Minutes

Middle Peninsula Juvenile Detention Commission

Meeting of January 27, 2017

On January 27, 2017 at 11:05 A.M. in the conference room of the Middle Peninsula Planning District Office, Saluda, Virginia, Chairman, Jim Taylor, called the meeting to order. The following persons were present:

Garry Curry – Gloucester County
Michelle Johnson- Charles City County
Marcia Jones – Middlesex County –arrived after roll call
Karen Lewis – Westmoreland County
Alan Partin – Caroline County
Frank Pleva – Lancaster County
Morgan Quicke – Richmond County
Steve Rubino – James City County –arrived after roll call
Phil Serra – Williamsburg City
Thomas Swartzwelder – King & Queen County
Luttrell Tadlock – Northumberland County
Bobbie Tassinari – King William County
Jim Taylor – Hanover County
Randal Wheeler – Poquoson City

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

ABSENT:
Wiley Carter – New Kent County
Melinda Conner – Mathews County
Vivian McGettigan – York County
Pam Smith – Essex County

The Chair opened the meeting and determined that a quorum was present. He welcomed new attorney, Danielle Powell to the meeting.

Re: Approval of Minutes for October 28, 2016
Mr. Quicke moved to approve the minutes October 28, 2016, seconded by Mr. Pleva. Motion carried unanimously.

Re: Financial Report
Ms. Mingee reported that there has been an increase in utilization since the last meeting in October 2016. The average daily population (ADP) for December was 46. As of today, our total population is 56, with 49 juveniles in the facility and 7 others at other detention centers due to overcrowding. Mr. Quicke asked about the cost of sending out these juveniles and Ms. Mingee explained that the other detention centers charge lower rates than Merrimac charges. Even though the juveniles are at the other detention centers, we still provide transportation to and from court and doctor appointments.

At mid-year, several localities are near or over their projected juvenile days for 2017. York and James City Counties have the highest number of child-care days, and are at 86% and 102% of their annual projections. Other locations, Essex at 179%, King and Queen at 115%, King William at 114% and New Kent at 517%, have all exceeded the entire year's projection. The year-to-date ADP for members is 27, and with the addition of all state programs, the ADP rises to 39. Ms. Mingee said that members should

contact her for the specific details regarding individual jurisdiction overages. She would be able to share the particular factors contributing to these numbers. She noted that more juveniles are being sentenced into the 6-month post-d program and that some juveniles that are committed to a state facility will appeal the commitment, which could extend their stay for months. She said that there are a couple of juveniles that have gone through competency evaluations, been found incompetent, and are waiting to be restored to competency. We have also had juveniles sentenced up to six months without being in a post-dispositional program, and this does not follow code guidelines. Ms. Mingee and the Deputy Director will be meeting with the judges and the court service units to educate them on the post-dispositional code. The statistical report continues to reflect the same leading charges for juveniles, which are burglary/larceny and probation violations.

Ms. Mingee said that period six should mean that we are at 50 percent of our budget, but since we are on a cash basis accounting until year-end, revenue will not show what is outstanding. Even so, we are at 45 percent for both revenue and expenditures. Due to the increase in population, the number of staff out for workers' compensation injuries, maternity leave, and sick and annual leave, we have had an increase in over-time and on-call costs. Ms. Mingee again noted that the separate training for the new state female program put our training budget over for the year.

Mr. Taylor asked if the FY18 budget included a salary increase for staff, and Ms. Mingee said that it did not. After a short discussion, it was agreed that Ms. Mingee would calculate the cost of an increase and present it at the next meeting. Ms. Mingee said that by that time, we should have the new memorandum of agreement with DJJ, which may increase the number of guaranteed beds in the Community Placement Program (CPP) from five to eight.

RE: ATTORNEY REPORT

Mr. Gore said that the General Assembly does not have any action before it regarding detention centers, but he noted that plans for the new Chesapeake state facility are moving forward. There is a proposal for a salary increase for state employees of three percent.

RE: OLD BUSINESS

Mr. Gore reviewed the updates to the service agreement amendment of which the main accomplishment is to change to a five-year rolling average to ensure more stability for budget preparation. Most of the other changes consist of a clean-up of grammatical errors and references to "per diem fee" rather than a "member usage fee". Mr. Gore suggested that the phrase "or as otherwise agreed to by the Commission" be added to the section referencing the requirement for quarterly payments. He also noted that the amendment references the FY18 budget year as the beginning date. A discussion ensued regarding the difficulty of getting approval of 18 different boards before the April meeting. Mr. Gore will send an updated amendment to the service agreement and a draft resolution that could be used to present to each member's board.

Mr. Curry moved that commission members submit a resolution to amend the service agreement to their respective boards for approval, seconded by Mr. Quicke. Motion carried unanimously.

RE: NEW BUSINESS

Ms. Mingee explained that she met James City County (JCC) Financial Director, Sue Mellon, regarding the actuarial study needed should Merrimac want to get their own retirement account with VRS. It was determined that as a new account, Merrimac employees would not have the all the same retirement benefits available to them under JCC's retirement account. Should we move to our own retirement account, we would need to take the assets and liabilities from previous Merrimac employees, and JCC agreed. The actuarial study increases in cost with each different scenario needed, but it still should be under $2,000. JCC feels that in order to be in legal compliance with accounting practices, Merrimac should have their own VRS account. Ms. Mingee, Ms. Mellon, and Mr. Gore will have a conference call with the VRS representative next week to get more details and report to the full commission in April.

RE: DIRECTOR'S REPORT

Ms. Mingee reported that, due to the high population and needs of the juveniles, we have had an increase in the number of physical restraints, resulting in more staff injuries. At one time, we were down eight staff, which severely affects the operation of the Center. Currently, we have four staff on light duty, one out on injury, two out on extended sick leave, one more that will be out for surgery, and two going out soon on maternity leave. Administration is helping to cover shifts for the injured staff with the Operations Manager taking an overnight shift in order to stay in compliance with the staff-to-juvenile ratio.

Recruiting on-call staff for these types of vacancies has been difficult. Previously, we were able to immediately change the status of employees who found other full-time jobs but would still do on-call work at Merrimac. But due to the Affordable Care Act, James City County now requires that we wait 90 days in order to prevent the need to offer insurance coverage. This causes a burden for us, since the person is then a new hire and must go through the full new hire paperwork and training.

Ms. Mingee explained that we are in the process of completing a build out in the administration office to allow for more storage space. We will also replace the 20-year-old carpet in this area.

RE: ADJOURNMENT

There being no further business, Ms. Jones moved that the meeting adjourn, seconded by Mr. Pleva and motion carried unanimously. The meeting adjourned at 12:05 P.M.

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Jim Taylor-Chair
Middle Peninsula Juvenile Detention Commission