Minutes

Middle Peninsula Juvenile Detention Commission

Meeting of July 22, 2016

On July 22, 2016 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
Marcia Jones – Middlesex County
Karen Lewis – Westmoreland County
Vivian McGettigan – York County
Alan Partin – Caroline County
Frank Pleva – Lancaster County
Morgan Quicke – Richmond County
Phil Serra – Williamsburg City
Pam Smith – Essex County
Bobbie Tassinari – King William County
Jim Taylor – Hanover County
Randal Wheeler – Poquoson City

Roger Wiley – Counsel
Gina Mingee – Executive Director
Sandy Schubert – Clerk

ABSENT:
Wiley Carter – New Kent County
Melinda Conner – Mathews County
Michelle Johnson- Charles City County
Steve Rubino – James City County
Thomas Swartzwelder – King & Queen County
Luttrell Tadlock – Northumberland County

The Chair opened the meeting and determined that a quorum was present. Mr. Taylor welcomed the new King William County board member, Bobbie Tassinari.

Re: Approval of Minutes for April 22, 2016
Mr. Quicke moved to approve the minutes of April 22, 2016, seconded by Mr. Pleva. Motion carried unanimously.

Re: Financial Report
Ms. Mingee stated that at the end of FY16, Caroline and York Counties had the highest utilization of the Center with both using 13 percent of the overall member population. Hanover and James City Counties were the next highest users with 11 and 10 percent.

The member average daily population (ADP) for the year was 27; the projection was for 30. The FY16 ADP rises to 35 with the inclusion of the juveniles in state programs. Anticipating the downward trend for members, the ADP for FY17 was set at 27. The statistical report continues to reflect the same leading charges for juveniles, which are burglary/larceny, contempt of court, and probation violations.

Ms. Mingee stated that our cash balance is strong with over $1,000,000 in the bank and noted that the service agreement requires 60 days of budget, which would be over $700,000. She also explained this cash balance does not reflect the FY16 expenses expected in period 13. Since we have strong cash balance, Ms. Mingee explained that the executive committee agreed that there would no longer be a need to pre-bill commission members one month ahead. This would mean that this year-end, members with a credit balance on June 30, would receive a check for that credit. The next billing would be on August 1 for member's usage in July.

A review of the year-end revenue shows that state ward and re-entry revenue is lower than projected due to the increased placements into the Community Placement Program (CPP). We presently have seven juveniles in this

program, two more than our guaranteed number, and are able to charge an additional $225 per day for those placements. Ms. Mingee stated that period 13 would include the reduction of the fund balance for the new van.

In reviewing the expenditures, Ms. Mingee said that we did line item adjustments to bring budget closer to the actual cost incurred. Even with the budget adjustments, there were some expenses that we did not predict which caused some line items to exceed budget. The result is that income is 96 percent of budget and expense is at 95 percent of budget.

RE: ATTORNEY REPORT

Mr. Wiley said that the Department of Juvenile Justice (DJJ) would only open one secure state facility which will be in Chesapeake. He said that this might mean that more CPP juveniles will be sent to local detention centers. Mr. Taylor said that he spoke at the DJJ workgroup meeting, on behalf of the Merrimac Center, to let them know that we value CPP and appreciate their new approach to reduce recidivism.

Mr. Wiley reported that the December state-pay-raises were suspended but may be reinstated in the January General Assembly.

RE: OLD BUSINESS

Mr. Taylor stated that at the recommendation of the commission, the executive committee discussed the timing of giving a two percent salary increase to the Merrimac Center employees. He reported that the committee decided the salary increase would start on July 1, and the cost would be covered by the additional income from the new female Community Placement Program. Ms. Mingee said that this new program, which guarantees income for five placements, might also include more females and produce more income for the center. Mr. Curry inquired if we would still qualify for reimbursement of these raises should the state reverse their decision on increases. Mr. Wiley said that it would be a compelling argument that the raises were given with the understanding of qualifying for state reimbursement.

Mr. Taylor said that the service agreement committee is recommending three changes to the agreement. The first change is to Section 3.7, and would establish an annual budget based upon each member's previous five years of usage of the center. The second change would establish a separate repair and replacement fund divided equally between all members. The final change is to Section 4.1, and it would adjust billing from monthly to quarterly.

Mr. Curry questioned what might happen if the center had more expenses than budgeted. Mr. Taylor explained that equipment breakdowns and unexpected building repairs would be taken from the repair and replacement fund. This fund would be separate from the capital improvement fund. It was also noted that if the expenses are less than budgeted, the resulting surplus could be added to the repair and replacement fund balance. Mr. Wheeler explained that without this funding the board would need to vote for special assessments to cover extraordinary expenses. A discussion ensued regarding the necessary balance of the repair and replacement fund and frequency of replenishment of the fund. Mr. Wiley suggested that the establishment of this fund be presented as a separate resolution outside of the other two service agreement changes. Mr. Wheeler said that the formula for the repair and replacement fund should not be used as a guideline for major capital improvements or expansions of the center.

Mr. Wheeler moved to recommend that the members present, to their respective governing bodies, the proposed service agreement changes to Section 3.7 and Section 4.1 with two modifications. The first modification would change "Fiscal Year 2016" to "Fiscal Year 2018". The second modification would replace "will be established" to "may be established" in the repair and replacement fund and to present it as a separate resolution. The motion was seconded by Mr. Pleva and carried unanimously.

Mr. Taylor will contact the absent commission members with copies of the recommendations and will email all members with the updated changes to the proposal. He requested that the changes be presented to board members by the end of September.

Mr. Taylor said that Ms. Mingee presented before the Hanover County Board of Supervisors at the last meeting and the presentation can be viewed on the County website.

Ms. Mingee explained that the Merrimac Center received an invoice from Anthem insurance for a juvenile who had emergency surgery in December, but had his own private insurance with Cigna. We informed Anthem and the hospital of the error and requested that Cigna pay these invoices. We have contacted the mother, who is out of state, to speak with Cigna and get this corrected. Since it has been several months with very little results, we have asked Mr. Wiley's

office to intervene with the hope of getting some results. There was a short discussion regarding what actions could or could not be taken, the result being that Mr. Wiley will be following up with the hospital and the insurance companies.

RE: NEW BUSINESS

Ms. Mingee said that Mr. Kehoe conducted our Prison Rape Elimination Act (PREA) audit last week and the results were very good; only minor changes were needed. The Operations Manager, Bill Orris, did a good job preparing for the audit with training of all staff and juveniles along with modifications to policies and procedures.

Ms. Mingee reported that the Department of Juvenile Justice came to the Merrimac Center to review the escape of two Post-Dispositional juveniles from a community service outing. DJJ found that we followed all policies and procedures surrounding the incident and had no recommendations to do anything differently.

RE: DIRECTOR'S REPORT

Ms. Mingee reviewed the Management Plan for FY17, highlighting areas of staff and program development, quality control, public relations and long-term goals. Mr. Wheeler suggested that we might want to look at a way to measure some of the long-term goals. Ms. Mingee explained that we do have some measurements in place with the parent survey, which allows the parent to evaluate how staff and management treated their child while at Merrimac. We also do statistical tracking of our behavioral interventions, noting the physical restraints and reward coupons given.

Ms. Mingee said that a five-member audit team from DJJ was in our office this week preparing us for the full three-year recertification audit in September. They looked at staff and resident files, inspected the facility and had a few suggestions on areas of improvement before September.

The new judge from the 15th District, Bill Lewis, came to Merrimac for a visit and tour of the facility.

The renewal of our health insurance for FY17 increased in cost by eight percent, but only to the employer. The employees did not get an increase this year.

Four staff members attended Aggression Replacement Training (ART), one of DJJ's requirements to serve the CPP juveniles. Employees with five, ten and fifteen years of service were recognized at this week's all staff quarterly meeting.

Mr. Taylor said that the DJJ Director, Mr. Block, is scheduled to speak at the next meeting of the Virginia Association of Local Human Service Officials.

RE: ADJOURNMENT

There being no further business, Mr. Quicke moved that the meeting adjourn, seconded by Ms. Jones and motion carried unanimously. The meeting adjourned at 12:25 P.M.

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Jim Taylor-Chair
Middle Peninsula Juvenile Detention Commission