

**Codington County Justice Advisory Committee
Lake Area Technical Institute, Room 430
Watertown, SD
January 5, 2017**

The Codington County Justice Advisory Committee (CCJAC) met at Lake Area Technical Institute on January 5, 2017. Present were committee members Al Koistinen, Larry Wasland, Lee Gabel, Brad Howell (new sheriff replacing Toby Wishard), Megan Olson, and Troy VanDusen (replacing Tyler McElhany as the Commissioner representative). Absent was Greg Endres. Also present were non-voting members Tom Walder and the Honorable Bob Spears. Present from BKV Group were Duwayne Jones, Bruce Schwartzman and Henry Pittman. Jail consultant Allen Brinkman was in attendance. The meeting was called to order by Chairman Lee Gabel at 6:12 PM

Agenda Approved

Motion to approve the agenda made by Olson. Motion seconded, all in favor, agenda approved.

Minutes Approved

Motion to approve the minutes from Nov. 30 2016 was made by Olson. Motion seconded. All in favor, minutes approved.

Site Analysis

Soil boring results for the US 212 and City Auditorium sites from Geotek have been made available (Soil boring reports posted on the CCJAC webpage). BKV will complete a summary of the Geotek reports and the potential cost impact (footings, excavation, soil remediation). The Highway 212 site has been appraised at \$268,000. The City is still waiting on the appraisal of the Auditorium property.

Funding resources

The county has been putting aside funds into the Future Building Projects Fund. The fund is currently at \$5.5M. The money is set aside for projects such as justice facilities and could be applied to the cost of the project thereby reducing the bond amount (see attached slides for examples of how the \$5.5M might be applied). Once a project cost is finalized, the best application of the \$5.5M and tax impact analysis can be determined in better detail.

Bond Election Date

The Pros and cons of holding a bond election either in March or June of 2017 were discussed (see attached slide). A March election would allow the collection of all bids at the optimum time (about March 2018). A June election would likely have a higher voter turnout, because it could be held in conjunction with the city and school board elections. A disadvantage of a June vote is the time constraint on the architects, which may require "fast tracking." Fast tracking is the tendering of bid packages as they are available, as opposed to bidding the entire project all at once. Fast tracking would still allow tendering at least a portion of the bid packages at the optimum time and allow timely

initiation of construction. The remaining bid packages would be tendered a few months later. The additional cost of using two bidding phases would probably be about \$40K to \$50K. BKV will put together a summary on this. This approach would be unlikely to increase the amount of change orders. The 5% construction contingency is the same for both timelines.

Following discussion, a motion to recommend a June election date to the Board of County Commissioners was made by Koistinen. Motion seconded. Motion carried unanimously.

Ballot Language

Gabel presented possible ballot language for initial discussion (see attached slides). The States Attorney could provide a ballot explanation, including approximate tax impact.

Public Awareness Planning

A public presentation is planned for January 24 at Lake Area Technical Institute. As before, there will be a moderator and a question/answer time. Emphasis will be given to the need, and the consequences of doing nothing. There may not yet be a final determination on a site, as it will depend on whether the city's appraisal on the Auditorium site will have been completed. Estimated tax impact will be covered, updated to reflect the \$5.5M contribution from the Future Building Projects Fund.

Mr. Pittman and Mr. Schwartzman stressed the importance of public outreach to make sure there is understanding of the need, perhaps forming citizens' advocacy groups, town hall meetings, mailings and telephone outreach. BKV Group will assemble a flyer with bullet points of the main issues. A Facebook live stream of the public presentations may allow more participation in those meetings.

Future meetings


February 21 at 5:30 will be a working meeting for CCJAC.
March 7 at 5:30 will be a joint meeting for CCJAC and BKV Architects.

Unfinished/new business/open:

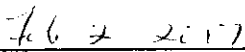
Discussion with surrounding counties continues. Bill Garnos has provided an update of jail population trends with 2016 data (posted on CCJAC webpage). Decisions will need to be made soon on a financial advisor and bond counsel.

Adjournment:

Motion to adjourn was made by Wasland, motion seconded, all in favor. Meeting adjourned 8:20 PM.



Secretary
CCJAC



Date Approved

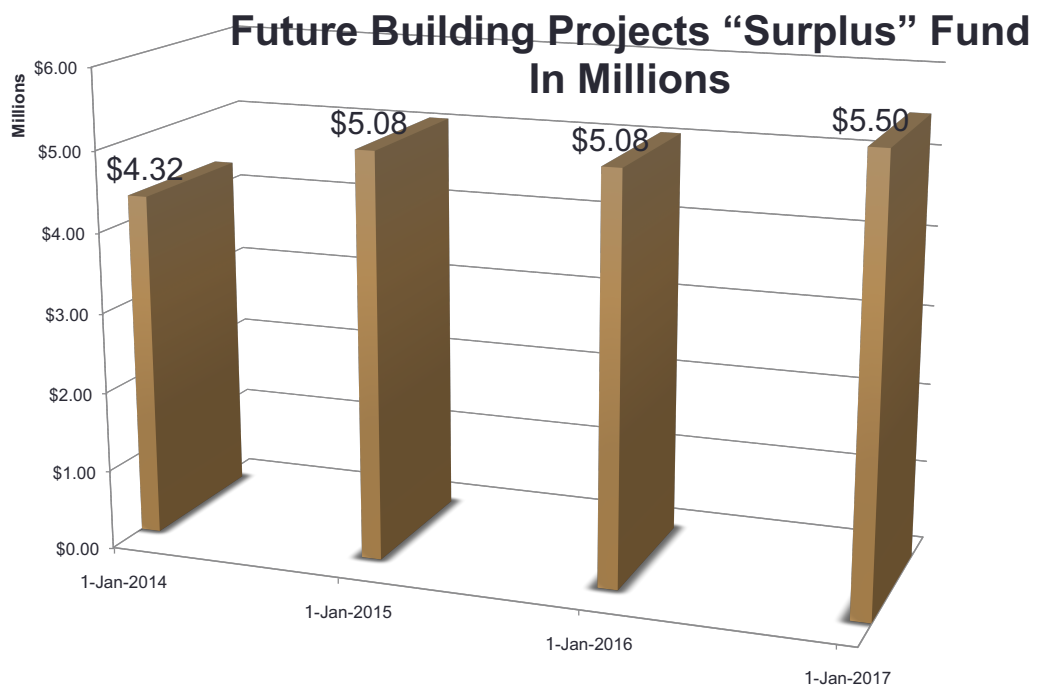


Appraisals, Borings, Working with City

- Appraisals
 - US 212 site \$268K
 - Auditorium Site – city still waiting
- Boring
 - US 212 Site – 2000 PSF
 - Auditorium Site - 4000 PSF but unclassified fill
- City and Auditorium possible terms



Funding Resources





Funding if full solution recommended

Determining the Bond Amount	
Cost for Justice Facilities	\$33,300,000
From Future Building Projects Fund	-\$5,000,000
Minimum Bond Amount	\$28,300,000

Arriving at Final Bond Amount	
Initial Bond Principle	\$28,300,000
Possible Principle pay down from Future Building Projects Fund (if not needed once construction is done)	-\$500,000
Revised Bond Amount	\$27,800,000



Funding if first phase solution recommended

Determining the Bond Amount	
Cost for Justice Facilities	\$19,800,000
From Future Building Projects Fund	-\$5,000,000
Minimum Bond Amount	\$14,800,000

Arriving at Final Bond Amount	
Initial Bond Principle	\$14,800,000
Possible Principle pay down from Future Building Projects Fund (if not needed once construction is done)	-\$500,000
Revised Bond Amount	\$14,300,000



Ballot Language 1A or 3A, Full Solution

PURSUANT TO STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$29,250,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES INCLUDING A JAIL FACILITY, SHERIFF'S FACILITY AND RENNOVATION/EXPANSION OF THE CURRENT COURTHOUSE AS WELL AS THE FURNISHING AND EQUIPPING THE SAME?

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No



Ballot Language 1B or 3B, Full Solution

PURSUANT TO UNDER STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$29,250,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES INCLUDING A JAIL FACILITY, SHERIFF'S FACILITY, COURT FACILITIES AND RENNOVATION OF THE CURRENT COURTHOUSE AS WELL AS THE FURNISHING AND EQUIPPING THE SAME?

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No



Ballot Language 1A/B or 3A/B, First Phase Solution

PURSUANT TO STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$15,750,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES INCLUDING A JAIL FACILITY, IN-CUSTODY COURT FACILITIES AND RENNOVATION OF THE CURRENT COURTHOUSE AS WELL AS THE FURNISHING AND EQUIPPING THE SAME?

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No



Ballot Language 1A or 3A, choice between Full or First Phase Solutions

- YOU MAY VOTE "YES" OR "NO" TO BOTH, ONE, OR NONE.

Measure 1: PURSUANT TO STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$29,250,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES INCLUDING A JAIL FACILITY, SHERIFF'S FACILITY AND RENNOVATION/EXPANSION OF THE CURRENT COURTHOUSE AS WELL AS THE FURNISHING AND EQUIPPING THE SAME?

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No

Measure 2: PURSUANT TO STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$15,750,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES INCLUDING A JAIL FACILITY, IN-CUSTODY COURT FACILITIES AND RENNOVATION OF THE CURRENT COURTHOUSE AS WELL AS THE FURNISHING AND EQUIPPING THE SAME, **WITH THE PROPOSITION AND BONDS IN THIS MEASURE, IF APPROVED, TO BE VOID IF MEASURE 1 ON THIS BALLOT IS APPROVED?**

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No



Ballot Language 1B or 3B, choice between Full or First Phase Solutions

- YOU MAY VOTE “YES” OR “NO” TO BOTH, ONE, OR NONE.

Measure 1: PURSUANT TO STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$29,250,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES **INCLUDING A JAIL FACILITY, SHERIFF'S FACILITY, COURT FACILITIES AND RENNOVATION OF THE CURRENT COURTHOUSE** AS WELL AS THE FURNISHING AND EQUIPPING THE SAME?

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No

Measure 2: PURSUANT TO STATE LAW (SDCL §§ 16-6-7 16-12A-29.1 AND 24-11-2), SHALL CODINGTON COUNTY, SOUTH DAKOTA, ISSUE NEGOTIABLE GENERAL OBLIGATION BONDS IN A REGISTERED PRINCIPAL AMOUNT NOT EXCEEDING **\$15,750,000**, ISSUED IN ONE OR MORE SERIES, BEARING INTEREST AT SUCH RATES AS MAY BE DETERMINED BY THE COUNTY COMMISSION, PAYABLE AND MATURING FROM 1 YEAR AND NOT TO EXCEED 20 YEARS AFTER THE DATE OF ISSUANCE, FOR THE PURPOSE OF FINANCING NEW JUSTICE FACILITIES **INCLUDING A JAIL FACILITY, IN-CUSTODY COURT FACILITIES AND RENNOVATION OF THE CURRENT COURTHOUSE** AS WELL AS THE FURNISHING AND EQUIPPING THE SAME, **WITH THE PROPOSITION AND BONDS IN THIS MEASURE, IF APPROVED, TO BE VOID IF MEASURE 1 ON THIS BALLOT IS APPROVED?**

- SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?
 - Yes
 - No



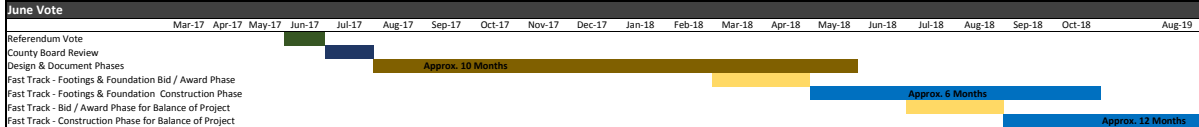
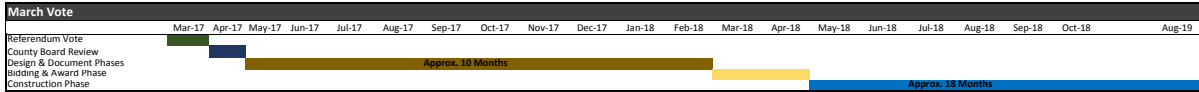
Ballot Date – March or June?

	March		June 6 th or 20 th	
Criteria	Pro/Con	Mitigation	Pro/Con	Mitigation
Voter Turnout	More effort to get city/absentee vote	Public awareness to get city/absentee vote out	City/School District residents have more than one reason to go out vote	
Election Cost to County	~\$10,000		~\$6,000	
Pre-Design			More time for public awareness	
Affect on Project Cost	Minimize cost inflation		Constrained time, but could meet bid season partially. Possible increase \$40k to \$50k	Possible to fast track



Schedule Comparison based on ballot date

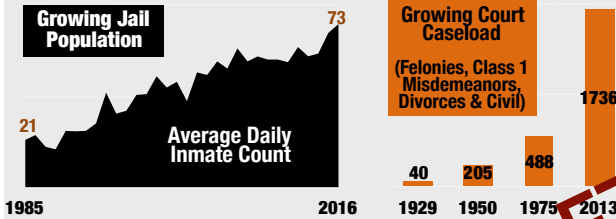
Codrington County Justice Facilities - Preliminary Schedules



Public Awareness Planning

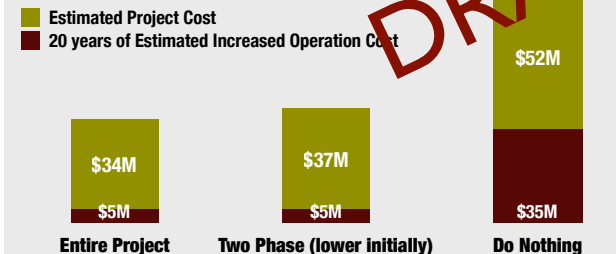
Meeting Codrington County's Jail & Courthouse Needs

**Analysis shows:
Too small & old for current needs**



- Jail Problems:**
- Can't observe inmates directly
 - Cramped
 - Unsafe for staff & inmates
 - Vulnerable to lawsuit
- Courthouse Problems:**
- Inadequate separation of public, defendants, witnesses, jury, judges, & inmates.
 - Not enough court space
 - Handicapped Access
 - Vulnerable to lawsuit

Our Options:



- | | | |
|---|---|--|
| <ul style="list-style-type: none"> • Fix problems • Less Lawsuit Risk | <ul style="list-style-type: none"> • Fix problems • Less Lawsuit Risk | <ul style="list-style-type: none"> • Problems remain • More Lawsuit Risk |
|---|---|--|

- Be an informed voter:**
- Visit codrington.org, then click on "Justice Advisory Committee" on the right of the webpage.
 - Like "Codrington County Justice Advisory Committee" on Facebook www.facebook.com/codringtoncounty/
 - Attend Public Presentations
 - Contact a County Commissioner
 - Vote _____, 2017

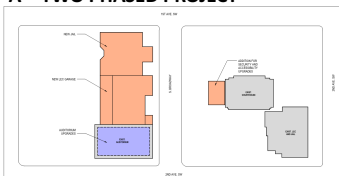


Jan 24th Public Presentation

- Overview of the problem: Videos (Court, Jail, Laws, Tax Overview & Impact)
- Review Basic Options
 - Full Project
 - Phase Project
 - Doing Nothing
- Results of using Criteria Matrix – Recommended Options
- Ballot possibilities & Election Date

OPTION 1 – CITY AUDITORIUM SITE

A – TWO PHASED PROJECT



NEW JAIL / NEW LEC GARAGE / REMODEL AUDITORIUM (MINIMUM UPGRADES / NEW ADDITION FOR SECURITY & ACCESSIBILITY UPGRADES)

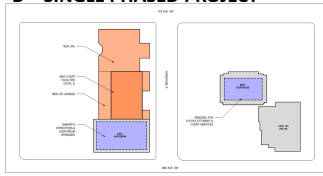
CONSTRUCTION COST	16,199,413
SOFT COST	3,239,883
PROJECT COST	19,439,295



NEW COURTS FACILITIES / REMODEL AUDITORIUM FOR NEW SHERIFF'S OPERATIONS / REMODEL COURTHOUSE FOR STATE'S ATTORNEY AND COURT SERVICES (PROBATION)

CONSTRUCTION COST	14,364,003
SOFT COST	3,591,004
PROJECT COST	17,955,004

B – SINGLE PHASED PROJECT



NEW JAIL / NEW LEC GARAGE / NEW COURTS FACILITIES / REMODEL AUDITORIUM FOR NEW SHERIFF'S OPERATIONS / REMODEL COURTHOUSE FOR STATE'S ATTORNEY AND COURT SERVICES (PROBATION)

CONSTRUCTION COST	27,260,842
SOFT COST	5,897,385
PROJECT COST	33,258,228

PROS/CONS

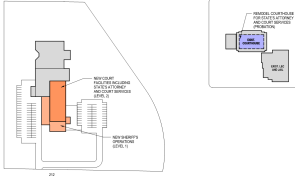
- **EXPANSION** - REQUIRES PURCHASE OF ADJACENT PROPERTY FOR FUTURE EXPANSION
- **OPERATIONAL COST** – MINIMAL OPERATIONAL COST IMPACT BASED ON LOCATION OF COURT SERVICES AND STATE ATTORNEY IN THE EXISTING COURTHOUSE TO THE NEW JUDICIAL FACILITY
- **EFFICIENCY OF DESIGN** – BUILDING LAYOUT MUST WORK WITH DIMENSIONS AND LIMITS OF THE PROPERTY LINES
- **PROJECT COST** – LESS PROJECT COST THAN OPTIONS 3A AND 3B
- **SUPPORTS DOWNTOWN BUSINESS** - BEING LOCATED IN THE DOWNTOWN CORE AND ADJACENT TO THE EXISTING COURTHOUSE THIS OPTION DOES PROMOTE DOWNTOWN BUSINESS
- **PARKING** – NO ONSITE PARKING IS AVAILABLE UNLESS ADDITIONAL PROPERTY IS ACQUIRED

OPTION 3 – WEST 212 SITE

A – TWO PHASED PROJECT

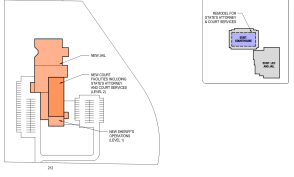


NEW JAIL / NEW LEC GARAGE / NEW ADDITION FOR SECURITY & ACCESSIBILITY UPGRADES	
CONSTRUCTION COST	16,475,363
SOFT COST	3,295,073
PROJECT COST	19,770,436



NEW SHERIFF'S OPERATIONS / NEW COURTS FACILITIES / REMODEL COURTHOUSE FOR STATE'S ATTORNEY AND COURT SERVICES (PROBATION)	
CONSTRUCTION COST	13,029,503
SOFT COST	2,605,901
PROJECT COST	15,635,404

B – SINGLE PHASED PROJECT



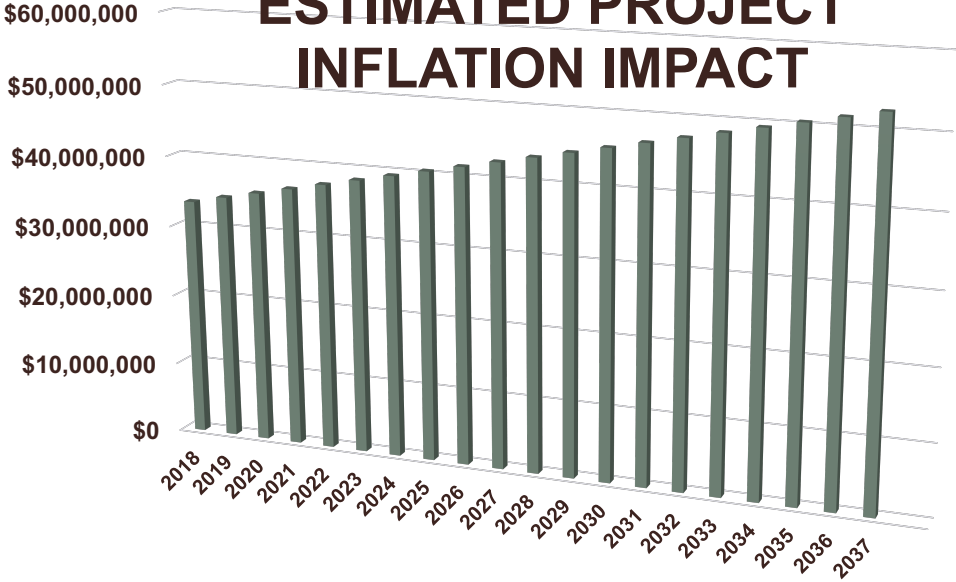
NEW JAIL / NEW SHERIFF'S OPERATIONS / NEW LEC GARAGE / NEW COURTS FACILITIES / REMODEL COURTHOUSE FOR STATE'S ATTORNEY AND COURT SERVICES (PROBATION)	
CONSTRUCTION COST	27,455,020
SOFT COST	5,491,004
PROJECT COST	32,946,024

PROS/CONS

- **EXPANSION** - LARGE PROPERTY ALLOWS FOR MULTIPLE EXPANSION OPTIONS
- **OPERATIONAL COST** – INCREASED OPERATIONAL COST IMPACT BASED ON LOCATION OF COURT SERVICES AND STATE ATTORNEY IN THE EXISTING COURTHOUSE TO THE NEW JUDICIAL FACILITY ON 212
- **EFFICIENCY OF DESIGN** – BUILDING LAYOUT MUST WORK WITH DIMENSIONS AND LIMITS OF THE PROPERTY LINES, LARGER PROPERTY ALLOWS FOR MORE FLEXIBILITY OF BUILDING PLANNING
- **PROJECT COST** – INCREASED PROJECT COST FOR LARGER SITE DEVELOPMENT AND INCREASED BUILDING AREA OPPOSED TO USING THE EXISTING AUDITORIUM SPACE
- **SUPPORTS DOWNTOWN BUSINESS** - BEING LOCATED OUT OF THE DOWNTOWN CORE THIS OPTION DOES NOT PROMOTE DOWNTOWN BUSINESS
- **PARKING** – PROPERTY SIZE PROVIDES FOR ADEQUATE CURRENT AND LONG RANGE PARKING ON SITE

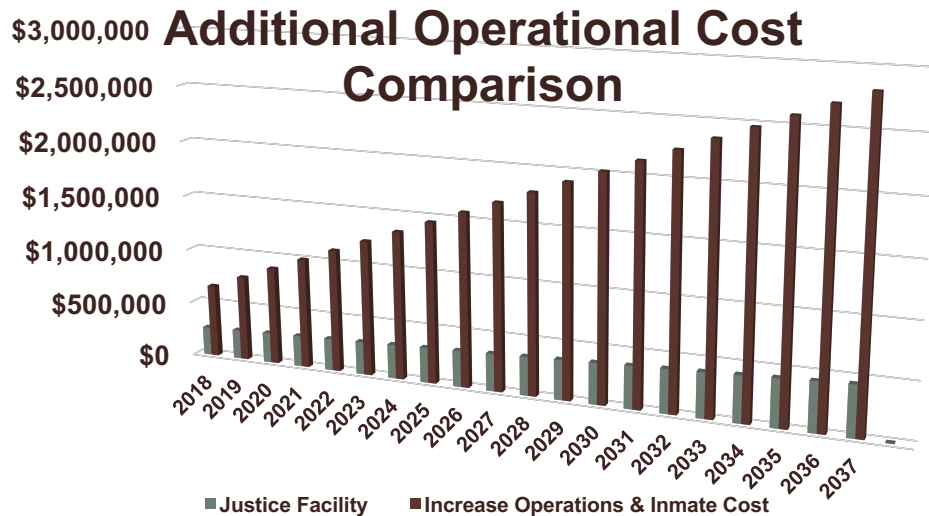


THE “DO NOTHING” OPTION ESTIMATED PROJECT INFLATION IMPACT





THE "DO NOTHING" OPTION



2016 ADP Update

Codrington County Jail

ADP 1985-2016 (from best available data) with trendlines to 2035

