual amount for the general obligation debt for the jail expansion to go to the voters.

***Mr. Hazell** said the basics are moving forward with an expansion to the jail and a recommendation to improve the existing facility. Sheriff Thomas said many years ago when this was first talked about a work release center was asked for to keep the trustees from bringing contraband into the jail. He said the Commissioners scratched this and moved on. Sheriff Thomas said he now has some who come to the jail on weekends and work during the week. Chairman Bridges asked Colonel Pinkard how many work release people he has. Colonel Pinkard said there is a separate work release center for around 180 to 200 people. Chairman Bridges asked Colonel Pinkard how many inmates they have. Colonel Pinkard said around 2,350 a day. Mr. Hazell said the suggestion is for a bond referendum in May. Before the referendum proper education and communication needs to be done with the citizens. He said to recommend to the County Commission to move with the permitting process in the confines of the finances if possible by the end of the year.*

A summary of the meetings will be sent to the members by Mr. Hazell. After receiving and reviewing by the members Mr. Hazell asked that comments and concerns be sent back to him. Then a formal recommendation will be presented to the Commission Board. And the education and communication will have to start for the May referendum. One way to market this is that this is also for the safety of the citizens as well as the inmates. Mr. Hazell said that this is the first time that the County Commission has asked for a good look to be taken at this issue.

Mr. Hazell adjourned the meeting at 7:46 p.m. He thanked everyone for their time and attention.

Respectfully submitted,

*Elaine H. Evans
County Clerk*