Minutes

Middle Peninsula Juvenile Detention Commission

Meeting of April 28, 2017

On April 28, 2017 at 11:00 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:

Melinda Conner – Mathews County
Garry Curry – Gloucester County
Vivian McGettigan – York County
Rodney Hathaway – New Kent County
Marcia Jones – Middlesex County
Alan Partin – Caroline County
Frank Pleva – Lancaster County
Larry Roberson – Westmoreland County
Steve Rubino – James City County
Phil Serra – Williamsburg City
Luttrell Tadlock – Northumberland County
Bobbie Tassinari – King William County
Jim Taylor – Hanover County

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

ABSENT:
Michelle Johnson- Charles City County
Morgan Quicke – Richmond County
Thomas Swartzwelder – King & Queen County
Randal Wheeler – Poquoson City
Timothy Wilson – Essex County

The Chair opened the meeting and determined that a quorum was present. He welcomed new commission member Rodney Hathaway to the meeting.

Re: Approval of Minutes for January 27, 2017
Mr. Pleva moved to approve the minutes of January 27, 2017, seconded by Mr. Serra. Motion carried by majority, with Mr. Hathaway abstaining.

Re: Financial Report
Ms. Mingee said that James City, York, and Hanover Counties were the highest users of the Center through the third quarter of FY17. The comparison of projection to actual usage reflects some jurisdictions under, but most are over year-to-date (YTD) projections. Quite a few of the overages are due to post-disposition sentences of up to 180 days. Ms. Mingee reminded members that she would provide details of their usage should they need it. The average daily population (ADP) for members is 30 and with the addition of the state program juveniles, the ADP is 43 for the year. The population has dropped, today we have only 30 juveniles and one third of that total is state program juveniles.

Mr. Curry suggested re-setting the FY17 per diem rate to credit members while still maintaining the cash reserves. Ms. McGettigan moved that the commission authorize the Merrimac staff to take action at the end of FY17 to re-calculate and adjust the per diem rate based upon actual income and expenses and to maintain the cash reserve level as required by the service agreement. The executive committee must

approve this re-adjustment calculation at the June meeting. Mr. Curry seconded the motion and the motion carried unanimously.

Ms. Mingee returned to the statistical report noting that the leading charges for juveniles are burglary/larceny and contempt of court. She also stated that this is the first year that we have had four juveniles at the Center charged with murder.

Ms. Mingee said that the balance sheet and revenue reflect an additional three months of community placement program (CPP) funds. State ward revenue is low because we have more juveniles going directly into the central admission placement (CAP) program after which they are moving into CPP. While we only receive $50.00 per day for state ward, we receive $175 for CAP and $225 for CPP, allowing us a better revenue source in the end. The year-end budget reallocations are complete so that budget is more in line with expenditures for FY17. Ms. Mingee said that some expense line items are lower than budget due to expected third quarter purchases. One of those purchases will be new uniforms and shoes for the juveniles. Overall, we are well below target on expenses at 70 percent of budget.

RE: ATTORNEY REPORT

Mr. Gore said that the governor has not yet signed the budget, but the three percent state salary increase will be included in the block grant funds that the Center receives. Mr. Curry questioned whether the state increase was two percent in actuality. Mr. Gore stated that he would further research it.

RE: OLD BUSINESS

Mr. Taylor thanked Mr. Gore for his hard work drafting the changes to the service agreement. He also thanked the members for their diligence in working with their local boards to pass these needed changes. Mr. Curry also thanked Mr. Swartzwelder for assisting Mr. Gore. Mr. Taylor reminded members to send a copy of their board's adopted resolution of the service agreement changes and signature page to Merrimac. Ms. McGettigan thanked Mr. Taylor for keeping the service agreement committee together and focused in order to complete the changes to everyone's specifications.

Since the state salary increase would increase funds to the Center, and at the request of the executive committee, Ms. Mingee presented a proposed change to the FY18 approved budget to include either a two percent or three percent Merrimac Center employee salary increase. She was also able to confirm that the Department of Juvenile Justice (DJJ) has awarded the Center with three additional beds, bringing the total beds for males to eight and increasing the guaranteed revenue by $246,375. Since we are closer to the beginning of the budget year, we are able to project the DJJ income more accurately, and Ms. Mingee noted the changes of each revenue line item.

She explained that this year had been one of the most difficult years for the staff. The high member population, increased number of state juveniles, dealing with aggressive and difficult juveniles who have caused multiple staff injuries resulting in months of absences, being overworked by doing 12-hour shifts to maintain the proper DJJ staff to resident ratio, has created additional stress on the staff.

Ms. Mingee reviewed the proposed FY18 budget showing a reduction to member contributions of $100,000 with a two percent salary increase or of $50,000 with the three percent salary increase. She also reviewed the individual jurisdictions reduction based upon five-year averages.

Mr. Taylor thanked Ms. Mingee for securing the income from the additional guaranteed beds and the reduction in cost to member jurisdictions. He also said that since the staff had worked incredibly hard this year under difficult conditions, it would be an opportunity to recognize their efforts and show the commission's support with a salary increase.

Mr. Curry asked for the history of staff salary increases. Ms. Mingee said that in July 2016, employees received a two percent increase. July 2015 the commission established new salary ranges and employees received an increase into their corrected range or a two percent increase; before July 2015, the last increase was July 2012.

Mr. Curry said that based upon the historical increases, which exceed the consumer price index (CPI), he moves that the Merrimac Center FY18 budget be amended to include a two percent salary increase, seconded by Ms. Conner. Mr. Taylor asked if there was any discussion regarding the motion. Mr. Serra asked if there were any changes in staff turnover since the last salary increase, and Ms. Mingee said that there was no noticeable change. Mr. Taylor said that while he does not object to the motion for a two percent increase, he and others on the executive committee felt that a three percent increase was an opportunity to recognize the staff's hard work. He said that, given that the commission could give a three percent increase and still be able to lower each member's contribution, he would vote for this increase, instead. Ms. McGettigan said that the health insurance costs were a factor in the CPI and asked Ms. Mingee if the cost will increase for FY18. Ms. Mingee said that we just found out that the cost to the employee remains the same as FY17.

With no further discussions, a roll call vote was taken and the motion passed with eight yes votes and five no votes. Mr. Curry said that, as a consolation, we might want to consider an end-of-year bonus coming out of FY17, depending upon how much the window is between revenue and expenses. Mr. Taylor said that we might revisit that suggestion once we determine year-end profit.

Ms. Mingee said that she has been in communication with James City County (JCC) and Virginia Retirement System (VRS) management, and they would like the Center to have their own account in FY19 necessitating an actuarial study that had been tabled for FY18. She will work with VRS to submit a letter requesting the change, but we are still unsure cost effects to the Center until after the study is complete. Mr. Taylor said that this action is at the request of our fiscal agent James City County.

RE: NEW BUSINESS

Mr. Taylor moved for a change to the agenda to include the discussion of the Executive Director's performance evaluation, seconded by Mr. Curry. The motion carried unanimously.

Mr. Taylor said that the terms for the existing executive committee, Mr. Serra, Mr. Quicke, Mr. Partin, Ms. McGettigan, Mr. Wheeler, and himself are ending on June 30. Therefore, Mr. Taylor opened the floor to nominations to the executive committee. There being no other nominations, Mr. Serra moved a second term for all existing members and nominated Mr. Quicke as Chair and Mr. Curry as Vice-Chair. The motion passed unanimously.

Mr. Taylor said that he would provide an on-line assessment tool to evaluate the Executive Director with the results discussed with Ms. Mingee at the June executive committee meeting.

RE: DIRECTOR'S REPORT

Ms. Mingee said that we would need an advisory board in order to apply for a $20,000 juvenile accountability block grant and requested that members of the executive committee along with Deputy Chief Rubino be part of the board. This advisory board is only a requirement of the grant and it will not require meetings for approval of the grant. The grant would cover technology for the staff efficiently document juvenile behavior on point sheets for the cognitive behavioral program. Ms. Mingee said that there would be a ten percent grant match should we get it.

Ms. Mingee said that we still have one staff out on a worker's compensation injury, three on light duty, one out with on maternity leave, one just back from maternity leave, and two terminations. The ones out on workers compensation injuries and maternity leave pose the most problems, since we cannot hire to replace them, so we end up paying overtime and on-call employees to cover those shifts. We have hired three new line staff and one new kitchen staff to start next week.

The large greenhouse is now in use and the post-d juveniles and staff are stocking it for the spring plantings. They are also still gathering eggs from the Merrimac chickens.

Ms. Mingee and Ms. Livsey met with York County Judge Bowie, York County Sherriff's Department representatives, and York County Clerks to clarify some of the Merrimac Center transportation, court order, and post-d procedures and felt it went very well. We also did a tour for the York County Citizens

Group last week, which also went well. Mr. Taylor suggested that if any commission member has not toured the Center, please contact Ms. Mingee who would be happy to comply.

RE: ADJOURNMENT

There being no further business, Ms. Pleva moved that the meeting adjourn, seconded by Mr. Partin and motion carried unanimously. The meeting adjourned at 11:55 A.M.

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Jim Taylor-Chair
Middle Peninsula Juvenile Detention Commission