MINUTES

MIDDLE PENINSULA JUVENILE DETENTION COMMISSION

Meeting of December 2, 2016

A meeting of the Executive Committee of the Middle Peninsula Juvenile Detention Commission was held on December 2, 2016 at 10:00 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:

Garrey Curry – Gloucester County
Vivian McGettigan – York County
Alan Partin – Caroline County
Philip Serra – Williamsburg City
Jim Taylor – Hanover County
Randy Wheeler – Poquoson City

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

Absent:
Morgan Quicke – Richmond County

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

Re: Approval of the Minutes for September 23, 2016
Mr. Curry moved to approve the minutes of September 23, 2016, seconded by Mr. Sera. Motion carried unanimously.

Re: Financial Report
Ms. Mingee reported that James City and York Counties were the highest users of the Center through October. Essex and New Kent Counties are over their annual projections due to post-dispositional juveniles. The member's average daily population (ADP) year-to-date is 24. The overall ADP increases to 36 with the addition of the state programs. We have just calculated the November usage and the both have increased the total, with 26 ADP for members and 38 ADP overall. As of today, there are 48 juveniles in the Center. Ms. Mingee said the leading reasons for juveniles to be placed at the Center for October were burglary/larceny and contempt of court.

Mr. Curry inquired about the total capacity of the Center. Ms. Mingee said that the Center has 48 beds and 5 special purpose cells for a total of 53. She further explained that the Department of Juvenile Justice (DJJ) requires that our average capacity not exceed 48 each month. She said that the Center has several referrals waiting to go into the community placement program (CPP) which would increase the population if we choose to accept the juveniles. Ms. Mingee said that the recent increase in population will bring an increase in over-time and on-call expenses, especially during the upcoming holidays when staff will take time off.

Ms. Mingee stated that revenue includes two months of CPP and DJJ block grant prepayments. She noted that a separate revenue account has been opened for the new state assessment program that began in April. And she reminded the committee that member contributions reflect only the cash collected from the previous month's billing without the monthly pre-billing, as was our practice in previous years.

The overall year-to-date expenditures are below budget even though a few line items are over. Ms. Mingee said that most of the overages are for the line item expenses directly relating to our three year DJJ licenser audit. The staff development line includes annual training for girl's circle and gang awareness completed early in the fiscal year. Also included in the year-to-date expenditures are new washers and dryers along with the partial payment on the new phone system.

Re: Attorney's Report
Mr. Gore said that the Merrimac Center's auditors, after speaking with the state auditor of public accounts and the staff attorney for the ethics commission, stated that our commission members must complete annual disclosure statements. He said that the referenced Virginia Code does not specifically state that a *commission* must file disclosure statements; it only refers to a *governing body*. Mr. Gore said that there is a misinterpretation of the statute

and he will speak with the attorney from the ethics commission regarding the code. His legal opinion remains that the commission members not file the disclosure form, but he will continue to follow this issue and report any changes to the law. Mr. Taylor said that most members file disclosure forms with their localities and those could be accessed if needed.

Re: Old Business

Mr. Gore said that King and Queen County is in support of the 5 year averaging change to the service agreement, but they suggested a cleanup of some obsolete language within the agreement. Mr. Gore will prepare a draft of these changes and send it for review by year-end with hopes taking the final service agreement changes to all boards in early spring. Mr. Taylor asked that the draft also include quarterly rather than monthly payments from members. Mr. Wheeler discussed the difficulty of members preparing current budgets without a clear understanding of the financial impact the changes would have on each jurisdiction.

Re: New Business

Ms. Mingee said that DJJ just issued the final allocation for FY18 and our income projections for this line item fall short by $40,000. This calculation is directly related to the drop in the number of juveniles from members. We hope to make up this shortfall with the increase in the number of juveniles in our state programs.

Ms. Mingee said that the Virginia Retirement System has to determine eligibility before processing our request for an actuarial study, which will cost $1,250.

Due to the high turnover in the accounting department of James City County (JCC), the past year has brought a lot of back and forth conversations in order to get correct financials for the Merrimac Center. JCC Financial Director, Sue Mellon, and Assistant Director, Sharon Day asked for a meeting to go over the problems with Ms. Mingee. With the same goal in mind, Mr. Taylor and Ms. Mingee met with JCC Assistant County Administrator, Jason Purse to give him a tour of Merrimac in the hopes of improving relations between Merrimac and JCC. Mr. Taylor explained that although he reached out to Mr. Purse as a peer, the meeting was apparently misconstrued as an end around the JCC accounting department.

Ms. McGettigan agreed to attend the meeting of Ms. Mellon, Ms. Day, Ms. Schubert and Ms. Mingee. Ms. Mellon started by stating that the meeting was no longer a discussion of issues, but one to plan the transition from JCC as Merrimac's fiscal agent. She said that JCC administration felt blindsided by Mr. Taylor and Ms. Mingee's meeting with Mr. Purse, so they instructed her to begin to the discussion to remove JCC as our fiscal agent. Ms. McGettigan said that it was clear that JCC had read more into the meeting with Mr. Purse than what was intended. After Ms. Mingee's reassurances that the Mr. Purse meeting was only for a means of getting more JCC involvement at Merrimac, they agreed to request JCC administration continue to act as our fiscal agent. It was also agreed that there would be quarterly meetings to discuss any problems and to establish a written fiscal agent agreement outlining services and expectations.

Mr. Taylor asked if the issues of tax and credit card charges were resolved. Ms. Mingee explained that it was not discussed, but she did request a copy of JCC accounting procedures to help determine the differences and to better understand the issues. Mr. Taylor suggested that Merrimac may want obtain its own company credit cards in order to avoid the tax scrutiny from JCC. Ms. Mingee said that she would research that possibility and report back at the next executive meeting.

Re: Director's Report

The Department of Juvenile Justice did a follow up visit to review the corrective actions for the three items found in the September audit.

Five of our recent graduates along with the therapeutic drummer recently put on a talent show for the Center.

In order to get some of our long term Community Placement Program juveniles more involved at the Center, we have created a canteen working position. This will free up staff some and gives responsibility and a sense of purpose to the juvenile. This juvenile along with two others are enrolling in on-line college courses.

A local church donated gift boxes and decorating supplies preparing for the holidays. The juveniles compete every year for the best decorations of their housing units; rewards are usually unit parties.

Mr. Curry suggested a webinar covering facility assessments and our operations manager and maintenance manager found it very useful. They will take some ideas from it, but since the outside facility assessment is about $20,000 we will probably not have the budget for it.

Our operations manager is working on a better inventory system to cut down on any waste of the day-to-day supplies. Since our three year DJJ audit and our PREA audit are behind us, the operations manager will begin to focus more on quality assurance in observation to assure that the staff follow the programs and policies in place.

Ms. Livsey will be conducting in-house motivational interview training with staff in the upcoming months.

Ms. Mingee will be working updating some personnel policies and will be incorporating some of the JCC purchasing policies in order to avoid future issues.

Mr. Curry inquired if the board needs to approve the policy updates and Mr. Taylor said that the executive committee is authorized to approve these updates.

Re: Adjournment

On motion made by Mr. Serra and seconded by Mr. Partin, the meeting was adjourned at approximately 10:55 A.M.

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Jim Taylor, Chair
Middle Peninsula Juvenile Detention Commission