MINUTES

MIDDLE PENINSULA JUVENILE DETENTION COMMISSION

Meeting of August 27, 2021

A meeting of the Executive Committee of the Middle Peninsula Juvenile Detention Commission was held on August 27th at 11:00 A.M. Chair, Randy Wheeler called the meeting to order. The following persons were present:

Barbara Dameron – Williamsburg City
Sharon Day – James City County
Alan Partin – Caroline County (electronically, after roll call)
Randy Wheeler – Poquoson City
Rodney Hathaway – New Kent County

Gina Mingee – Executive Director
Jeff Gore – Counsel (electronically)
Sandy Schubert – Clerk
Kris Walker- Administrative Assistant

Absent:
Morgan Quicke – Richmond County
Jim Taylor – Hanover County

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

Re: Approval of the Minutes for June 24, 2021
Mr. Hathaway moved to accept the June 24, 2021, minutes with a correction of a typographical error, seconded by Ms. Day. The motion carried unanimously.

Re: Financial Report
Ms. Mingee reported that Hanover County had the most child-care days, followed by James City County and Westmoreland County. The member's average daily population (ADP) for July was 16 and the state ADP was 13 for the total ADP of 29. The leading charges in July were assault and contempt of court/failure to appear.

Ms. Mingee reviewed the balance sheet noting that the general cash balance is at 3.9 million and includes the entire year of Community Placement Program (CPP) funds, the surplus from FY21, one quarter of the Department of Juvenile Justice (DJJ) block grant funding, and one quarter of the member contributions. Ms. Mingee advised that the period 13 adjustments have been made, and FY21 year-end financials will be reviewed in detail during the audit report at the October full commission meeting. Ms. Day noted that the previous financial reports reflected liabilities as negative numbers, but this report displays them in red. As noted above, the year-to-date revenue reflects various pre-payments. Also included in July revenues are some FY21 receivables, which will be removed from FY22 financials. Ms. Mingee noted that we have applied, and have been approved for, an annual Virginia Risk Sharing Association (VRSA) grant, which this year will cover damaged door locks.

The expenditures continue to reflect our staffing issues showing salaries under budget, while overtime and on-call are over the year-to-date budget. Professional services and insurance line-items reflect prepayments and medical supplies include the cost of Covid tests for use at the center for staff and residents. Program supplies reflect the purchase of a new curriculum for our Counsel for Boys and Men.

Ms. Mingee noted that the education line-item includes credits from FY21, which will also be removed from the FY22 financials.

Mr. Wheeler asked if we need to amend the agenda to accept FY21 Federal Emergency Management Agency (FEMA) reimbursement funds. Ms. Day said that although we would not need to appropriate the funds, we do need to accept them once we have the exact amount of the funds Mr. Wheeler suggested that we add accepting the FEMA funds to the next agenda or to the full commission meeting, whichever happens first.

Ms. Mingee reported that the final period 13 financial report is showing a surplus of $204,365. Ms. Mingee proposed a discussion for use of the surplus funds for a gym air conditioner, retention bonus, weekend/comp pay for staff incentives. Mr. Wheeler suggested we hold discussion of the surplus allocations for new business report.

Re: Attorney's Report

Mr. Gore reported the Joint Legislative Audit and Review Commission (JLARK) is nearing the end of a multiyear study of the Juvenile Justice System. Regional superintendents will be looking at these recommendations, which are coming out in December. Mr. Gore stated that some of the recommendations could impact the local and regional system, which may impact Merrimac, but nothing specific has come out yet. Ms. Mingee indicated that DJJ is looking at redoing the block grant formula based on the confusion of the grant, as well as the JLARK input, and that this could affect our block grant funding for the next fiscal year.

DJJ has asked for a detailed budget for CPP funds for FY23, which is due in September. Mr. Gore stated Merrimac is well-positioned, and he feels the JLARK recommendations will lead to more use of local facilities. Mr. Gore also stated that there are rumors of closing Virginia's last state juvenile corrections facility, Bon Air.

Re: Old Business

Ms. Mingee reported that, in September, ABM will be gathering all the utility bill data from us for the past year, and a more detailed report on the energy savings contract will be given at the October full commission meeting. Ms. Mingee also reported that one of our shift supervisors tested positive for COVID-19, and two staff members have been out pending COVID-19 testing. Mr. Wheeler asked how many vacancies we currently have compared to how many positions we have, and Ms. Mingee relayed that we have 12 vacancies out of 55 direct care positions and that we have three new staff beginning September 1st.

Re: New Business

Mr. Wheeler reported the General Assembly has allocated a one-time bonus to certain areas of the law enforcement community, but that allocation does not include detention centers. Mr. Wheeler discussed looking not only at the nature of our recruitment and retention problems, but also putting different options and strategies on the table that are designed to solve problems. Mr. Wheeler asked Ms. Mingee to go over the strategies that she and her team came up with and are proposing.

Ms. Mingee gave an update on recruitment and retention, reporting that since March of 2020 we have received 840 applications resulting in 66 interviews and, of those interviews, 18 applicants were hired, and six have been retained. We have had 22 resignations and terminations; 16 have resigned within their first year. A discussion ensued on reasons staff leave, to include draft hours and burnout.

Ms. Mingee indicated that two surveys were sent to staff, and some of the ideas received were establishing an employee referral program ($250 at six months retention of the new employee and $250 at the end of one year), providing bonuses to current staff, and giving a shift differential of an extra $2 an hour for weekend hours worked for exempt and nonexempt staff. Also included in the survey was if staff preferred receiving comp time vs. straight pay, and 85% of those surveyed voted for straight pay. Ms. Mingee also reported that she would be reaching out to the judges and court service units to limit low-risk offenders from being detained.

Mr. Wheeler recognized that these items are for this fiscal year, and after a short discussion, everyone agreed we should move forward with the employee referral program. It was determined that a vote was not needed. After a discussion regarding employee bonuses, Mr. Wheeler recommended that new employees receive the suggested bonus on their last day of their first year. Ms. Day moved to recommend to the full commission that some of the FY21 surplus funds be used for a retention bonus for all Merrimac Center employees, including the director, based upon years of service, seconded by Ms. Dameron. The motion carried unanimously.

Discussion moved to the shift differential and comp time vs. straight pay. Ms. Day asked how we determined to use $2 as the shift differential and what the average rate of pay is. Ms. Mingee stated that the average rate of pay for line staff is $43,000 and, because other detention centers that were investigated did not offer shift differential, the $2 was a random number. Ms. Day questioned if a differential pay should be considered for the nightshift. Ms. Mingee explained that the nightshift appreciates their schedule now, which is four days of 10 hours and three days off. But the weekend nightshift employees will be getting the differential pay. Mr. Wheeler discussed comp time vs. straight pay and felt it was good idea. Everyone agreed. Mr. Wheeler suggested if the executive committee is comfortable and concurs with the shift differential and the move from comp time to straight pay, without needing any additional fund appropriation in the current year, we might not need to take it to the commission. Ms. Day asked if the $500 bonus and shift differential need to be incorporated in personnel policies, and Ms. Mingee stated that changes in the personnel policies require executive committee approval, rather than full commission approval. Ms. Day then said her thought is that neither one would need to go before the commission. Mr. Wheeler advised that for the things that do not need to go to the commission it may be helpful to show continuity by taking a vote to show support for the director. Ms. Day moved to express committee support for the employee referral program, shift differential, and the change from comp time to straight pay, seconded by Mr. Hathaway. The motion carried unanimously.

Ms. Mingee reviewed the FY23 draft budget noting the first column reflects no salary increase and the second column proposes a $2,000 salary adjustment for all employees as well as a raise to the hiring rate for new employees. This proposal is a direct result of a sampling of other detention centers' salaries, which indicates that our employees are under-paid. Ms. Mingee suggested having a salary study done, as the last one was done in 2015 and Mr. Wheeler suggested using a professional company to do the salary study. The study is not included in the proposed FY23 budget since the cost is uncertain. Ms. Day suggested that the cost of the study would be a good use of the FY21 surplus funds and indicated that James City County used Evergreen for their most recent salary study and that they have a contract with a company this year through a cooperative agreement with York County. It was suggested that Ms. Mingee begin to identify a company to do the salary study as soon as possible to have results by January, at which time the FY23 budget can be adjusted to reflect the results. Ms. Day suggested a placeholder of $2,000 be entered in the FY23 budget to be presented to the full commission in October. Ms. Mingee asked if both budget proposals, without the $2,000 and with the $2,000, need to be presented to the full commission. Mr. Wheeler suggested that only the proposal with the $2,000 placeholder needs to be on the FY23 budget.

Ms. Day brought up a possible incentive award program for employees who go above and beyond and will forward Ms. Mingee the information on what they do in James City County. Mr. Wheeler commended Ms. Mingee and staff for the approach to recruitment and retention.

Mr. Wheeler discussed the Electronic Participation Policy for states of emergencies verses normal times when a member is not able to come in person. Mr. Wheeler asked that the policy be put on agenda for next commission meeting for formal consideration.

Re: Executive Director's Report

Ms. Mingee had nothing to report.

Re: Adjournment

There being no other business, the meeting was adjourned at approximately 12:09 PM.

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Randy Wheeler, Chair
Middle Peninsula Juvenile Detention Commission