MINUTES

MIDDLE PENINSULA JUVENILE DETENTION COMMISSION

Meeting of December 11, 2015

A MEETING OF THE EXECUTIVE COMMITTEE OF THE MIDDLE PENINSULA JUVENILE DETENTION COMMISSION WAS HELD ON DECEMBER 11, 2015 AT 11:00 A.M. IN THE CONFERENCE ROOM OF WILLIAMSBURG MUNICIPAL BUILDING, WILLIAMSBURG, VIRGINIA. CHAIR JIM TAYLOR, CALLED THE MEETING TO ORDER. THE FOLLOWING PERSONS WERE PRESENT:

KENNETH EADES – NORTHUMBERLAND COUNTY
VIVIAN MCGETTIGAN – YORK COUNTY
MORGAN QUICKE – RICHMOND COUNTY via phone
PHILIP SERRA –WILLIAMSBURG CITY
JIM TAYLOR - HANOVER COUNTY

GINA MINGEE – EXECUTIVE DIRECTOR
ROGER WILEY - COUNSEL
SANDY SCHUBERT – CLERK

ABSENT:
ALAN PARTIN – CAROLINE COUNTY
RANDY WHEELER - POQUOSON CITY

The Chair opened the meeting and determined that a quorum was present. Mr. Taylor moved to amend the agenda to include a closed session to discuss the Executive Director's review. Mr. Quicke seconded and motion carried unanimously.

RE: APPROVAL OF MINUTES FOR SEPTEMBER 25, 2015
The minutes of September 25, 2015 were approved as submitted.

RE: FINANCIAL REPORT
Ms. Mingee said the member's average daily population (ADP) is at 30, but it increases to 36 with state held juveniles. York, Caroline and Gloucester Counties have the most child-care days so far this year. Mathew and Middlesex Counties have both exceeded their annual projected usage. The statistical report remains the same with burglary, larceny and receiving as leading reason for juveniles to be detained.

Ms. Mingee reviewed the financials for period five noting that the cash is high right now due to the DJJ prepayment for community placement program juveniles and the quarterly block grant funding. She also noted that James City County did not deduct for payroll, credit card charges or include some bank deposits for that period. Even with these factors, revenues are on target at 41 percent, while expense are lower than expected due on most part to these errors. Ms. McGettigan inquired about monthly billing vs. quarterly or annual. Mr. Taylor explained that it was part of the service agreement and the committee was reviewing that item along with others.

Ms. Mingee explained that the salary expense line items of full-time, part-time and on-call were difficult to predict for budget, noting factors such as high juvenile population, employee sick time, employee injuries and annual leave. She pointed out that the net of these line items are still within budget range for this time period. Mr. Serra inquired about the turnover rate for employees and its' effect on the budget. Ms. Mingee explained that it is high at 25% mostly due to the rotating schedule. Reviewing the balance of the expense line items, Ms. Mingee said that garage expense is high because of continued repairs on one older van, but that our new van has been delivered and will soon be fitted for security window restraints and put into the fleet. The bed-space expense line will continue to be above budget due to the placement of a juvenile at another facility for his safety. Ms. Mingee stated the debt service was paid out in December.

Mr. Serra asked what the Virginia Retirement System (VRS) rate would be for the next two years and Ms. Mingee explained that we have not received that information from James City County. Mr. Serra inquired about the feasibility of obtaining a separate VRS account for the Center and stated that he would speak with James City County and VRS regarding this possibility.

RE: ATTORNEY'S REPORT

Mr. Wiley attended the Virginia Juvenile Detention Association (VJDA) meeting at the Homestead where he reported that Mr. Gore was successful in getting the Department of Medical Assistance and the Department of Social Services to continue Medicaid while adult inmates are in the hospital and he hopes that juvenile inmates will be included in this program in the future. He said that DJJ assured him that the proposed new state facilities would not reduce the number of Community Placement Program juveniles coming to the Merrimac Center. Ms. Mingee stated that combined the new state facilities will only house 152, much lower than the 600 bed facilities that are being closed. She also mentioned that DJJ has added two more CPP locations, which solidifies the trend toward this new program.

Mr. Taylor asked if there was any discussion regarding the Fair Labor Standards Act proposed change to the annual salary requirement for overtime and if any of Merrimac's salary employees might fall into this category. Ms. Mingee said that she would research this and get back with the committee.

RE: OLD BUSINESS

Mr. Taylor said that the Service Agreement Committee intended to meet before today, but scheduling for all members didn't permit the meeting. He will contact Mr. Peck to plan another meeting and to find out the status of the discussions. He said that it would be good to bring these discussions to a final conclusion. It would be very beneficial to have Ms. McGettigan's expertise in these discussions. Mr. Taylor reminded all that changing the Service Agreement is not possible if all jurisdictions aren't in agreement.

RE: NEW BUSINESS

Mr. Taylor said that with Mr. Eades' retirement, there will be a vacancy on the executive committee, which will need to be filled at the next full commission meeting. Mr. Taylor said that Mr. Curry has expressed interest in serving on the committee. Ms. McGettigan asked how committee members are recruited. Mr. Taylor explained that because of the additional time commitment, members are usually asked if they would be able to serve and nominations are accepted from the floor of the full commission and put to a vote.

Ms. Mingee said that although she has gone to meetings at DJJ for CPP, it wasn't until the last meeting that they brought out the nursing requirements to participate in CPP. They break it down by levels with level one servicing juveniles with very few medical issues and level two servicing juveniles with some medical issues that are controlled with medication and then juveniles in the final level would have issues that would require a registered nurse (RN) on duty 24 hours a day. Most of the juveniles we receive will be level two and we will never receive level three. Level two requires that an RN be in the facility five days a week and be on-call at other times. Along with that, we will need a medical provider who would be able to prescribe medication and review health physicals and the nursing records all within seven days of the juvenile's arrival. To meet these requirements, we will have to hire a RN and contract with an outside nurse practitioner. Ms. Mingee stated that budget constraints will not support both a registered nurse and a license practical nurse (LPN) and asked the executive committee for their recommendation. After much discussion, it was determined that a RN would be hired and time would be given to the LPN to find another position.

RE: DIRECTOR'S REPORT

Ms. Mingee said that she applied for and was awarded a Virginia Juvenile Justice Association training scholarship allowing her to travel to the National Partnership for Juvenile Services conference in March.

The Department of Criminal Justice Services, through a Federal Juvenile Accountably Block Grant, is recommending that a portion be redistributed to the detention centers through a grant process. This should give us an additional $10,000 if we are able to find programs that fit into the required categories.

The center is considering adding a post-dispositional "2" program for the juveniles that have completed the original program, but are returning to the center. This program would have additional requirements for the juvenile and as a six month program could provide another funding stream to the center.

Merrimac will be the first detention center to assess a committed DJJ juvenile. These juveniles have been committed but may be staying with Merrimac or coming here from another detention center in order to complete their physicals and mental health evaluations that had previously been done by The Reception and Diagnostic Center that closed. These reports would be sent to the state to determine if the juvenile would be eligible for CPP at the Merrimac Center.

Ms. Mingee said that an employee who did not report, per policy, a criminal charge will be suspended until the outcome of the court hearing. She also relayed that the Daily Press reported the attack of two of our juveniles on a staff member and although no one was harmed, we did file charges against the juveniles; the youth who was certified as an adult was transferred to jail.

The roof repairs are complete and cleanup will be done this week to the recreation yard. We just had our DJJ monitoring visit with our new certification analyst and all went well except for a few medical issues which are being addressed and a corrective action plan prepared.

RE: CLOSED MEETING TO DISCUSS PERSONNEL MATTERS

Mr. Taylor asked for a motion that the meeting be convened in closed session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia pertaining to a personnel matter involving the performance evaluation or job assignments of specific employees. Mr. Quicke made the motion, seconded by Mr. Serra. The motion carried unanimously and the meeting went into closed session at 12:07 P.M.

RECONVENE

Mr. Quicke moved to reconvene to open session at 12:15 P.M., seconded by Mr. Serra. Motion carried unanimously.

CERTIFICATION

Mr. Taylor moved that the Middle Peninsula Juvenile Detention Commission certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion. A roll call vote was taken:

KENNETH EADES	yea
VIVIAN MCGETTIGAN	yea
MORGAN QUICKE	yea
PHIL SERRA	yea
JIM TAYLOR	yea

Certification Adopted

The Committee requested of the Executive Director that she prepare a one-page document outlining her accomplishments and goals for the Full Commission's review prior to them completing a survey for her annual evaluation.

RE: ADJOURNMENT

On motion made by Mr. Quicke seconded by Mr. Serra the meeting was adjourned at approximately 12:20 P.M.

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Jim Taylor, Chair
Middle Peninsula Juvenile Detention Commission