



LINCOLN COUNTY BOARD OF COMMISSIONERS

September 17, 2012
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners

Paul Mathews
Kevin Phillips
Tommy Rowe
Paul Donohue
Ed Higbee

#1-CALL TO ORDER/ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Chairman Tommy Rowe called the meeting to order at 2:03 p.m. Clerk Lisa Lloyd called the roll.

PRESENT: PAUL MATHEWS
PAUL DONOHUE
TOMMY ROWE
KEVIN PHILLIPS
ED HIGBEE

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 9-12-12.

#2-PUBLIC COMMENT

Tommy called for public comment. None offered.

#3-LINCOLN COUNTY DETENTION CENTER

This item concerns an unsolicited proposal from Western Corrections Group for expansion of the LC Detention Center. Sheriff Kerry Lee addressed this item. There are approximately 120 beds at LCDC right now with no room to add more. The proposal being proffered today would be for a 132 bed expansion. A land lease from the county would be needed in order to build the facility since this is a private company. Once completed, the land would be returned to the county. The beds would be leased back from the private entity at an approximate rate of \$40 per day. In order to run the facility and make the payment the inmates would have to be contracted at a substantial fee. There is a clause to opt out every year for ten years. If the county opted out Western Corrections would come in and run the facility. This new expansion will be attached to the existing center; kitchen and laundry services will be shared. Kerry offered a brief history of the existing detention center. Western Corrections Group is responsible for insurance and maintenance of the new facility, jail, too, for the first ten years. A lift station, another generator, and security fencing will be needed. Ed Wright has worked with Wesley Box on many different projects over the last twenty years. In 1993 the politics changed and the bond people were upset with LC. Wesley Box was involved in getting the funding for the existing detention center. Once the center was opened the county started to generate some funds. Ed stated that they will be asking for whatever ground the Sheriff wants, whether it is one acre or more. This is the action being requested today. The action will include the leasing of the ground for ten years. The document will then come to the Board to be signed this week. At that point, the financing issues will be addressed. WCG will build the facility as well as finance it. Until the facility is completed and the number of required inmates are received, this is when the money kicks in for the county. If the county opts out, an agreement between the SO and WCG will be made for inmates. WCG will make sure that heating, plumbing, etc., will be maintained for the ten year period. This is a no risk proposition for the county. Storage is a huge issue right now for the center. The washer and dryer will move into the old kitchen, allowing for laundry processing for 250 inmates. Beds can be added internally if needed, but the county will only be charged for the 132, or whatever number of beds they start with. The \$40 per day is an approximate number; it could be slightly higher or lower. All the existing fences will be recycled, as will any items/equipment already in place. There was some discussion about increase in salaries. Kerry doesn't believe the wages and number of personnel will not increase dramatically. It is estimated that only three additional personnel will be needed. At what point in time would a full time registered nurse be required to be on the premises? This addition will require a full time RN. With 250 people, they might look at having someone to oversee the kitchen, including nutrition. Inmates would still do the cooking. Currently, we are \$103,000 in the

red on the detention center but we are waiting for the last two month's payments to come in from Clark County. There will be a period of time when food, gasoline, and wages exceed the revenues. We will have to pay the first and last month's full rent. The approximate amount is \$334,000. This new facility will allow for the addition of beds in the future. This won't be as efficient as if you built a brand new jail pod that required less staff, but Kerry believes this will be quite efficient for an add-on. Bringing in female inmates will add a different, more difficult facet. Connie Simkins stated that any endeavor that can pay its own way is something she supports. There will not be a finder's fee for inmates. There will be no sharing of financial responsibilities. All upgrades will be done in the existing building at WCG's expense as well as the erection of building #2. Estimated cost for the new building is \$12-15 million. Kerry stated that there is no intention to sever the relationship with Clark County. We will continue our contracts with Clark County indefinitely. There is some discussion concerning hiring someone whose very job depends on keeping the facility full. What is the worst case scenario that can occur to LC taxpayers? Kerry responded that the ones taking the risk are WCG. The \$334,000 would be lost as well as the improvements to jail 1. Money will not come into the General Fund for ten years. If the county has enough money prior to the ten years it can buy out the facility. If the county has a yearly contract, and they can't fill the facility, the county is still liable for the last eleven months. Paul D. commented that if the county goes two years then wants out, we will have to pay for the meals coming from the kitchen since it will be located in jail #2. We can, in turn, charge jail #2 for laundry services. Paul M. advised that he has some research to do prior to supporting this. If we are committing ourselves to a process today, it will require some homework. Kerry agreed that everyone involved has a great deal of homework to do. Kerry further suggested that a great deal of this research can be done by getting together a couple of commissioners along with WCG, and Kerry. A committee can be formed. Paul M. feels that committing to the lease today is putting the cart before the horse. In all fairness to Paul M., Paul D. stated that if a lease is given they can still build on the property even if the county is opposed. There is a statute that governs the lease; Daniel is concerned about this and will research it. The county has to get something out of the lease. Glenn Zelch commented that today the Board will just give a commitment to lease a couple of acres of ground; he didn't see a problem with making the commitment today but there should be some strings attached. These strings could include that development must occur within a certain amount of time. WCG has been working with the Sheriff for over six months. Ed requested a letter of intent that we will proceed; it'll give WCG some leverage to do what they need to do. Ronda cautioned the Board about committing to this prior to completely and thoroughly vetting it. Ed responded that as soon as two Commissioners are appointed to be on the committee with the Sheriff they will start meeting, as soon as next week. Ken Dixon reiterated that he supports anything that will bring jobs to the county. Ken stated that if we are going to do this we need to build a facility with administrative offices in it and use the existing building as a Sheriff's Office only. We need a building that will fit our existing needs. Two double wides would be temporary; some money will set aside to build new administrative offices. Doubling the facility to 250 beds will dramatically increase the costs for the facility. Cory Lytle stated that he is certain that an RFP process will be required, but that's a question for Daniel to resolve. Making a decision today doesn't seem like it's in the best interest of the public. Adam suggested that if an agreement to lease the land, including cost, can be derived within thirty days then this could move forward, but everyone should have time to make an educated decision. It will take time for Daniel to draw up numbers and the Building Department to derive the going rate. There is some question as to what the county would really be committing to today. You can lease the land contingent to finding an agreement and in that agreement a market value would be included and how that would interplay with the long-term lease of the building back to the county. Basically it'll be a lease and then lease back agreement, but we can't give it to WCG for a dollar today. The agreement can be done so that it'll satisfy statute, but it can't be leased for a dollar today. **Kevin made a motion to lease sufficient acreage next to LC Detention Center to Western Corrections Group for the development of an additional jail facility contingent upon compliance with NRS requirements, acceptable arrangements between the two parties (WCG and LC), and the and the appointment of Kevin and Paul M. to serve on the committee to work out the details of said lease, to be completed within thirty days (lease will be off if these issues aren't worked out within the 30 days); seconded by Ed.** Ed Wright stated that he lives here and has for thirty years; if this goes sour he will let the Board know immediately. **All voted in favor.**

#4-PUBLIC COMMENT

Tommy called for public comment. None offered.

#5-ADJOURN

There being no further business for the Board to attend to, Tommy adjourned the meeting at 3:31 p.m.

Attest: _____ Approve: _____

DRAFT