

Resolution 2018-005

RESOLUTION CREATING AN AD HOC ADVISORY COMMITTEE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE AGREEMENT BETWEEN ALBANY COUNTY, WYOMING AND THE CITY OF LARAMIE, WYOMING AS TO THE COSTS FOR HOUSING PRISONERS IN THE ALBANY COUNTY JAIL.

WHEREAS, on August 26, 1992, the Board of County Commissioners for Albany County (County), the Albany County Sheriff (Sheriff), the Jail/Communications Center Joint Powers Board (Board) and the City of Laramie, Wyoming (City) entered into a financing agreement (Agreement) for the construction of a facility which would contain a new County jail as well as a communications and records center to be used by County and City.

WHEREAS, as part of the Agreement, County and Sheriff agreed that they would not charge City for the care, incarceration, board, medical expense or any other expense associated with any prisoner who is housed at County jail and is charged or sentenced on City municipal ordinances. In exchange for County not charging a cost to City for housing these prisoners at County jail, City pledged \$328,700 per year of its mineral royalty income for 10 years and issued revenue bonds in the amount of \$2.4 million to be used to fund the shortfall in the construction of the jail\joint communication and records center.

WHEREAS, to date, City and County have complied with all financing of construction and operational provisions of Agreement relating to the jail\joint communication and records center.

WHEREAS, the provisions of Agreement relating to City housing of prisoners charged or sentenced on municipal ordinances at the jail at no cost is set to expire July 1, 2020 unless revoked by the County.

WHEREAS, pursuant to Wyo. Stat. § 18-6-316, County Sheriff, subject to the approval of County Commissioners, may contract with any municipality in Wyoming for the housing of prisoners charged or sentenced for municipal ordinance violation in the County jail.

WHEREAS, pursuant to Wyo. Stat. § 15-1-129, City may contract with Sheriff to house prisoners charged or sentenced for municipal ordinance violations in County jail.

WHEREAS, the County desires to form an ad hoc advisory committee to make recommendations to County Commissioners as to the cost to City for placement of prisoners who are charged or sentenced on municipal ordinances at County jail.

WHEREAS, County finds it to be in the best interest of the City, County, and public to create such Ad Hoc Advisory Committee for the purposes recited below;

NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, RESOLVE:

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

Section 2. Committee Creation. That there is hereby created an Ad Hoc Advisory Committee to be commonly known as the Jail Committee.

Section 3. Members Appointed. That County Commissioners shall appoint the following members to the Jail Committee:

1. Sheriff David O'Malley, Albany County Sheriff;
2. Lieutenant Ben Fritzen, Albany County Sheriff's Office, Detention Center;
3. Chief Mike Samp, University of Wyoming Police Department;
4. Peggy Trent, Albany County Attorney;
5. Linda Simpson, County Treasurer;
6. Jackie Gonzales, County Clerk;
7. Heber Richardson, County Commissioner;
8. Dr. Eric Wodahl, Professor at University of Wyoming, Criminal Justice Program; and
9. City Council will designate three (3) individuals to serve as representatives of City who will be appointed to Jail Committee.

Section 4. Term of Appointment. That the members of the Jail Committee shall serve for one (1) year from the date of their appointment and shall serve without compensation.

Section 5. Vacancies. That vacancies on the Jail Committee, should they occur, shall be filled by the County Commissioners for the unexpired term of the member whose place has become vacant.

Section 6. Conduct of Meetings/Quorum. That Albany County Sheriff David O'Malley will serve as the Chair of the Jail Committee. County Attorney, Peggy Trent shall serve as Secretary to provide minutes of meetings, draft written report and recommendations to County Commissioners for Jail Committee's review and approval and assist Chair and Jail Committee in obtaining information as requested. Meetings of the Jail Committee shall be set and held at the call of the Chairperson. All meetings shall be open to the public and duly noticed and conducted in accordance with the Open Meetings Act. The presence of eight (8) members shall constitute a quorum for the conducting of business and the holding of any meeting. The Jail Committee shall act only with the concurring vote of eight (8) members. The Chairperson shall have the power to vote. The Jail Committee shall keep verbatim minutes including motion of its proceedings, showing the vote of each member on every question.

Section 7. Charge of the Committee. That the role and responsibilities of the Jail Committee shall be as follows:

1. Analyze data, and information regarding the total number of City prisoners who are charged or sentenced on municipal ordinances at the County jail, type of offenses housed at County jail, length of stay of prisoners and the associated costs to County as well as payment of costs by City for prisoners housed in County jail;

2. Explore legal alternatives to defray costs to City and County for housing these City prisoners at the County jail and associated costs, and

3. Draft written report and recommendations to County Commissioners as to the cost to City, if any, for placement of prisoners who are charged or sentenced on municipal ordinances at County jail.

Section 8. Timeline for Contemplated Work. That the Jail Committee shall deliver to County Commissioners, no later than December 1, 2018, its written recommendation of its review. The Jail Committee will also provide an oral presentation on its written recommendation. The report and recommendation shall include a summary of the information reviewed and considered by the Jail Committee, fiscal impact, if any, and final recommendations as to cost to City, if any for placement of prisoners who are charged or sentenced on municipal ordinances at County jail. The recommendations shall be in writing and, once submitted to County Commissioners, shall be considered a public document.

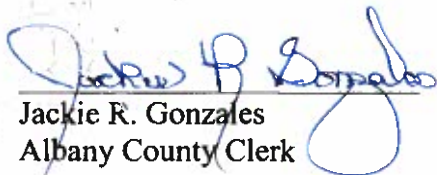
PASSED, APPROVED, AND ADOPTED this 20th day of February, 2018.

THE BOARD OF COUNTY COMMISSIONERS OF
ALBANY COUNTY, WYOMING



Tim Chesnut, Chairperson

ATTEST:



Jackie R. Gonzales
Albany County Clerk