Minutes

Middle Peninsula Juvenile Detention Commission

Meeting of October 17, 2018

On October 17, 2018 at 10:04 A.M. in the conference room of the Middle Peninsula Planning District Office, Saluda, Virginia, Chair Morgan Quicke, called the meeting to order. The following persons were present:

Barbara Dameron – Williamsburg City
Sharon Day – James City County
Rodney Hathaway – New Kent County
Karen Lewis – Westmoreland County
Vivian McGettigan – York County
Alan Partin – Caroline County
Morgan Quicke – Richmond County
Thomas Swartzwelder – King & Queen County
Luttrell Tadlock – Northumberland County
Bobbie Tassinari – King William County
Stephanie Tinsley – Gloucester County
Matt Walker – Middlesex County
Randall Wheeler – Poquoson City

Danielle Powell – Counsel
Gina Mingee – Executive Director
Sandy Schubert – Clerk

ABSENT:
Elizabeth Holt – Charles City
Julie Kaylor – Mathews County
Frank Pleva – Lancaster County
Jim Taylor – Hanover County
David Whitlow – Essex County

Mr. Quicke opened the meeting, determined that a quorum was present and welcomed Jack Larson and Frank Tetrick from Lancaster County.

Re: Approval of Minutes for July 27, 2018
Mr. Walker moved to approve the minutes of July 27, 2018 as presented, seconded by Ms. Tinsley. Motion carried unanimously.

Re: Financial Report
Ms. Leslie Roberts, a partner with the accounting firm Dixon Hughes Goodman, called into the board meeting to present the findings of the FY 2018 audit of the Merrimac Center. She stated that the year ended very well with a clean, unmodified opinion. She gave a page-by-page overview of the audited financials and explained the changes that occurred since the last audit, noting that revenues were up and expenses were down resulting in a surplus for FY2018.

Mr. Quicke reminded the members that a new capital reserve account was set up for surplus funds above the required operating reserve account and that new account total should be $294,000. These funds will be held for future capital improvements or may be put toward the funding of improvements resulting from the energy performance review as to be determined by the Commission.

Ms. Mingee reviewed the utilization report and stated that the highest users of the Center for the first quarter were York, Gloucester, and Westmoreland counties. The average daily population (ADP) for members was 19, with the addition of the state juveniles the ADP was 35. The leading charges to detain juveniles were burglary/larceny and robbery.

Ms. Mingee said that the cash account includes three additional months of community placement program (CPP) payments, an overage of CPP beds days in the first quarter, and an increase of $9,000 from the Department of Juvenile Justice (DJJ) block grant. The state ward revenue reflects the delayed pickup of juveniles going to a state correctional facility. Ms. Mingee said that placing the required operating reserve funds and the surplus from FY2018 into an overnight investment account enables us to increase the interest revenue. She explained that, except for the carry-forward for the painting, the prepayment of insurance, and the preparation for the DJJ monitoring visit, all expenses are within the 25 percent of budget-target.

RE: ATTORNEY REPORT
Ms. Powell had nothing to report.

RE: OLD BUSINESS
Mr. Quicke asked Ms. Powell to review the resolutions required to set up a Virginia Retirement System (VRS) account separate from James City County on January 1, 2019. Ms. Powell explained that the five resolutions include:

- the Guide Resolution, in which the Commission agrees to participate in the health insurance credit program
- the Resolution for Obtaining Social Security Coverage which allows for the Commission to obtain and deduct social security on employees' payroll
- the Resolution Plan and Agreement for Obtaining Social Security Coverage which defines the contributions that the Commission and its employees agree to pay the VRS
- the New Employer Resolution which includes the Center's participation and agreement to pay for group life insurance
- the Resolution Authorizing the Pickup of the Employees Contribution to VRS for Past Service Credit which transfers credits accrued under the James City County account to the new account

Mr. Quicke stated that the new account with VRS will allow for a five percent reduction in the rate to be paid by the Merrimac Center. Ms. Mingee explained that the only change for the employees would mean that the one year waiting period for disability coverage would begin again with no consideration for hybrid employees that have previously met that requirement while under the James City County account. She said that Mr. Gore spoke at length with the representatives of VRS who explained that, according to the Code of Virginia, all "new employers" must have the waiting period. Merrimac Center is considered a "new employer" as defined by the code. It was the consensus of the Commission that it is necessary to continue coverage of the benefit that employees had already earned. Ms. Mingee suggested that the Center self-insure for the short-term disability, and Mr. Wheeler requested that Ms. Mingee obtain quotes for long-term disability for review by the executive committee.

Ms. Tinsley moved to adopt all VRS Resolutions as previously explained (allowing the Merrimac Center participation as a new VRS member employer) and to self-insure existing hybrid employees for short-term disability during the new waiting period, as well as to delegate the decision of long-term disability to the executive committee. Mr. Walker seconded and the motion carried unanimously.

Ms. Mingee said that, with the support of the Department of Mines Minerals and Energy, the Center received three energy performance contract proposals, and she reviewed the time-line to proceed with the process of possible selection of a vendor. She asked for two Commission members to participate on the selection committee. After a short discussion of the proposed long-term savings versus actual savings experienced from other energy contracts, Mr. Partin and Ms. Tinsley volunteered to be part of the committee to review the proposals, which were distributed to them, and attend a one-day presentation from the three companies. Mr. Quicke reminded the Commission that this study began from the realization that most of the building's equipment is near the end of its life span and will soon need to be replaced.

RE: NEW BUSINESS
Mr. Quicke declared a short recess in order to provide copies of the proposed draft FY20 Budget to all members. Ms. Mingee stated that the executive committee requested the draft budget include three choices; the budget without a salary increase, with a two percent salary increase, and finally with a two percent increase including a new position. She reviewed the income increases expected from DJJ and from the interest earned from investing, noting that member contributions are less than the FY19 Budget in each of the three options for FY20.

In review of the expenses it was noted that, due to the work schedule and turn-over rate for the counselor position, we average one less counselor position throughout the year, and that reduction is reflected in the salary and benefits line items. The budget has a five percent increase in health insurance and a decrease in the VRS expense. Changes were made to food supplies and telecommunications to be more in line with FY18 actual expenses. Ms. McGettigan requested FY19 locality costs be added to the spreadsheet showing the FY20 locality cost for comparison purpose.

Ms. Mingee explained that DJJ is sending more serious offenders with sentences of up to three years, and these juveniles have a greater need for career-related counseling and case management, which cannot be provided with the staff that we have presently. While DJJ has numerous vocational resources for these juveniles at the state level, we would need someone at Merrimac to coordinate and implement these and other programs. She asked that the Commission develop a new position, a Career-Readiness Specialist, to cover this increasing need. Ms. Mingee reviewed this position's job description, requirements, and proposed salary range. She noted that the savings from the reduction in our VRS rate in the second half of FY19 would more than cover this new position.

Mr. Wheeler asked who classifies or grades the position and who conducts the Fair Labor Standards Act (FLSA) test to determine if a position is exempt or non-exempt. Ms. Mingee explained that three years ago the executive committee, headed by Mr. Taylor, determined the classification and grades base upon market study and existing starting salaries. She was unsure the last time Merrimac positions were reviewed under FLSA, but we do regularly consult the Human Resource Director at VML Insurance and Mr. Gore regarding human resource questions and would be happy to do a full review of all positions at the Center. Mr. Wheeler expressed concern that the requested new position may not be an exempt position and felt that more review of this position, along with all positions at the Center, is needed with a plan on handling compliance with changes to FLSA regulations. Mr. Walker suggested that all new positions be reviewed and approved by the attorney before presenting to the Commission.

Ms. McGettigan asked about the drop in professional services from FY18. Ms. Mingee explained that we used a temporary service to cover vacant positions in that year, and those positions are now filled. Ms. McGettigan asked that the annual cost of attorney services show as a separate line on the budget. A short discussion ensued regarding salary increases and the need to provide budget information to the members as soon as possible, so it can be submitted to their own boards in a timely manner. Mr. Wheeler moved to approve option three of the proposed budget, which includes a two percent salary increase and a new position, for the purpose of communicating preliminary budget requests to the member localities. The motion was seconded by Ms. McGettigan. Mr. Quicke stated that further discussion of this motion will be concluded at the January Commission meeting and the vote was taken; the motion carried unanimously.

DIRECTOR'S REPORT

Ms. Mingee said that DJJ completed the monitoring visit, and it went very well with no corrective action needed.

The personnel policies, both the original and the revised, will be sent to the executive committee for their final review.

The new therapist and custodian will begin work at the Center on November 13, but we are still interviewing for two line-staff vacancies.

RE: ADJOURNMENT

There being no further business, the meeting adjourned at 11:50 A.M.

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R. Morgan Quicke-Chair
Middle Peninsula Juvenile Detention Commission