



# Public Safety Facility Needs and Assessment Committee

60 Central Avenue, Room 316  
Cortland, NY 13045

<http://www.cortland-co.org>

Committee

~ Agenda ~

Joseph Steinhoff

Thursday, June 15, 2017

11:30 AM

Room 304

## I. Call to Order

Attendee Name	Present	Absent	Late	Arrived
Legislative District 1 John R Troy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legislative District 8 Donnell Boyden	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 14 Sandra Price	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Assistant Brian Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 15 George Wagner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 6 Mary Ann Discenza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 12 Joseph Steinhoff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 17 Charles Sudbrink	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 11 Christopher Newell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sheriff Mark Helms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Undersheriff Budd Rigg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## II. Minutes Approval

1. Thursday, May 11, 2017

## III. Discussion

## IV. Adjournment



# Public Safety Facility Needs and Assessment Committee

60 Central Avenue. Room

Cortland, NY 13045

<http://www.cortland-co.org>

## Committee

~ Minutes ~

Joseph Steinhoff

Thursday, May 11, 2017

12:00 PM

Room 304

## I. Call to Order

Attendee Name	Title	Status	Arrived
John R Troy	Legislative District 1	Present	
Donnell Boyden	Legislative District 8	Present	
Sandra Price	District 14	Present	
Brian Parker	Assistant	Present	
George Wagner	District 15	Present	
Mary Ann Discenza	District 6	Present	
Joseph Steinhoff	District 12	Present	
Charles Sudbrink	District 17	Present	
Christopher Newell	District 11	Present	
Mark Helms	Sheriff	Present	
Budd Rigg	Undersheriff	Excused	
Karen Howe	County Attorney	Present	
Richard Bushnell	District 4	Present	
Kevin Whitney	District 13	Present	
Gordon Wheelock	District 10	Present	
James Denkenberger	District 16	Present	
Ralph Canfield	Treasurer	Present	
Mahlon Irish	Cortland County Fire	Present	
Karen Fuller	Deputy Clerk of the Legislature	Present	
Nick Graziano	Cortland Standard	Present	

## II. Minutes Approval

Tuesday, April 25, 2017

## III. Public Portion

Mr. Steinhoff expressed appreciation to members for agreeing to change the date of the meeting to allow him to be present. He reported having had a meeting in Albany with Senator Seward members of the NYS Board of Corrections and the Governor's staff regarding the proposed jail project. He read the report provided to members of the Committee that outlined a variety of questions that had been raised. Mr. Steinhoff said he left the meeting feeling relieved that the County did not have to rush into decisions regarding the jail.

Mr. Steinhoff then spoke of the continued discussion, which included the potential to expand the existing facility, reduction of line items of the plan, minimizing space of cells, and that it is not recommended to allow twenty-five percent double bunks since the need is minimal and requires pre-screening of inmates for compatibility. He is pleased that the County is not in a position to be pushed to

borrow funds for a jail project and said the Committee needs to decide how to proceed.

Mr. Wagner said he had hoped there would be funds available and was disappointed there are not. He noted that several counties built their jail by raising the sales tax for the period of time required to pay it off. He said the suggestion was made, however, was voted down by the County.

Mr. Boyden reiterated the statements regarding double bunking and noted there is a need to continue to move forward to avoid future difficulty.

Mr. Canfield shared the following items discussed during the meeting:

- The Commissioners said it is possible to build vertical, however, this would require increase staff and is the most expensive choice; single floor jails seem to be the preferred design.
- Never build excessively in anticipation of having board-in revenue.
- With regard to a jointly owned facility, at this time there are none within the State. In order to have a joint facility it would require legislation, setting up a new taxing authority with a separate Board with representation from both counties. In addition, there is a form CL217 that would need to be completed, which is very difficult. All decisions would be shared by both counties.
- The best possible way to pay for a jail project is through additional sales tax, which has occurred elsewhere but was voted down. Another way is through the distribution of current sales tax, which would be difficult to get towns, villages, and the city to do. Increasing property tax for the project is not an option due to the current budget constraints due to the tax cap. Although the Constitutional tax limit would not be impacted as the project would be considered exempt there is no solution from a financial standpoint. The County is still getting good interest rates on bonds at 3.05% based on our AA rating. If the debt were doubled it could affect the rating and rates. This combined with the fact that property assessments are not at full value, which puts us at one of the bottom counties in the State makes it difficult.

Mr. Steinhoff asked what the County share of sales tax is. Mr. Canfield replied \$28 million and the County retains 53 percent of it with one percent going towards the communications project. He spoke of recently attending a National Association of County Treasurers meeting and spoke to others about funding. During the discussions it was noted that of the 10-15 at the table 7 do not share the sales tax revenue and those that did share less than 10 percent of it. The Chairman of the Association was one that did not distribute the sales tax. Some said they funded the cost of a new jail with the sales tax, even though towns and the county had financial stress. Upon the jail being paid (seven years), one county shared 3 percent of the revenue. Mr. Canfield believes the fact that the County is not at full assessment contributes to the financial problems being faced.

Mr. Sudbrink said he agrees in part about the taxable value within the County. He said the levy is

what drives the taxes and we are taking the same amount as larger counties. He also said the sales tax is the second highest revenue of all. Mr. Wagner said the problem is spending more than is coming in. If the County shared a jail it would not be operated by the Sheriff and would require additional spending and does not believe it would be beneficial.

Sheriff Helms spoke of the need to work together and understand it should not be an argument of what needs to be done. He can provide information on what is needed and the Legislature needs to determine where to find the funds. Sheriff Helms noted that the project had already begun when he was elected Sheriff and he clarified what is needed and that if it is not affordable it cannot be done. With regard to adding another floor to the existing building he does not agree it could be done without exorbitant budget increases due to the number of staff that would be required. Unlike construction costs, personnel costs continue after the project is completed. In addition, he does not think it would be possible to undergo a construction project building up without necessitating board-out of inmates. Mr. Parker said he does not know how you could build up without removing the existing roof.

Sheriff Helms said he agrees that it is best not to utilize double bunks and that moving people is one of the largest problems faced within the facility. He also said he has not said anything relating to building at the other site and believes there may be a misconception. Sheriff Helms spoke of *prisons* closing and people view that the same as the jail, which it is not. He said costs are going up and there are time limits for the variance. The housing numbers was carefully reviewed and he could say what size it should be. Sheriff Helms does not believe building/renovating the current site would work but if it is the choice of the Legislature he would like to work together for the best outcome.

Mr. Troy commended Mr. Canfield for his participation regarding the jail project. He believes that in order to finance the project an agreement should be made regarding sales tax distribution. Mr. Troy noted municipalities are hoping to go back to the agreement prior to the communication project but that sales tax is the only way to avoid increased property taxes. Ms. Howe clarified that under law the County is not obligated to share its sales tax; it has simply chosen to do so. Mr. Troy noted not sharing sales tax would have an severe adverse consequence for the smaller towns that rely on the funds for their operations.

Mr. Whitney said several legislators have mentioned hearing the jail had to be built, however, if one reviews the executive summary everything was optional. He noted many things said did not come from the initial committee and that it is necessary to make a recommendation on what is believed to be the best option and others can agree or disagree. He is not certain that with the amount of work that would be required at the existing facility if the inmates could remain at that location. Mr. Whitney then spoke of a concern that there are 60 homeless parolees in the county on a monthly basis, many of which are not residents. If heard there are problems with the current jail why work with SMRT; he doesn't believe it is possible to go vertical. Mr. Whitney said the County needs to make a decision.

Mr. Steinhoff said the Committee could take the \$48 million proposal to the full Legislature, however the question is how much to spend. The Committee could ask SMRT to provide assessments for the current and proposed locations to find out the cost estimates. Mr. Boyden said it may be necessary to consider the possibility of adding on at a late date. Mr. Sudbrink said everyone is saying do not make the

same mistakes as in the past; it was planned to expand on the current jail previously. Sheriff Helms said the boiler and kitchen in the existing jail were not built to handle more than it currently is. Mr. Parker agreed that the kitchen is not capable of handling another hundred inmates. Mr. Boyden said it was not said that the current jail could not be built on vertically, just that it is not recommended.

Sheriff Helms appreciated the opportunity to sit with others and discuss the jail project and noted that he is submitting a report on the progress every three months.

Mr. Boyden stressed the importance of making a decision of what the County can do and do it right. In response to Mr. Sudbrink's question of how to pay for the project, Mr. Boyden said it would require bonding.

Mr. Whitney spoke of the various discussions on how to pay (sales tax, bonding, tobacco funds) and that there is not consistent assessments within the County (some at 70-80 percent of value and others 80 - 90 percent of value). Mr. Wagner said the .5% sales tax increase would have helped; Mr. Sudbrink said people disagree on it being fair.

At this time a discussion of how to proceed took place, with individuals expressing concern regarding the current shortfall and potential increase of property taxes that would be required to move forward. Mr. Steinhoff expressed his belief that it would be important to ask SMRT to look into options to build at the current site of the jail versus the proposed site.

It was MOVED by Mr. Wagner, seconded by Mr. Sudbrink to put a hold on the project until the budget shortage (\$3.2 million) has been rectified. In addition he spoke of speaking to SMRT to provide cost estimates. Ms. Howe said she would speak to SMRT to determine what the contract would allow them to do. She also said they had done some preliminary work on the potential use of the current site. Discussion continued, leading to Mr. Wagner withdrawing the original motion.

Following the continued discussion regarding what steps should now be taken it was MOVED by Mr. Wagner, seconded by Mr. Newell, to direct the County Attorney to enter into discussions with SMRT to request schematic designs of a full renovation/expansion of the existing jail facility (to include possible board-out outcomes) and cost analysis.

It was noted the work should include single-bed cells at the smaller size versus double-bunk cells.

A voice vote on the motion resulted as follows:

Ayes - 9 - Legislators Boyden, Price, Wagner, Discenza, Steinhoff, Sudbrink, Newell; Sheriff Helms; Mr. Parker.

Noes - 1 - Legislator Troy

Excused - 1 - Undersheriff Rigg

**Discussion Item (ID # 4546)**

Handouts - May 11, 2017

**RESULT:            COMPLETED**

Minutes Acceptance: Minutes of May 11, 2017 12:00 PM (Minutes Approval)