MINUTES

MIDDLE PENINSULA JUVENILE DETENTION COMMISSION

Meeting of September 23, 2016

A meeting of the Executive Committee of the Middle Peninsula Juvenile Detention Commission was held on September 23, 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:

Garrey Curry – Gloucester County
Vivian McGettigan – York County
Morgan Quicke – Richmond County
Philip Serra – Williamsburg City
Jim Taylor – Hanover County

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

Absent:
Alan Partin – Caroline County
Randy Wheeler – Poquoson City

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

Re: Approval of the Minutes for March 25
Mr. Quicke moved to approve the minutes of June 17, 2016, seconded by Mr. Sera. Motion carried unanimously.

Re: Financial Report
Ms. Mingee reported that James City, York and Hanover Counties were among the highest users of the Center during the first two months. 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 23, which is lower than the projected 27. The overall ADP increases to 37 with the addition of the state programs. Mr. Quicke inquired if there might be a drop in the number of state placements at the center with the addition of the new state facilities. Ms. Mingee said that she was assured by the Department of Juvenile Justice (DJJ) that it would not change the commitment to these local programs. Mr. Taylor agreed with Ms. Mingee and stated that the DJJ Director, Mr. Block spoke at a recent conference about moving ahead with the Community Placement Programs (CPP) statewide. Ms. Mingee said that the leading reasons for juveniles to be placed at the Center continue to be burglary/larceny and probation/parole violations.

Ms. Mingee reviewed the unaudited FY16 period 13 financials noting that the cash balance reflects over 500,000 in pre-payments from DJJ for the FY17 Community Placement Program. The cash balance at the end of FY16 will be more than the minimum amount required by the service agreement, and Ms. Mingee inquired if some of these funds could be used toward the capital improvements needed in the next budget. After a short discussion, it was decided that these funds could be used if equally offset in expenses for a specific capital item.

The revenue from the state programs reflects an increase in state ward from the new intake/ assessment program, and the CPP increase is due to an additional 500 billable days above the guaranteed days in the Memorandum of Agreement with DJJ. Member contributions are down due to the lower-than-budgeted usage of the center, as reflected in the FY16 ADP of 27. The FY16 period 13 expenditures include the annual depreciation and the capitalization of the new van and DVR.

Ms. Mingee stated that FY 17 period two revenue is over budget due to state prepayments of the block grant and CPP. And that the 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.

While reviewing the expenditures, Ms. Mingee explained that at the time the FY17 budget was prepared, we were anticipating large rate increases from the Virginia Retirement System (VRS), health insurance and workers compensation. We were also expecting to increase in staff by seven new counselors and budgeted for each to have

family health coverage at the higher rate. Those rates did not increase, and in fact the VRS rate decreased, so we will have savings in those accounts. Insurance and staff development are high due to prepayments and the training necessary for the new female Community Placement Program. We also experienced some additional operating expenses in preparation for the three-year Department of Juvenile Justice audit and employee miscellaneous for the awards given to the 10 and 15 year employees.

Re: Attorney's Report

Mr. Gore reported on the progress made to obtain a refund for the erroneous hospital payment that Anthem made on behalf of Merrimac Center for a juvenile with private health insurance coverage. He was able to get VCU Health to issue a refund to Anthem before receiving payment from the juvenile's private insurer, Cigna. He suggested that going forward the Merrimac Center contact Anthem when a juvenile is taken for any medical procedure and notify them of any private insurance coverage.

Re: Old Business

Mr. Taylor stated that 10 of the 18 jurisdictions notified him of their board's approval of changes to the commission's service agreement, but King and Queen voted not to adopt these changes stating that the reference to *per diem* was not addressed throughout the agreement.

After a short discussion, it was the consensus of the executive committee to drop amendment 2 and to ask the remaining members to table the changes to the service agreement until the issue could be reviewed again with the full commission. Mr. Curry stated that even though the 5 year averaging may not be adopted before the FY18 budget is approved, we could still enact averaging if all jurisdictions approve by the end of June 2017. Mr. Taylor will send an email update to all members, and Mr. Gore will contact King and Queen County for input into the changes needed to amend the service agreement.

Re: New Business

Ms. Mingee presented the FY18 draft budget and requested input from the members on projecting possible state usage considering the 1.5 billion state revenue deficit. At the recent juvenile detention conference, DJJ's Director of Residential Programs stated that DJJ's portion of the deficit will be 5.9 million this year and 6.4 million next year. With this in mind, we are uncertain as to what impact this might have on the FY18 budget and would like to consider a more conservative approach to this revenue source. Mr. Curry and Ms. McGettigan agreed that we should be conservative with revenue. Ms. Mingee said that FY17 budget includes the use of some of the excess FY16 cash to supplement the FY17 budget. Mr. Curry explained that any use of cash should be tied to a specific capital expense and not just as a means of balancing the budget. Mr. Quicke suggested that the FY16 cash should be applied to the requested 50,000 in capital improvement expense and then increase the revenue expected from the re-entry program and member contributions for the difference. Mr. Curry suggested that we consider hiring someone to do a facility inspection to better understand our future capital needs.

Ms. Mingee reviewed the budgeted expenditures for FY18 which were formulated after reviewing the FY16 actual financial statements and trends for FY17. Ms. McGettigan expressed her concern for the drop in population over the past few years as it relates to future budgeting projections.

It was the consensus of the committee to recommend the presented FY18 budget of $4,396,800 and a per diem of $190 to the full commission, updating and identifying the use of the FY16 cash surplus for capital improvement expense. Mr. Taylor stated that the members will continue to work toward the service agreement amendment allowing for 5 year averaging. This amendment would not mean a change to the FY18 budget, only to the member's billing.

Re: Director's Report

Ms. Mingee said that an 11 member audit team from DJJ came to the center for our 3 year re-certification on August 12th, and the results were the best that we have ever received. As a result of the preparations and guidance of the Deputy Director, Operations Manager, Treatment Coordinator, and Nurse, the team completed the audit in one-half the time allotted, reporting how impressed they were with the overall operation of the Merrimac Center.

Ms. Mingee explained the new school year has started, and the Department of Education (DOE) previously decided that they would not provide programing for our graduates, which are usually CPP juveniles. The DOE and DJJ Later agreed that each detention center could have an MOA with DOE on what programs they would provide based on the preferences of the school principals. Our principal has agreed to provide morning instruction, but we still trying to find constructive activities for these juveniles for three hours each afternoon.

The United Way, under their Day of Caring, sent volunteers to completely repaint our kitchen area, saving us a lot of money.

We received one hundred percent on our recent inspections from the USDA and Fire Marshall. We have scheduled a cook-out for staff to help boost employee morale. We have one counselor position open because an employee is leaving to further her education.

Ms. Mingee said that she has received a request from DJJ to amend our MOA to include the admittance of juveniles up to the age of 21. Mr. Curry expressed concern for these nearly-adult juveniles in the same area as much younger juveniles. Ms. Mingee assured him that we have the right of refusal for any juvenile from DJJ, and that they are separated from younger offenders.

Re: Adjournment

On motion made by Mr. Curry 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