

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Preston Stone, Chair
Dallas Draper, Vice Chair

Thomas F. Stewart, Member
Elaine Allen, Member
Lynn Willard, Member

Minutes Wednesday April 26, 2017

Minutes of the Special Meeting of the Lincoln County Commission held at 8:30 A.M. on April 26, 2017 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. Call to Order

Chair Stone called the Special Meeting of the Board of County Commissioners to order at 3:04 PM.

2. Roll Call

Roll Call.

Present: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and Whitney Whittaker, Chief Deputy Clerk.

3. Invocation

The invocation was presented by Commissioner Draper.

4. Pledge of Allegiance

- a. Pledge – US Flag
- b. Salute – NM Flag

5. Approval of Agenda

Motion: Acceptance of the Agenda and authorized the Chair to move items as necessary.

Action: Approve, Moved by Commissioner Stewart, Seconded by Commissioner Allen.

Vote: Motion carried by unanimous vote (summary: Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

6. Consider options and award of Interim Management of Lincoln County Detention Center to a Contract provider until such time as the Request of Proposal 16-17-008: Operation of Lincoln County Detention Center has been awarded and a Contract negotiated with the successful Offeror.

Nita Taylor, Manager discussed an informal notification received April 6, 2017 from Emerald corrections terminating its service of operation of the Lincoln County Detention Center. Ms. Taylor stated she and County Attorney Alan Morel were working closely with Emerald to ensure a smooth interim transition pending the results of the Request for Proposals (RFP) issued for a replacement operations and management team to oversee the Detention Center. Emerald Correctional Management issued its formal termination of Operation of Lincoln County Jail at 5:00 PM on April 28, 2017.

Attorney Morel informed he and Ms. Taylor were in contact with two different companies, LaSalle Corrections and P3 Resource, regarding the new management of the Lincoln County Detention Center. Attorney Morel stated an RFP was issued on April 13, 2017 with a deadline to submit proposals by May 19, 2017. Attorney Morel stated the proposals would be presented during the May 16, 2017 Regular Commission Meeting. Attorney Morel stated the contract reads the new operator will assume operations over the Detention Center June 17, 2017. Attorney Morel

discussed the date may vary depending on the approval from the NM State Risk Management Division and the State Board of Finance.

Attorney Morel informed LaSalle currently operates eighteen jails and agreed to take over operations beginning April 28, 2017 at 5:00 PM for the duration of the three month current contract or as long as it takes for the RFP to take effect. LaSalle Interim operation and management agreed to take on all current employees and associated salaries, provide insurance to all employees, and adhere to the requirements set forth in the agreement. Attorney Morel informed LaSalle would respond to the RFP. Attorney Morel indicated LaSalle estimated costs of \$235,000 a month plus a \$15,000 management fee.

Attorney Morel stated he filed a Complaint for Interpleader of Funds against Emerald Correctional Management with the 12th Judicial District Court on April 26, 2017.

Chair Stone questioned if Lincoln County was within their guidelines pertaining to the procurement code.

Attorney Morel stated Lincoln County had certain obligations which needed to be addressed to currently operate and to continue to operate the Detention Center. Attorney Morel stated every effort was made to comply with NM State Statutes but the fact that Emerald gave a one day notice of termination made things difficult.

Commissioner Willard expressed concerns about the unpaid expenditures inherited from Emerald and asked if the company was bonded.

Attorney Morel stated he would review the contract but expressed belief the responsibility for debts was included in the original contract. Attorney Morel stated that Emerald currently had insurance for the facility.

Commissioner Draper questioned the length of interim agreement and whether the agreement could be extended and for how long.

Attorney Morel stated that the agreement was for three months but language was included to allow for an extension for a total of six months.

Tim Kurpiewski, Director of Finance for LaSalle Corrections of Texas indicated he had thirty years' experience as a Certified Public Accountant and twenty-one years in corrections. Mr. Kurpiewski informed LaSalle's main headquarters were in Ruston, Louisiana. Mr. Kurpiewski stated LaSalle currently managed 18,000 beds and has 3,000 employees throughout Texas, Louisiana, Georgia and Arizona. Mr. Kurpiewski indicated the company was privately owned and Christian based. Mr. Kurpiewski informed LaSalle carried its own insurance and life insurance.

Chair Stone raised concerns about retaining the current employees and maintaining benefits compatible with New Mexico standards.

Mr. Kurpiewski stated LaSalle had its own private insurance which was compatible with New Mexico standards. Mr. Kurpiewski stated the company would try to work with local providers to add them to the plan.

Chair Stone and Commissioner Draper questioned the policies and procedures of LaSalle and if the operations in the jail would remain as they are currently:

Mr. Kurpiewski indicated they would follow the current structure of policies and procedures. Mr. Kurpiewski stated regular visits to the facility would take place and LaSalle would provide a point of contact for the Detention Center. Mr. Kurpiewski stated the employees would have access to their Human Resources and Payroll Departments to set up their individual plans. Mr. Kurpiewski stated the point of contact would be Rodney Cooper, Vice President of Operations for LaSalle

There was a general discussion about working with outside entities such as the Bureau of Indian Affairs to help offset costs for Lincoln County.

Commissioner Willard questioned if LaSalle as a privately owned company provided stock options. Commissioner Willard also questioned if the management fee of \$15,000 plus expenses would increase monthly. Commissioner Willard also questioned whether the contract allowed for volunteer work, stating he would like to see more volunteers working with inmates in the detention center.

Mr. Kurpiewski stated no stock options were issued by the company. Mr. Kurpiewski indicated the company would need time to review the daily operations to determine the expenses associated but hoped the management fee would decline once a routine was set. Mr. Kurpiewski also encouraged volunteer work and stated this would be included in the operations.

Motion: Enter into the interim agreement with LaSalle Corrections and give authority to the county manager to work with contractual companies and maintain a file on the interpleader of funds filed in District Court.

Action: Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous vote (summary: Yes = 5).

Yes: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

7. Next Meetings:

- a. May 2, 2017 - Special Commission Meeting
- b. May 16, 2017 - Regular Commission Meeting

8. Adjournment

There being no further business to come before the Board of County Commissioners, Chair Stone adjourned the meeting at 4:00 PM.

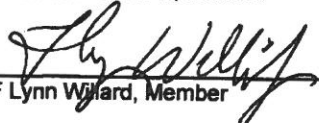
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ATTEST:


Rhonda Burrows, County Clerk

May 16, 2017
Date Approved

