

MINUTES

MIDDLE PENINSULA JUVENILE DETENTION COMMISSION

Meeting of August 28, 2020

A meeting of the Executive Committee of the Middle Peninsula Juvenile Detention Commission was held on August 28, 2020 at 11:01 A.M. Chair, Morgan Quicke called the meeting to order and read the following statement: Due to a governor-declared state of emergency as a result of the COVID-19 virus outbreak, members will be participating from remote locations, and there will not be a quorum physically present. The public will not be able to attend the meeting physically. However, the public can access the meeting by obtaining instructions for the ZOOM meeting or a conference call by contacting Kris Walker at 757-887-0225. The following persons were present electronically:

Barbara Dameron – Williamsburg City
Vivian McGettigan – York County
Alan Partin – Caroline County
Morgan Quicke – Richmond County
Jim Taylor – Hanover County
Randy Wheeler – Poquoson City

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

Absent:
Sharon Day – James City County

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

Re: Approval of the Minutes for May 21, 2020

Mr. Wheeler moved to accept the May 21, 2020 minutes with noted typographical errors corrected. Ms. McGettigan seconded, and the motion carried unanimously.

Re: Financial Report

Ms. Mingee reported that James City County had the most child-care days, followed by Gloucester and York Counties. The member's average daily population (ADP) for July is only 9 and the state ADP is 13 for the total ADP 23. The leading charges are contempt of court and assault. We are continuing to hold a juvenile charged with murder.

Ms. Mingee said that the cash balance of \$2,448,000 includes one quarter pre-payment of the Community Placement Program (CPP) and the first quarter of member contributions. The CPP pre-payment is not reflected in revenue yet, since the year-end period 13 entries are not complete. She did note that period 13 will show an unexpected fifth quarter payment to the block grant in the amount of \$16,000. Mr. Quicke inquired if the June surplus projections were close to actual for year-end and Ms. Mingee said that with the block grant funds and other savings, we may have more of a surplus than expected.

A few of the expense line-items such as insurance and data processing are over year-to-date projections due to prepayments. The furniture and equipment line includes the cost of two hard drives to rebuild a computer that failed. Mr. Quicke inquired about what the Center has paid thus far for COVID-19 related expenses. Ms. Mingee explained that since March we have had about \$10,000 in personal protective equipment and supplies expense and about \$12,000 in salary expense under the Families First Coronavirus Response Act. Mr. Taylor asked if James City County (JCC) would be able to use their funds from the Coronavirus Aid, Relief, and Economic Security Act (CARES) to reimburse the Center of

these expenses. Ms. Mingee stated that she had not discussed that possibility with Ms. Day, and Mr. Taylor suggested that she have the conversation soon. He said that his board members in Hanover have already allocated their CARES funds and reimbursed the regional jail without asking for funds from other localities that use the jail's services. He further suggested that JCC might be able to do the same. After a short discussion, it was the consensus of the executive committee that the Center absorb this \$22,000 cost in the current budget year and that they would revisit this decision should a larger COVID-19 related expense occur in the future.

Re: Attorney's Report

Mr. Gore said that a special session of the General Assembly is expected to last a few more weeks but, as of now, there is nothing to report.

Re: Old Business

Ms. Mingee said that the work under the energy contract is 99 percent complete, and that ABM Building Services has decided to provide the first year of maintenance coverage at no charge to the Center. They are also going to reinsulate the duct work and add the cold plasma ionization to air handler number eight at no cost to the Center. Ms. Mingee stated that the cold plasma ionization, included in the energy contract, has been reported to be an excellent way to help combat the COVID-19 virus, so the staff are grateful that was included in the energy package. We have paid ABM all but the retainage amount of \$49,000, and that will be paid when all punch items have been finished. We will need to make our first \$83,491 repayment to SunTrust in November. Mr. Quicke asked Ms. Mingee about the possibility of early prepayment on the loan, and she explained that the loan can be paid in full without a penalty after three years.

Ms. Mingee said that the COVID-19 response plan for the Center has been updated to comply with the Virginia Safety and Health Codes Standard published on July 27. This included the hazard classifications of all Center jobs and mandatory training for all staff, which has been completed. We had one staff test positive in March and another in June, both from outside sources. Although we have had other staff out due to possible exposure to someone who was positive, no other staff have tested positive. As of August 15, we can now send exposed employees for a rapid test, and those results are given to us within 15 minutes. This should keep down the cost of paying an employee to quarantine for a week to ten days while waiting for test results.

Since April, we have tried to set up COVID-19 testing for the juveniles under the Peninsula Health Department, and they have finally agreed to fit our nurse for a special N95 mask and train her to do the test. Mr. Taylor suggested that we may want to consider partnering with the jail when they do their mass testing, and Mr. Wheeler said that he would be able to assist in contacting the jail if needed.

Re: New Business

Mr. Gore explained that an employee that was terminated for cause has filed with the Equal Employment Opportunity Commission (EEOC) alleging discrimination and termination due to her race and national origin. He has responded to the complaint and said that we may not hear back from the EEOC until the end of the year or later. Mr. Gore said that this same employee has appealed the Virginia Employment Commission decision to disqualify her unemployment benefits, and we are awaiting the results of that appeal.

Re: Director's Report

Ms. Mingee said that we have had a large increase in Virginia Employment Commission (VEC) claims and all these claims are from employees who have resigned or were terminated for cause. We recently found out that the VEC will no longer do telephone hearings due to their volume of claims. Now, we must submit the VEC requested documentation by fax and wait for the determination, which could take months.

Although JCC schools delayed in-person education, our teachers have been approved to provide in-person instruction at the Center. We are very grateful they are back since, in addition to their own duties, the line staff have been instructing the juveniles to complete work sent from the teachers while they were off. The teachers are working a staggered and shorter work schedule and instructing four days a week.

The principal is apprehensive about continuing this in-person work schedule, noting that JCC schools could remove the teachers if the Center has a positive case of COVID-19. We now have eight graduates, and our post-secondary specialist is working with them on various college and vocational classes.

We had a water leak above the computer room that damaged our uninterrupted power system (UPS) which provides surge protection to our cameras and computers. The cost to replace this piece of equipment was \$6,700, but insurance paid \$5,000 of this cost. In addition, the installation of the new air handler caused the flat roof to leak; the repairs that are being made are covered on warranty so there should be no cost for this.

Ms. Mingee asked if the next meeting should continue as a Zoom meeting or if we could safely social distance in the conference room at the Williamsburg Municipal Building. After a short discussion, it was decided that the September 25th meeting would be in person in Williamsburg.

Re: Adjournment

There being no other business, the meeting was adjourned at approximately 11:44 AM.

Morgan Quicke, Chair
Middle Peninsula Juvenile Detention Commission