

FILED

AUG 13 2024

COUNTY & PROBATE COURT CLERK

QUORUM COURT MINUTES

July 22, 2024

QUORUM COURT MINUTES JULY 22, 2024

Judge Day called the meeting to order at 5:30 pm.

Invocation was led by Don Seat, Macedonia Baptist Church.

The Pledge of Allegiance was led by Justice Cook.

Roll was called, and all Justices were present.

The first order of business was approval of Quorum Court meeting minutes from July 8, 2024. A motion to approve minutes as prepared was made by Justice Weinstock and seconded by Justice Pasmore. Judge Day took a vote and it passed unanimously.

The Road Committee report was read by Justice Cline. Justice Rogers read two reports from the Public Service Committee, and the report from Finance Committee was read by Justice Longmire.

OLD BUSINESS

First on the agenda was the third and final reading of the **Ordinance Calling and Setting a Date for a Special Election on the Question of the Issuance by the County of Sales and Use Tax Capital Improvement Bonds**. Justice Cline made a motion to suspend the rules and read by title only, seconded by Justice Couch. Judge Day asked for the roll to be called. The motion passed to read by title only, 11-2, with Justice Cook and Justice Weinstock voting nay. The Ordinance was read by the title. A motion to bring to the floor was made by Justice Weinstock and seconded by Justice Williams. Judge Day stated that Sheriff Boyd would like to start and then we have an architect out of Florida who volunteered to make a presentation, and then we can open the floor for questions for the court and then the people.

Sheriff Boyd wants to start by thanking the court for their diligence in considering this. The Sheriff states first, that this is a public safety concern that we have in Craighead County. The current detention facility was built 35 years ago. It comes down to a population increase in my mind in Craighead County, as we've grown over 100 percent in that time. Public safety has never been free unfortunately and we must decide if we want to invest in Craighead County for the future and growth. I realize times are hard and difficult and it's not easy to say we are looking at a sales tax, and at the same time I understand it is the only way Craighead County can move forward and deal with the current situation we are in today. Right now, it is dangerous for my officers that work there as well as for the inmates. If we can properly build and expand to handle the capacities that we have today, that would help alleviate a lot of the problems that we see day to day at the facility. At the same time, I can say with the current building, we would almost be wasting money to use the current building as an expansion because of the design and floorplan and the cost it would take to update the current facility to meet the need of more housing. It comes down to we're juggling every day in the jail right now of who needs to be in jail worse than the next person coming in and we want to make sure there are consequences for anyone that breaks the law and doesn't want to live as a member of society and being respectful and respecting the laws in our county, state or nation. Unfortunately, right now, we are in a situation where there are no consequences for a lot of low-level crimes. In my opinion that takes a low-level offender and turns him into a felon, after not being shown the consequences and being held accountable. Bottom line this is truly a public safety measure, and a quality-of-life measure. Sheriff Boyd thanks the court for their time and consideration and studying it. He would also like to stress to all in attendance here that this court is not voting to issue a sales tax right now and believes there is some misconception. This court is voting to just put it on the ballot in November and let the citizens of Craighead County vote on it and see if they agree.

Judge Day introduces Bill Rutherford, partner in a Florida firm, CRA Architects. Judge Day states he and Sheriff Boyd were introduced to Mr. Rutherford through the former jail administrator in Greene County about 4 years ago. Bill has been very helpful and passed through here several times. He is not under contract but has offered to give some insights into what he's seen from our jail and what happens in jails currently.

Mr. Rutherford thanks the court for the opportunity and allowing him to talk and explain some things we might want to look at and think about, and then show some examples of things they've done and give you an idea what you may be facing down the road when making decisions. There has been an expression by the Judge and Sheriff that they would like to have more than 700 beds, currently I believe they have about 380-385. You need to think about whether you are reworking or adding beds and know they are not wanting or planning a staff increase, which I don't think is doable, but we can look at it and I can talk to you about it. I want to show you how a jail works today. I am not being critical of your jail. Jails are a unique animal and people who pay for them never see them, and people that use them never help pay for them. We are currently working on jails in about 8 states right now, anywhere from about 700-800 beds to 50, depending upon the size of the community. We find as a rule of thumb that by a population of a county you can anticipate having about 6 people out of every 1000 locked up at any one time. If you have 120,000 people in your county, you are looking at about 720 beds. We also see the price or cost of jails different between the east and west coast. I consider you all to be in the central part of the country. The cost of a bed right now where you are, just discussing, is from \$110,000-\$170,000 per bed. You must consider all the things that come with that, the food service, the diet, the laundry, and all the things that it takes to make the jail work. We have been a firm that developed this, so I want to give you a better understanding and show you a jail pod that has 256 beds. You can see the corridor that goes right down the middle of the jail, but it goes under the control room and all the way through. With this jail, in this pod, you can enter and walk in and walk all the way through to the other end and no inmates will hear or see you. Therefore, you can put women in a pod next to a pod that houses men,

but they never see or hear each other. This is extremely important and depends upon the management style of the staff. In this 256-bed pod, you will have one person in the control room, 24/7, that never comes out unless a shift changes. There is a rover on the floor that goes up and down the corridor. If there is an issue in the pod you will tell the officer in the control room and he can see everything, they can see every bed from the mezzanine to ground floor from the control room. The inmates cannot see them. The way we keep the inmates from seeing inside the control room is the lighting in the control room and the glass. There are also multipurpose areas in each pod that can be used in different ways, such as a recreational area or exercise room. You also see a corridor that goes all the way around the pods. All the utilities are in the back of the cells and controlled from the outside corridor, so maintenance workers are never needed inside the housing area or cells. The cells are typically premanufactured steel. Mr. Rutherford recommends steel vs concrete as concrete is like a sponge and lots of jails had major issues when covid got in the jails with absorption of bacteria and germs. The cells are powdered coated steel, so it is easier to clean than the concrete, but that's the decision of the owner. I can bring a steel cell to you for your next meeting and park it outside and let you look at it if needed. In each cell there are 2 or 4 beds, there will be a shower, a work closet. All those fixtures are made of steel. So, if you have an issue with a cell fixture, or a drain, you can go behind the cell, pull the plug on it, and find out easily what caused the obstruction and who is causing the problems. This is something that has been developed and designed over the last 10-20 years. Mr. Rutherford projects that we are going to need a 700 plus bed jail for the size of our community and that we should begin to look at a new addition.

Justice Rogers asks if this design is safer for employees, safer for the deputies, and for the maintenance crew. Justice Rogers asked if that is why it was designed this way. Mr. Rutherford answers absolutely. I designed it this way for safety and to reduce staff costs while managing and observing all the inmates. There is one person in the control room watching all 256 inmates, then a rover on the floor that walks in the corridor in case there are issues. Oddly enough, we find the majority in the control room are managed by women. The safety aspect of that with the reduction of staff, and the observation that goes on with each pod from the raised control room is a benefit. The next thing is the importance of the person that books and classifies the inmates, so you know how to separate and house them. Having options of 2 and 4 bed pods gives the classifier more flexibility. We have been doing this for 50 years and believe the design is the best way to keep staff safe, and how to use the least number of employees, and building a jail to where it will last 40-50 years in my opinion.

Justice Rogers asks as far as expansion if they've done that yet off the current design. Mr. Rutherford answers yes, we've got up to 1024 beds with 4 pods. I would see that you all would be looking to build 2 or 3 pods, looking at expanding what you'll have with a fourth pod maybe 20 years down the line. I think you have an issue here as to whether you all want to build all new, or whether you will build 2 and then renovate existing. I honestly can't answer that with any validity. But if your kitchen and your laundry work to any extent and can be renovated it will save you some money. It will be very hard, as it will have to be totally isolated throughout construction.

Justice Weinstock asks if there is any projection or consideration on what it will look like, and Judge Day answers no, they have no architectural drawing yet.

Justice Weinstock asks if the intent is to expand the jail on current property and Judge Day answers yes, it makes more sense currently to add on and work on current existing site.

Judge Day introduces others in attendance for questions. County attorney, Kimberly Dale, 2 people representing two different bond organizations, and Kyle and Todd who are our local architects working on our current courthouse project are here for general architecture questions.

Justice Barnes asks Ms. Dale, if the Ordinance is approved the way it is written and approved by voters, would the architectural plans be subject to approval by the Quorum Court before proceeding with construction. She answers that what you are allowing with this Ordinance is that you are letting this measure go to the voters, but any particular bond issues will have to come back before the Quorum Court for approval before the issuance of those particular bonds. The picking of the architects and some of the contractors that's a procurement item that is generally left to the CEO of the county, which is Judge Day, and for him to go through the bidding process of that. I am sure that he would keep you all informed. The actual decision maker for the ultimate architect contractors and all those things will be with the county judge.

Justice Barnes responds and further asks Ms. Dale about the plan, not the drapes or the tile or the wall color, the overall final plan. Whether it is a combination of new or renovating the existing, whatever it may be, the ultimate final plan. Ms. Dale answers that whatever the bid on the final plan is, then that will be the bond. Those items will have to come back to the Quorum Court and there will have to be a separate Ordinance passed.

Justice Rogers asks about the price per household. Have we figured out as a rule of thumb what the cost would be per month for a household with this. Judge Day answers yes, someone ran some numbers and that for the average household in Craighead County it would cost right at \$10.00 a month to build this facility and provide that security.

Justice Cook asks if the voters approve the measure, with the way the Ordinance is written according to the attorney, we as a Quorum Court have no say so in how this money will be spent. I agree we need a new jail, but for 35 years somebody has dropped the ball on maintenance. The Chief Deputy came in and said someone put band-aids on it, but for over 12 years I've been told we need a new boiler system. Is there a way that when something needs to be done, it gets done, because the current jail has so many things wrong with it. For 35 years true maintenance has not been done, maybe preventive maintenance. But why have the major components not been replaced?

Judge Day replies he can answer some of these questions and he believes that some of the information is outdated or incorrect, but if you really look at the life cycle of all the items, we have been replacing those items for the last 4-5 years. We redid the air conditioning 2 years ago, redid the generator last year, bought new washers and dryers 3 years ago. Speaking for previous county judges, if the quorum court is aware then you set the budget. If there is one, either the sheriff is not making the court aware and the court is not passing that, or maybe there is just no money honestly.

Justice Cook responds we may pass the budget, but we don't see how the money is spent. So are you saying that the boiler system RGB looked at 12 years ago has been replaced. Judge Day responds he would have to ask Sheriff Boyd, as he's not heard of an issue of the boiler system itself. I will say that the boiler gets inspected by the state as you know and if there was an issue with the boiler, we would deal with it. Justice Cook responds, all I am saying is that we have some maintenance issues and if there has not been, there are people that's retired out there that are feeding this information. I agree 100 percent that we need a new jail, but if the taxpayers pass this, we as a Quorum Court just don't have an open checkbook and don't need another Bono Lake on our hands. We need to be able to answer questions we're asked. I know we have local contractors that have built a jail, and that maybe you could reach out and talk to them. Judge Day answers we have. To give you reassurance, number one, you must pass the budget. And as Kimberly Dale mentioned and Justice Barnes brought up, you do have the ultimate authority of passing the budget or not. And at that time going through the sequence of events, if the voters approve this, then we would seek out proposals for contractors and architects to partner with. They will design it and plan, and then when we get a number, a hard number not just a guess, then it will come to you as a Quorum Court member to decide if that's what you want to do or if we want to do something different. I think I want to add to that. Since I've been here, I've not done one thing without asking you. I know Kimberly Dale says I have some authority in that, but I've not abused that. I really encourage you all to be involved in everything with those big decisions.

Sheriff Boyd wants to address Justice Cook regarding the maintenance. We currently have two employees that run our maintenance department that work every day. I am very proud of the work they do and of the money they save Craighead County. They work tirelessly trying to stretch every single penny they can. Now the problem we have, one issue is jail locking systems. That system is outdated and has been outdated for 25 years. There are no manufactured parts. They must go in and try to piece that together to keep it working. It will cost \$812,000 to replace. So that's the decision we are in. To address the boiler questions, we average replacing the boiler every year, the last cost I remember was \$70,000. Right now, we are spending about \$600,000 a year on maintenance at the jail on different things. That goes from water heaters, to boilers, to a/c, the generator, and things like that. I want to say that I stand behind my staff 100 percent because I see the work they do every single day. What you can't control is how many pipes are busting under the slab and things like that we can't control. Justice Cook responds that's good to know, but what I'm talking about is for major components. Instead of patching we should put good stuff in and replace.

Justice Cook stated this is going to be used for a new facility not adding on to the current. Judge Day answers that it is more than likely it is going to be an add-on. This will be a new facility added to the existing facility. If you recall in a previous meeting, we talked about the juvenile facility being in good shape and could probably continue using that. Booking is in good shape; we could continue using that.

Justice Cook asked about moving up the hill. Judge Day responds we will have a connecting hallway.

Justice Forrest asks about the flooding issues out there and to get out of that we will just be moving up the hill. Judge Day responds yes.

Justice Barnes wanted to thank the Sheriff for inviting out the University Heights Lions Club recently as he believes those type of outreach and disclosure with transparency will be crucial in moving forward to make sure that we have the best shot possible.

Judge Day opens the floor for public comments.

Chenoa Summers, 6055 Beaver Run Lane, states she can't support this measure as is. She understands we need a new jail because the inmates deserve a better quality of life. She understands that the women's unit has mold all over the place which is not a livable condition. I agree with Justice Cook that maintenance has not been kept up apparently. I do not support the expansion of the jail. We don't need to be seeking out more people to lock up, but we do need to be looking into the root causes of why there is so much low-level crime and address that and decrease recidivism.

With no other public comment, Judge Day called for a last vote on Ordinance. Roll was called, motion passed 12-1, Justice Weinstock voted against.

Ordinance will be sent to the Election Commission for placement of the ballot.

NEW BUSINESS

Resolution recommending the appointment of Ken Boling and the re-appointment of Jessica Johnson and Josh Cureton to the Cash Fire Protection District. Motion to approve was made by Justice Couch and seconded by Justice Allison. With no comments or questions, Judge Day took a vote and it passed unanimously.

Resolution recommending the appointment of Dr. James Phillips to the Craighead County Public Library Board. Motion to approve was made by Justice Tennison and seconded by Justice Roger. Judge Day asks for comments or questions.

Justice Barnes wants to thank Dr. Phillips for his military service and commend him especially for being a combat veteran and for his dental services, superior skills, and the great care he provides. One thing that stands out to me regarding this appointment is the regularity of the letters to the editor in the Jonesboro Sun. It was mentioned February 26 by the administration that it's policy and intent was to keep politics out of the library. Dr. Phillips certainly has a right to his opinion, and the big difference between this body and those of us in here, we ran for and were fortunate enough to be elected to a partisan position. This is not a partisan position, and I fully agree with the administration on keeping politics out of the library. I am somewhat shocked by this nomination given the regularity of Dr. Phillip's letters to the editor. They are often very political, and the bias is very evident upon reading them. There have been 14 letters since July 2020 that have been published in the Jonesboro Sun. That's something I took note of and in the spirit of the administration in keeping politics out of the library I feel like I have to be a no in this particular nomination. I do want to commend him for his service and his willingness to serve his community.

With no other comments or questions, Judge Day called for a vote, and it passed, 12-1, Justice Barnes voting against.

Resolution to support Brookland Fire Protection District application to the Arkansas Rural Community Grant Program. Motion to approve was made by Justice Pasmore and seconded by Justice Barnes. Judge Day called for a vote, and it passed unanimously.

ANNOUNCEMENTS

Next meeting, August 12, 2024, we will have a meal at 5:30 pm, and then have our meeting at the County Extension Office.

Judge Day commended the County IT department for the hard work wrapping up the Microsoft mishap with the county last Friday, and to state there was no data lost from an IT perspective. They did a great job!

Judge Day wanted to share that there is a scam going on regarding missed court dates from Judge Day's court and asking people to pay \$1200. Please report to the sheriff's office if you're contacted or have information. We have put this public service announcement out on our website, so share this information by helping to get this out.

PUBLIC COMMENTS

James Hinds, 508 Ridgecrest, wants to address the problems with the NEA fair. Jaycees have gone out of business, and his concern is that we will let the problem continue. We do need to have something in place to check progress to make sure this is not an ongoing problem.

Chenoa Summers, 6055 Beaver Run Lane. I want to first thank Judge Day for quickly responding to my request for use of the elevator as I have a disability. Second, I want to state my disappointment with the Quorum Court voting to approve James Phillips to the library board. He wrote a letter to the Jonesboro Sun in February stating that he doesn't think it is against the first amendment to move books around in the library and that is indeed censorship and is a blatant attack on the freedom to read.

Motion to adjourn to committees was made by Justice Rogers and seconded by Justice Barnes. Motion passed unanimously.

The meeting adjourned 6:46 pm.

Public Service Committee
7/22/2024 Minutes

Those in attendance for the meeting:

Committee Members: Chairman Justice Richard Rogers, Justice Linda Allison, Justice Brad Noel, and Justice Kevin Williams. Also attending: Justice Barnes and guest, James Elwyn Hinds.

The Public Service committee meeting was called to order at 6:47 p.m. by Justice Rogers.

Justice Rogers read a resolution where Judge Day is recommending the appointment of Sydney Ford of Bono to the Craighead County Jonesboro Public Library Board, succeeding Mark Nichols.

Justice Williams made a motion to approve, and Justice Noel seconded the motion. The motion passes 4-0 to move to the full court.

With no other business, Justice Williams made a motion to adjourn, and Justice Noel seconded the motion. All approved, and the meeting was adjourned at 6:49 p.m.

Special Finance Committee Minutes
July 22nd, 2024

Justice Longmire convened the Finance Committee meeting at 6:33 p.m. Those present included Committee members Justice Forrest, Justice Pasmore, and County Clerk, MaryDawn Marshall.

Justice Longmire led the discussion on the Appropriation Ordinance to amend the 2024 budget and add Fund 3535 Accountability Court Grant Drug Court Fund for \$2,067.00 for staff travel and training. Justice Cook made a motion to read the ordinance by title only, seconded by Justice Forrest with all in favor. After the Ordinance was read, Justice Cook motioned for its acceptance, followed by a second motion from Justice Forrest. With everyone in favor, the ordinance passed and will be brought to a full Quorum Court in August.

Justice Cook motioned to adjourn, with no other business. The motion was seconded by Justice Forrest. All were in favor, and the Finance Committee adjourned at 6:38 pm.