

MINUTES – OCTOBER 7, 2009

The Caswell County Board of Commissioners met in special session at the Historic Courthouse in Yanceyville, North Carolina at 3:00 p.m. on Wednesday, October 7, 2009. The purpose of the meeting was to hear a presentation from Moseley Architects concerning their assessment of the Caswell County Detention Center. Members present: Jeremiah Jefferies, Chairman, George W. Ward, Jr., Vice-Chairman, Erik D. Battle, William E. Carter, Nathaniel Hall, Gordon G. Satterfield, and Kenneth D. Travis. Also present: Kevin B. Howard, County Manager and Angela Evans representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Jefferies opened the meeting with a Moment of Silent Prayer.

DETENTION AND LAW ENFORCEMENT FACILITY NEEDS ASSESSMENT

Mr. Dan Mace, Vice-President, Moseley Architects of Charlotte, North Carolina came before the Board to present the Detention and Law Enforcement Facility Needs Assessment which was prepared by Moseley Architects for Caswell County. Mr. Mace introduced Ms. Nelda Leon, Director of Criminal Justice Consulting, Moseley Architects, and added that they have been working the past couple of months with the Sheriff and County Manager in looking at the County's Jail needs. Mr. Mace stated that they are present to share with the Board their findings and offer options for their consideration, help them plan how to move forward, and what is in the best interest of the County.

Mr. Mace reported that Moseley Architects was retained by Caswell County to study the needs of the detention facility due to its crowding and deficiencies cited by the NC Jail Inspector. Mr. Mace added that during the study of detention space needs, the impact of jail expansion on the Sheriff's Law Enforcement facility led to an analysis of law enforcement and related spaces to include E-911 and inmate transport to/from and holding within the Courthouse.

Ms. Leon informed the Board that there has been quite a bit of study and analysis behind what they are presenting to them and reported that the Caswell County Jail was built in 1973 and later the basement was renovated to include a male dormitory to bring the total capacity to 42 inmates: 38 males and 4 females. Ms. Leon stated that recent inspections by the NC State Jail Inspector have cited a number of deficiencies requiring corrective action, and despite efforts to address cited deficiencies, recurring or new problems have arisen in the 36 year old Jail. Ms. Leon noted that Caswell County has previously submitted correction action plans, and now in light of more serious problems, according to the Sheriff, "the state wants to see action, not just planning."

Ms. Leon reported that the Moseley Team conducted a facility assessment on July 24 2009, noting a number of these and other deficiencies and needs, several of which are serious security, fire and life safety hazards, and noncompliance with various codes. Ms. Leon noted that the most serious are, unfortunately, also among the most costly to repair, and if not addressed, these pose the greatest cost in risk of liability exposure or adverse action by the State Jail Inspector. Ms. Leon added that these affect not only the health and safety of inmates who are the responsibility of the Sheriff and County, but also the employees and public.

Ms. Leon reported that these problems include:

Fire and Life Safety Violations

- Lack of sprinkler system in inmate housing areas.
- No smoke evacuation system. Lack of fire rated walls and smoke compartments.
- Lack of remote locking system, requiring every door to be unlocked *manually* – a dangerous situation in event of fire or other emergency requiring evacuation.
- Flooding in basement housing area, recurring leaks and sewage back-up into inmate areas and kitchen. Exposure of inmates and staff and to infectious pathogens and harmful chemical solvents used in clean up attempts violate basic health standards and OSHA regulations. The plumbing needs major overhaul, if not replacement, due to its age and lack of replacement parts.
- Ductwork for HVAC added since the Jail was built doesn't reach into all inmate housing areas. Holes cut into the connecting walls to allow air movement pose a greater risk in a fire situation.
- Mold/mildew problems due to leaks and moisture. Drop ceiling tiles damaged throughout the facility.
- Exposed radiator piping/radiator condensate draining to floor drain in area in front of cells (slipping hazard).
- Suicide hazards due to exposed pipes, bars, remote location of cells, and poor sight lines.

Security Deficiencies

- Inadequate and inefficient vehicular sally port. Does not allow drive through operation. Doubles as evidence storage/processing area used for evidence storage and other storage.
- Exterior fencing has only a single coil of razor ribbon on top, not a very effective deterrent. Other areas have gaps between fences and building that would be easy to penetrate.
- No proper area to search inmates in the booking area.
- No secure connection between Jail and Courthouse. No holding cells in Courthouse for those in Court.

ADA, Jail Standards Noncompliance/Other Deficiencies

- Jail entrance not ADA accessible, other ADA accessibility issues throughout facility (lack of ADA accessible toilets, holding cells, cells, etc.)
- Stair to basement from entrance appears to have structural damage. Not ADA accessible.
- One small room for medical office/exam and no pharmaceutical storage.
- Inmate housing split on two levels (16-bed dormitory in basement), not staff efficient and does not allow for proper classification. At times exceeds capacity.
- Insufficient beds for females versus population – currently only four beds for an average female population of eight and a projected growing population. State will not allow more than four females in this pod due to noncompliance with jail standards.
- Poor air quality due to HVAC performance.
- Painting peeling in areas, even when recently painted due to moisture problems.

- Lighting levels inadequate.
- No bubbler on holding cell toilet/sink unit. Various inoperable fixtures: water fountain, toilets observed.
- Small laundry area – washer and dryer are residential.
- Inadequate inmate property storage room

Ms. Leon presented and discussed the following information:

ONGOING AND FUTURE COST OF STATUS QUO

There are costs incurred to keep the Jail open before major renovation or construction. Many of these have been cited by the Jail or other Inspectors.

Immediate detention improvements to the physical plan either recently completed or that are pending include:

- Video upgrade and intercom installation (recently completed) - \$7,000.
- Plumbing problems, not including sewage (\$130,000 estimate).
- Repairs to broken manual locks (Completed - \$4,000, but does not provide remote locking, release).
- Painting (ongoing) – Labor is free, but inmates housed in the area must be transported and housed in other County Jails that charge \$50/day per inmate. The *per diem* cost of sending the 10 inmates housed in the dormitory while it was painted total \$7,000 plus the cost of transporting inmates in staff time away from regular duties, gasoline, and vehicle wear and tear.

Any long term use of the Jail will require other significant modifications to bring it up to code and provide a safer, healthier environment.

Housing inmates in available County Jails, at least 50 miles roundtrip, occurs now for reasons other than painting. Although the Jail has a total of beds usually sufficient for the average population, the Sheriff cannot house over four females under an agreement with the State Inspector, due to a previous citation by the State. Other inmates may not be housed together due to the risks they pose to each other. The inability to separate inmates into different housing units by security and risk level and other classifications prevent the full utilization of all beds at times.

As a result of jail crowding of certain pods and the inability to properly classify inmates, any new or expanded facility needs to provide sufficient beds for classification and future growth. A forecast previously conducted by Brennan and Associates was reviewed and updated to determine the number and type of beds that will be needed.

DETENTION POPULATION FORECAST REVIEW AND UPDATE

As part of the study, Moseley Architects was contracted to review and update an Inmate Population Forecast completed by Brennan Associates in 2007. Moseley was provided with copies of Monthly Local Confinement Reports for 2007 and 2008 to see if trends were consistent with results of the previous forecast.

Comparison of Previous Forecast to Moseley Review

The previous forecast obtained **Caswell County population** data from the North Carolina Office of State Budget and Management. The forecast review performed by Moseley Architects obtained more recently revised population data from the same source. Revised census data notes a slight **decrease** in the actual county population as opposed to an increase indicated by the previous forecast.

Revised County Population Projections

Projection estimates for future population provided by the North Carolina Office of State Budget and Management show a drastic revision. Current State estimates do not go through to 2030.

COMPARISON OF COUNTY POPULATION PROJECTED VS. ACTUAL

YEAR	BRENNAN STUDY – Projected Population	MOSELEY STUDY- Actual Population
2004	23,670	23,539
2005	23,857	23,585
2006	24,006	23,429
2029	Not Shown	22,313
2030	28,297	Not available from NC source

Detention Population Projections

Admissions into the Caswell County Detention Facility steadily decreased during the Inmate Population Forecast sample years of 2000-2006 and have continued to decrease in the Forecast Review sample years of 2007-2008. An admission rate is calculated by dividing the year's jail admissions by the county population and multiplying that figure by 10,000. The result is the number of jail admissions per 10,000 in population.

The highest admission rate of 610 from 2000 was utilized in the Brennan Study to determine admission rates for projection purposes in the previous forecast. The Moseley Study forecast review utilized an admission rate of 421 from 2008, as it is more consistent with recent admission trends.

Average length of stay is a critical number in determining needed bed space. The original Inmate Population Forecast utilized the highest average length of stay from the sample, which was 11.23 in 2003. The Forecast Review also utilized the highest length of stay from the more recent sample which was 10.9 in 2007.

The original Inmate Population Forecast utilized the **highest one day peaking ratio** through the entire seven year sample period of 2000 through 2006, which was 1.76 and occurred in 2002. The Forecast Review Moseley conducted utilized the **highest average peaking factor** through the 2007 to 2008 year sample period, which was 1.3. The forecast and the review both used a **classification ratio** of 1.2.

Due to a drop in future general population forecast estimates, utilizing more recent and stable data trends and the current average peaking factor as opposed to the most extreme one day peaking factor from the study period, the projected bed space needs decrease rather dramatically.

Based on these revised projections, in discussion with the Jail Planning Committee, Moseley developed two scenarios for a more conservative and the more optimistic projections of the County's growth, both with a core (booking/intake, laundry, storage) sized to support up to 150 inmates in the event future growth does occur.

Additionally, the Sheriff has been advised by the US Federal Marshal's Program that they could rent as many as 40 to 50 beds on a per diem reimbursement basis if they were available. The latter option would allow the County to build the additional beds in today's construction dollars in anticipation of additional growth in the future and help offset their cost by revenues collected from the US Federal Marshal and others who need bed space.

The plans and budgets developed are for a minimum of 50 cell Jail sized to double bunk up to a capacity of 78 with an option to bid an additional 24 bed pod.

CLASSIFICATION OF BEDS

In planning the layout of housing units, it became apparent that for staff efficiency as well as construction cost, that it is much more cost effective to build pods with most cells sized for double bunking so that the Jail can be expanded from 50 to 78 without adding more housing units. The cells can be built with the two bunks or with one bed plus a steel embed plate that a second bunk can be attached to when needed. The budget estimate provided assumes that the cells are double bunked initially, which brings the total capacity to 78 inmates.

A second dormitory to rent beds to federal and other County overflow, until such time as Caswell County may need the space for its own population, is shown as an optional add-

alternate. This additional dormitory could be bid to determine the additional cost to build it now and if it is within the County's budget to do so, the County has the option.

LAW ENFORCEMENT DEFICIENCIES

The Sheriff's law enforcement space is inadequate and not in keeping with the current standards and needs of a modern law enforcement facility. The limited space and layout of the Sheriff's law enforcement building forces division offices to be used for multiple purposes and impedes confidentiality and workflow. It lacks private interview rooms set up to handle interrogations, sufficient number of offices, records, and evidence storage in addition to administrative spaces.

As the County grows, the Sheriff's staff will also expand, requiring additional space, as well as areas to handle sensitive information, protect victim and witness identification, and maintain chain of evidence.

The existing law enforcement center occupies 6000 square feet, including the E-911 Communications Center and is projected to need over three times that amount of space.

PROGRAM SPACE NEEDS

The space program developed to meet the long-term needs of the Law Enforcement Center was developed working with the Sheriff and his staff, along with the County Manager. A total 21,828 square feet was programmed to meet current and anticipated 10-year space requirements of a modern Law Enforcement and E-911 Center.

Mr. Mace presented and discussed the following information:

SITE REQUIREMENTS AND OPTIONS

The Jail and Sheriff's Office are located on the Courthouse site, but not directly connected to the Courthouse, on an approximate 14 acre government complex site that is bound by Church Street (South), North Street (West), Country Park Road (East), and Highway 86 (North). A new or expanded Detention Center would be located adjacent to the existing Courthouse on either the East or West side.

There are efficiencies through co-locating the Law Enforcement and Detention facilities, both in construction through co-used spaces, and in operations and staff savings. Therefore, the ideal expansion or replacement solution would be one that allows the two functions to be connected to each other and to be connected directly to the Courthouse for inmate movement. All options below meet these criteria, but have advantages and disadvantages inherent to each location.

Several options were explored to address the Jail and law enforcement needs. The first option was to renovate and reuse as much of the Jail as possible as well as expand it, plus renovate and

expand the Law Enforcement facility. The other two options involve a complete replacement of the Jail due to its age and extent of noncompliance and other deficiencies plus replacement or expansion/renovation of the Law Enforcement Building. In each option, the Jail can be expanded at a later date both to provide a full service kitchen (currently a warming kitchen for delivered meals is programmed) and one additional housing unit.

The Law Enforcement expansion can be done as part of this project or in the next phase, depending on funding availability, in any of the options.

Option A. Renovate and Expand Current Jail and Sheriff's Office

This option involves renovating and upgrading the existing Jail to create a new vehicular sally port, intake and booking with property storage and inmate visitation area. The basement will no longer house inmates due to the extensive work that would be required to bring it up to ADA compliance (adding an elevator plus accessible toilets), address moisture and HVAC problems and eliminate staff inefficiencies. This option requires relocating inmates to other Jails for the entire renovation and construction period, up to two years.

Most of the beds on the upper floor will remain in use once the Jail is renovated and safety issues addressed. The new addition will have a new central control room that observes maximum-medium security males and a larger female unit.

This option for the Jail portion, though less to construct barring unforeseen conditions, is less desirable because of the risks of finding alternate housing and continuous transportation of inmates. Additional vehicles and trained transport staff will need to be acquired. It also has the highest risk of unforeseen conditions, which can cost additional time and money.

At best, the renovated portion may not be able to meet all codes, especially new building codes and ADA, but it will be improved. Since the Jail will be under heavy renovation, it can no longer be used for receiving arrestees prior to transport to other facilities, nor as a holding facility for court. At this time, there is no satisfactory solution for these obstacles.

The Sheriff's Office can also be expanded and renovated concurrent with the Jail or at a later time. The expansion in this case will block some of the courtyard plaza.

Option B. Replace the Jail to the West of the Courthouse and Renovate/Expand Sheriff's Offices

The Jail replacement facility would be located to the West side of the existing Courthouse and requires the demolition of the existing Jail once completed. Once the existing Jail is demolished, the existing Sheriff's offices can be expanded and renovated in the space formerly occupied by the Jail. Additional housing units could also be added at a later date, but would involve infringing on the public entrance side of the Courthouse.

The Law Enforcement component can be done as part of this project or in the next phase, depending on funding availability.

The advantage of this option is that it capitalizes on the space in the existing Law Enforcement Center and thereby reduces the cost of new construction, while maximizing the efficiencies of its connection to the Jail, providing the most direct route from the Jail into the Courthouse.

The primary disadvantage of this option is that there are space constraints due to the site, and the layout of the new Detention facility is not quite as staff efficient as the next option.

Option C. Replace the Jail to the East of the Courthouse; Replace the Sheriff's Offices

The Jail replacement facility would be located to the East of the Courthouse. The Law Enforcement Center can also be sited adjacent to the new Jail, but requires more new construction since the existing Law Enforcement Center cannot be utilized.

The existing Jail and Law Enforcement buildings can be demolished or renovated and used for other purposes (secure storage, other county offices, etc.). It would not be recommended that the Sheriff's Office expansion occur at the existing site if the Jail is located on the opposite side of the Courthouse, due to the loss of operational efficiencies.

The advantage of this option is that there is sufficient space on the East side of the site to construct the most efficient layout for the Jail. The disadvantage is that it increases the new construction cost for a replacement Sheriff's office. Either option allows for the secure connection to the Courthouse.

Also, siting the Jail and Law Enforcement Center on this side of the site would require demolition of an existing County building.

COST ESTIMATES

The cost estimates for new construction are based on the program document and conceptual plans developed for a new or renovated and expanded Detention Center with secure connection to the Courthouse and group holding and an expanded or *replacement* Law Enforcement Facility with E-911, depending on the option selected.

Cost estimates include construction, fees, testing, furniture, fixtures, equipment, and contingencies, and assume bidding in Year 2010.

The cost estimates to build the new and expanded facilities are shown below:

<u>Option A-1 – Renovate /Expand Existing Jail</u>	
Construction Estimate -	\$ 5,423,440.00
Total Project Cost Estimate -	\$ 7,379,686.80

25,052 sf + 3,144 sf basement

Option A-2 – Renovate/Expand Jail and Law Enforcement

Construction Estimate -	\$ 9,350,330.00
Total Project Cost Estimate -	\$11,865,626.35

54,560 sf including basement

Option B-1 – New Jail West Side of Courthouse

Construction Estimate -	\$ 5,252,100.00
Total Project Cost Estimate -	\$ 6,013,649.50

26,400 sf

Option B-2 – Law Enforcement/Jail Facility West Side of Courthouse

Construction Estimate -	\$ 9,157,995.00
Total Project Cost Estimate -	\$10,411,309.55

50,760 sf

Option C-1 – New Jail East Side of Courthouse

Construction Estimate -	\$ 5,198,760.00
Total Project Cost Estimate -	\$ 5,950,202.20

25,840 sf

Option C-2 - Law Enforcement/Jail Facility East Side of Courthouse

Construction Estimate -	\$ 9,577,155.00
Total Project Cost Estimate -	\$10,912,653.95

PROJECT TIMELINE

The period to design a Detention and Law Enforcement Center is up to 10 months due to State review delays. Construction and activation of a Detention Facility is 16 to 18 months, longer in the case of major renovation, barring no unforeseen site conditions. If the County proceeds now with design of the proposed facility, the Jail would be completed by late 2011. Completion of the Law Enforcement Center timeframe depends on which option is selected.

Option A-1 could take a longer period than Option B-1 or C-1 because of the difficulty in renovating an older facility and connecting it to a new addition. Option B-2 requires the new Detention Center to be built first, staff trained, and the existing Jail demolished before the Law

Enforcement Center expansion can start, adding some 14 to 16 months to the total construction period. Option C-2 could take the least amount of time if both facilities are built at once.

Once the project is approved, the next step will be to enter into a contract for architectural design services to work with users in design development to produce detailed site and building plans.

(At 3:45 p.m. Commissioner Ward entered the meeting).

Following the conclusion of his presentation, Mr. Mace answered questions by the Board.

Sheriff Michael Welch presented and discussed with the Board the Jail Inspection Report which was conducted by the North Carolina Health and Human Services, Division of Facility Services, Jail and Detention Section on September 10, 2009. Assistant Jail Administrator, Sgt. A. D. Rainey and Civil Officer, First Sgt. Tony Durden were also present. Sheriff Welch noted deficiencies and corrective action that has taken place. There was considerable discussion by the Board of the plumbing and sewer issues, as well as other deficiencies at the Jail.

Sheriff Welch informed the Board that he has provided the County Manager with a list of potential revenues. Sheriff Welch noted that the Caswell County Sheriff's Office is under agreement that they can house federal inmates for the U.S. Marshals at a per diem rate of \$46. Sheriff Welch stated that he recently received a request from the Yadkin County Sheriff's Office since the closure of their Jail to house up to 30 inmates for them. Sheriff Welch added that an agreement between one Sheriff's Office to house inmates from another Sheriff's Office is usually at a per diem rate of \$50. Sheriff Welch noted that there is a potential for \$681,000 per year in revenues minus expenses.

There was considerable discussion by the Board on the options and information presented.

Sheriff Welch informed the Board that he has a report that is due to the State by October 19, 2009, and he needed to know from the Board at its earliest convenience what direction they will take as far as whether there will be renovation of the existing Jail or move forward to the next step in this planning process. Sheriff Welch stated that the next step in the planning process would be the architectural design.

The Board agreed that another meeting needed to be held to discuss this issue further.

A tour of the existing Jail was to follow the meeting.

RECESS

At 5:00 p.m. Commissioner Ward moved, seconded by Commissioner Battle to recess until Friday, October 16, 2009, at 5:30 p.m. The motion carried unanimously.

(This meeting was later cancelled).

Wanda P. Smith
Clerk to the Board

Jeremiah Jefferies
Chairman
