

NEW RIVER VALLEY REGIONAL JAIL AUTHORITY
November 13, 2015
Held at the New River Valley Regional Jail

A. CALL TO ORDER:

The meeting of the New River Valley Regional Jail Authority was called to order at 10:01 a.m. by Chairman Mark Armentrout with twelve (12) members and seven (7) alternates present.

MEMBERS PRESENT:	Bland County:	Sheriff Thompson; Mr. Workman
	Floyd County:	Sheriff Zeman; Mr. Turman
	Giles County:	Sheriff Millirons; Mr. Chidester
	Grayson County:	Mr. Sweet; Sheriff Vaughan
	Pulaski County:	Mr. Conner
	Radford City:	Mr. Young; Sheriff Armentrout
	Wythe County:	Mr. Reeves

ALTERNATES PRESENT:	Carroll County:	Ms. Cannon; Ch. Deputy Bourne
	Floyd County:	Mr. Allen
	Giles County:	Mr. Martin
	Pulaski County:	Mr. McCready; Major Alderman
	Radford City:	Major Schumaker

STAFF & GUESTS PRESENT:	Superintendent Gerald McPeak
	Lt. Col. Tom Lawson
	Major Marty Stallard
	Jim Cornwell-Sands, Anderson, Marks & Miller
	Robert Lyons-citizen
	Deputy Brian Craig-Floyd County Sheriff-elect

Chairman Armentrout congratulated all of the recent election winners that were present.

B. ROLL CALL:

In Sheriff Gardner's absence, Superintendent McPeak called the roll and reported a quorum present.

C. APPROVAL OF OCTOBER 2015 MINUTES:

The Minutes from the October 2015 meeting were mailed to each of the board members. Chairman Armentrout asked if there were any additions or corrections to the Minutes.

Motion: Mr. Conner moved that the October 2015 Minutes be approved as presented. Mr. Workman seconded the motion.

Action: The motion passed unanimously.

D. OLD BUSINESS:

Chairman Armentrout said that we do have some old business to discuss but he felt that we would touch on most of them during the committee reports.

E. COMMITTEE REPORTS:

Personnel Committee:

Mr. Reeves said that the academy continues and all students are doing well. Graduation is scheduled for November 19, 2015. We continue to interview, test and conduct background checks on applicants. We currently have two kitchen workers under doctor's care for non-work related injuries. We have cut our vacancies in half with 5 new hired officers and 1 LPN. We have had 3 resignations for the month. Mr. Reeves then turned it over to Major Schumaker to discuss the NRVRJ employee satisfaction survey. He added that it was the recommendation of the Personnel Committee to go with InsightLink Communications for the employee survey but he would let Major Schumaker give more details.

Major Schumaker said that the deadline for to the RFP was 5:00 pm on October 23, 2015. We received a total of four proposals from Superior Data Works LLC, Alternative HR, Insightlink Communications and Washington State University. After researching each group and speaking with their references, the decision was to go with Insightlink Communications. Major Schumaker said that his interactions with that group have been very professional.

Motion: Chairman Armentrout said that there was a motion from the Personnel Committee to award the contract to Insightlink Communications for the employee satisfaction survey and exit interviews.

There was a lengthy discussion regarding the costs associated with hiring Insightlink Communications and their procedures for conducting the interviews and overall survey. The discussion also included paying some unexpected expenses that have recently arose.

Sheriff Vaughan asked if it was possible for the Personnel Committee to draft a survey and send out to employees. The Personnel Committee could receive feedback and see if further investigation is needed. He said that he did that once a year with his staff in Grayson County. Several members said that they support the idea of performing the survey but are concerned with the funding of it. Mr. Turman asked how quickly the survey would be performed once a decision is made. Major Schumaker said that it was a process of developing the survey and then the questions have to be approved. Therefore, the process could take a couple of months.

Chairman said that we did still have the motion on the floor to award the contract to Insightlink Communications. With no further discussion, he asked that the Superintendent call the roll.

Action: Following the roll call vote, the vote was tied 7 yes and 7 no.

Motion fails.

Motion: Mr. Workman made the motion to table the survey and carry it over to the December Authority meeting. Mr. Sweet seconded the motion.

Action: Following roll call, the motion passed unanimously.

Operations Committee:

Chairman Armentrout said that a small group of Operations Committee members meeting. He turned it over to Major Stallard to discuss the high points. Major said there were some release and transportation issues that have been brought to our attention. The transportation issue started when a jurisdiction couldn't contact the jail. A radio operator had mistakenly cut a radio off and that has been addressed as a personnel issue. Staff met with Radford Police Department and we have a resolution in order that has been addressed with them. Mr. Chidester had brought some release issues to our attention and they were discussed. Major Stallard said that he has met with the supervisors regarding these issues. The new requirement is that the fax machine in the record's department has to be checked twice nightly by two different supervisors to resolve this. The final thing that was discussed is more of a policy issue. It was regarding instances when an inmate is released through court such as charges dismissed or time served and then being transported back to the jail still in restraints. There was a lengthy discussion on the subject on whether we have the authority to do so. The comment was made as to how the bailiff or the court would know whether they have other pending charges. The Superintendent said that this is a Department of Corrections Standard that we have to abide by. Before we release anyone we have to run a check for wanted through VCIN and NCIC. If they were released at the jurisdictions, the check would have to be run by the Sheriff's Office. To keep the jail in compliance, we would have to know and have documentation that a check for wanted has been done on that individual prior to release. Mr. Reeves said that you may be dismissed in Wythe County and still being held for Carroll County charges. The Superintendent gave an example of that happening in the last few weeks. Chairman Armentrout questioned so it is a DOC policy and not a jail policy. The Superintendent said yes. Chairman Armentrout asked if there were suggestions on how we could address that. Mr. Cornwell said that they discussed a form to be signed by the inmate saying in the event that the charges he is being held on at this jail are disposed of; he agrees that he will be transported back to the jail to receive his personal property. Mr. Turman also mentioned the problem it could cause for an inmate to walk out of court in a jail uniform without other officers knowing he was released. The Superintendent said the general public would have a problem with that as well. Superintendent McPeak said that he would add a statement to the Personal Property form for the inmate to sign and present it at next month's meeting.

Finance Committee:

The Finance Committee did meet and copies of the Revenue & Expenditures from July through October for this fiscal year were handed out to all members present.

Motion: On behalf of the Finance Committee, Ms. Cannon recommended the Financial Report for approval.

Action: Following a roll call vote, the motion passed unanimously.

Ms. Cannon discussed the VRS issue and said that the rough estimate of cost, penalty and interest is approximately \$280,000. Staff has prepared a timeline that shows interest paid to completion date. The items slated for reduction to cover this issue are vehicle replacement (\$46,500), computer (\$25,000), HVAC (\$25,700), repair & maintenance (\$25,000) and salary savings from three positions (\$46,514) for a total of \$168,714. We will still have a gap that we will have to go back to try and find.

We have a rough draft notice for employees and staff to inform them that they will be receiving notification about this error and that the jail is correcting it and is basically picking up the cost associated with FICA that they should have been paying since 2012. The notice needs to be reviewed further and brought back to the Authority for approval. Employees should see a change in their social security wages as well on their annual statements. So we want to make sure and highlight them to be looking for that change to make sure it flows through for them personally. Hopefully, the notice will be done relatively quickly so we can start sending this information into the IRS. Someone asked if that would increase their W2 wages. Ms. Cannon said it will not affect their W2 gross wages. The error only affected their FICA, social security and Medicare taxed gross wages. So they should not see a change in their gross wages and they shouldn't have to file amended tax returns.

Chairman Armentrout asked if the full IRS payment needed to be made this fiscal year. Ms. Cannon said that she wasn't sure at this time. She said she didn't know if the IRS will agree to waive any of the interest and she was pretty certain they won't waive any of the penalties. She said she wasn't sure if the Authority would want to entertain the idea of entering into a payment agreement with the IRS paid over time. But there is a cost associated on addition interest on a payment agreement. Chairman Armentrout asked if all of the reporting will be sent to the IRS this fiscal year. Ms. Cannon said yes it would.

Mr. Workman said they had discussed the payment plan in the past. Also, whether it was better to just go ahead and pay it versus the have the interest associated with the payment. He also said that he would like for staff to come back at the next meeting showing additional cuts that could be made, additional vacancy savings, etc that would help them make a decision.

Mr. Young said this number we're talking about isn't cast in concrete anyway until we hear from the IRS. Ms. Cannon agreed stating the IRS applies different types of penalties. Mr. Workman said so it could be high or lower. The way the timeline reads everything should be in to the IRS and hopefully in the next month or two we will have some reporting back.

Ms. Cannon said the plan is to have Robinson, Farmer & Cox to come in and review the information prior to sending it to the IRS. We will have more information available at the December meeting.

Design and Construction Committee:

The Design and Construction Committee did not meet today.

F. SUPERINTENDENT'S REPORT:

The Superintendent reviewed his report in detail and our headcount today is 906.

In employee activity, we have had five officer new hires and three officer resignations. We currently have nine officers in training that will be graduating on November 18, 2015.

In regards to the solar system issues, we had a meeting on November 3rd with Thompson & Litton, Baker Renewable and Moore's Mechanical. There was some warm discussion of what was going on and who was responsible. At the end of the day, everyone came away with an understanding that problems exist that aren't the jail's problem. This needs to be corrected on the side of Baker Renewable and Thompson & Litton. He said that he had spoke with Mr. John Matthews the executive VP of Baker Renewable. Mr. Matthews said that they will be working with Moore's to determine what pumps we need to put in the system to make it functional again. Moore's will give their recommendation to Baker. Baker will then get with Thompson & Litton. Once everyone agrees on a fix they will come back to the Superintendent. The good news it isn't going to cost the jail anything. He hopes by the next meeting the pump design will be figured out and the pumps will be on order.

We have completed our Life Choices program for the year. It's been a successful year with over 200 kids from Giles County participating in the program. We are currently working with the Wythe County Vocational Technical School to get there Criminal Justice program involved here as well. Pulaski County brought their Criminal Justice students in last month.

We have harvested over 8,000 lbs of produce out of our garden this year. The majority of it being potatoes which is our most used item.

Chairman Armentrout asked if there was motion to go into executive closed session.

Mr. Cornwell said that the Superintendent requests that the Authority board go into executive closed session pursuant to **§2.2-3711.A.7**. He then read the following legal description as listed under the **Code of Virginia**.

Consultation with legal counsel, §2.2-3711.A.7 of the Code of Virginia, (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR- consultation with legal counsel regarding specific legal matters that require legal advice).

Motion: Mr. Reeves made the motion for the board to go into executive closed session to discuss for consultation with legal counsel.
Sheriff Millirons seconded the motion.

Action: Following roll call, the motion passed with a vote of 13 yes and 1 abstention.

Sheriff Zeman asked if it was possible for Sheriff-Elect Craig be allowed to stay for the closed session since he will be coming onto the board. The Superintendent said he was fine with that.

After a lengthy discussion, the motion was made that the Authority Board come out of closed session.

Motion: Mr. Conner moved that the board come out of closed session.
Sheriff Millirons seconded the motion.

Action: Following roll call, the motion passed unanimously.

Motion: Mr. Reeves made the motion to certify that only matters permitted under §2.2-3711.A.7 of the Code of Virginia was discussed. Mr. Turman seconded the motion.

Action: Following roll call, the motion passed unanimously.

H. CITIZEN'S COMMENTS:

I. OTHER BUSINESS OR INFORMATIONAL ITEMS:

J. ADJOURNMENT:

Chairman Armentrout asked if there was a motion from the floor to adjourn.

Motion: Mr. Sweet made the motion to adjourn the meeting.
Mr. Turman seconded the motion.

Action: The motion passed unanimously.

There being no further business to come before the Board, Chairman Armentrout adjourned the meeting at 11:15 am.

Secretary, Sheriff Gardner

