MINUTES

MIDDLE PENINSULA JUVENILE DETENTION COMMISSION

Meeting of June 17, 2016

A meeting of the Executive Committee of the Middle Peninsula Juvenile Detention Commission was held on June 17, 2016 at 11:00 a.m. in the conference room of the Williamsburg Municipal Building, Williamsburg, Virginia. Chair Jim Taylor, called the meeting to order. The following persons were present:

Tom Gooding – Poquoson City
Morgan Quicke – Richmond County
Philip Serra – Williamsburg City
Jim Taylor – Hanover County

Gina Mingee – Executive Director
Jeff Gore – Counsel
Sandy Schubert - Clerk

Absent:
Garrey Curry – Gloucester County
Alan Partin – Caroline County
Vivian McGettigan – York County

The Chair opened the meeting and determined that a quorum was present.

Re: Approval of the Minutes for March 25
Mr. Serra moved to approve the minutes of March 25, 2016, seconded by Mr. Taylor. Motion carried unanimously.

Re: Financial Report
Ms. Mingee reported that Hanover, James City and Gloucester Counties were among the highest users of the Center during the month of May. The member's average daily population (ADP) for May was only 21 and 27 for year-to-date, but with the addition of the state Community Placement Program (CPP) and the Re-entry Program juveniles, the ADP rises to 35. The leading reasons for juveniles to be placed at the Center continue to be burglary/larceny and probation/parole violations.

Ms. Mingee reviewed the balance sheet noting that the cash balance has been consistently higher than the 60 day Service Agreement requirement. This being the case, she proposed that we no longer require members to pre-pay a month in advance to supplement cash flow. This would reduce the bank account somewhat, but still keep it within the Service Agreement's requirements. In doing this, the members would receive either a bill showing the pre-payment credit to their June usage or if they had no usage in June, they would receive their pre-payment back in the form of a check. After a short discussion and with the consensus of the members present, it was decided to discontinue the practice of pre-billing members.

A review of the revenue shows that although we should be at 92 percent of budget, the member's contribution is at 82 percent. It was also noted that while income from the Re-entry Program was less than anticipated, the income from the Community Placement Program (CPP) made up the difference. The expenditures reflect budget line-item adjustments that bring year-to-date budget estimates closer to actual costs.

Re: Attorney's Report
Mr. Gore continues to follow the Department of Juvenile Justice (DJJ) transformation workgroup which intends to shut down two large facilities to open smaller local facilities. Mr. Taylor said that he spoke at the last workgroup meeting on behalf of the Merrimac Center letting them know that we value CPP and appreciate their new approach to reduce recidivism. He also said that the Center would continue to be a part of CPP as long as the state funding continues and hoped that the DJJ savings from this program will go to back into local community services. Ms. Mingee said that the state, along with closing facilities, has plans to cut more positions by next July which should allow for more savings back into the community services.

Ms. Mingee said that DJJ Deputy Director spoke at the Virginia Juvenile Detention Association (VJDA) meeting last week and, while they intend to open a facility in Chesapeake, they are considering renovating the Bon Air Juvenile Correction Center. Mr. Gooding said that if the state should close Bon Air, the land would revert back to the original owner, so a renovation is most likely to happen. Mr. Gore said that a letter from the Commonwealth's Attorney's Association objected strongly to the closing of the two large state facilities.

Mr. Gore said that he was helping the Center with an insurance claim issue and that Ms. Mingee would explain in more detail later in the meeting.

Re: Old Business

Mr. Taylor said that based upon discussions from the last full commission meeting, he drafted proposed changes to the Service Agreement. The updated agreement would remove Section 2.3 Agreement to Finance since it was part of the initial construction cost of the Center. Section 3.7 Annual Budget would change to an annual assessment based on a rolling five-year utilization average. Additionally, the amount of the annual capital budget will be divided equally among all Member Jurisdictions and this amount will be added to the annual assessment. Section 3.9 Preliminary Responsibilities would be removed since it is no longer relevant. Section 4.1 Payments from Member Jurisdictions (b) would change the invoice to quarterly; (c) clarifies that the minimum member contribution would be based upon an annual assessment. Mr. Serra explained that with the five-year averaging any operating surplus could be rolled into the next year's budget, thus reducing the amounts a member would pay in that year. Mr. Taylor also said that if there were to be an operating surplus at year-end, items such as a new van could be purchased with the funds.

Mr. Quicke suggested that before emailing the proposed changes to other members, the executive committee should meet with the commission members who might need more clarification of the Service Agreement changes.

Re: New Business

Mr. Gore addressed the question of state funds covering employee salary increases. He was unsure if the increase were to be given now, but the state doesn't have the funding until later, would we be required to give an additional salary increase later to get the funds.

Ms. Mingee stated that the last full commission meeting questioned if a bonus should be given on July 1 for part of the increase and the balance as a salary increase on December 1. Mr. Serra asked if any additional state funding was included in the amended FY17 Budget's revenue. Ms. Mingee explained that state funding was not included; the budget changes were based upon the funding from the new MOA with DJJ for females.

Mr. Quicke moved to approve a two percent salary increase beginning July 1, 2016 as approved by the FY17 Budget with the expectation of receiving funding from the state. Mr. Serra seconded and the motion carried unanimously.

Ms. Mingee said that the Merrimac Center received a bill for $52,000 from our insurance company, Anthem, for the hospitalization of a juvenile who had private insurance with Cigna. Cigna is denying the claims because the child was in the Center. We presented documentation to the hospital that the mother acknowledged her responsibility for all medical treatment for her son while he was at the Center. We have asked the mother to contact Cigna and accept responsibility for these claims. Mr. Gooding explained that Merrimac is not responsible for the claims because legal custody was not taken from the parent, thus the parent is still responsible. Mr. Gore explained that he will be following up with both insurance companies.

Re: Closed Meeting to Discuss Personnel Matters

Mr. Gooding motioned 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. The motion was seconded by Mr. Serra and carried unanimously. The meeting went into closed session at 12:05 P.M.

Reconvene

Mr. Gooding moved to reconvene to open session at 12:25 P.M., seconded by Mr. Serra. Motion carried unanimously.

Certification

Mr. Quicke 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:

Jim Taylor	yea
Tom Gooding	yea
Morgan Quicke	yea
Phil Serra	yea

Certification Adopted

Mr. Serra moved to increase the Executive Director's salary by two percent effective July 1, 2016. Mr. Quicke seconded and the motion carried unanimously.

Re: Director's Report

Ms. Mingee reported that a recent intake of two females took six hours to process and involved five state troopers. The females claimed the troopers abused them, so we provided video of the intake for their investigation. The Center now has nine females and will be getting five more with the start of the new CPP on July 1.

Ms. Mingee said the teachers will provide a short period of summer enrichment to the juveniles before leaving for the summer.

The Center has filled six positions, but we still have one night shift position to fill. A supervisor who has been at the Center since it opened will be retiring at the end of June.

Ms. Mingee will be presenting before the Hanover County Board of Supervisor's next week to enlighten them on what the Merrimac Center provides for their community. And the new judge from the 15th District, Bill Lewis, will tour the Center next week.

Ms. Mingee said the health insurance premium did not increase for staff, but did increase by eight percent for the Center. Mr. Taylor asked that a statement go to out to each employee showing the amount of their increase along with the cost of their benefits.

At the last meeting Mr. Serra requested that we explore the possibility of our own Virginia Retirement System (VRS) account rather than remain under the plan of our fiscal agent, James City County. Ms. Mingee said that the minutes from 2012 indicate that Mr. Sawyer had several discussions with the VRS representatives and with Mr. Serra. It was determined then that the results of an actuarial study would not benefit the Center. Mr. Serra suggested that we look at this issue again with updated information to determine if it might benefit us now to make the switch to our own plan.

Re: Adjournment

On motion made by Mr. Quicke and seconded by Mr. Serra, the meeting was adjourned at approximately 12:40 P.M.

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Jim Taylor, Chair
Middle Peninsula Juvenile Detention Commission