

**NEW RIVER VALLEY REGIONAL JAIL AUTHORITY**  
**February 12, 2016**  
**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 10:02 a.m. by Chairman Mark Armentrout with eight (8) members and four (4) alternates present.

<b>MEMBERS PRESENT:</b>	Bland County:	Sheriff Roseberry
	Carroll County:	Ms. Cannon
	Floyd County:	Sheriff Craig
	Giles County:	Sheriff Millirons
	Grayson County:	Sheriff Vaughan
	Pulaski County:	Mr. Conner
	Radford City:	Mr. Young; Sheriff Armentrout

<b>ALTERNATES PRESENT:</b>	Bland County:	Ch. Dep. Turpin
	Grayson County:	Mr. Smith
	Radford City:	Major Schumaker
	Floyd County:	Mr. Yoder

<b>STAFF &amp; GUESTS PRESENT:</b>	Superintendent Gerald McPeak
	Lt. Col. Tom Lawson
	Major Marty Stallard
	Jim Cornwell-Sands, Anderson, Marks & Miller
	Robert Lyons-citizen
	Kevin Rotty-PFM Asset Management LLC

**B. ROLL CALL:**

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

**C. APPROVAL OF JANUARY 2016 MINUTES:**

The Minutes from the January 2016 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 January 2016 Minutes be approved as presented. Sheriff Millirons seconded the motion.

**Action:** The motion passed unanimously.

**D. OLD BUSINESS:**

Chairman Armentrout said that the only item that he is aware of is the employee satisfaction survey and exit interviews. Last week he and Major Schumaker came to the jail and met with the teams to explain how the survey/exit interviews would go. We currently have ten people enrolled to take the exit interviews. The employee satisfaction survey went live on Feb. 9<sup>th</sup>. During the meetings, it was stressed that it is mandatory to take the survey in order to get a true and accurate recording of all opinions. They will receive a list of who has not taken the survey on Feb. 17<sup>th</sup>. The preliminary report shows some low participation. The Chairman said he met with the Superintendent and stressed the importance of making sure everyone takes the survey. The Superintendent assured him that he would work on that. There are computers set up here at the jail for them to take it or it can be taken at home. There was an email sent out to each employee with a 4 digit one time user code so people can go online and take the survey from here or anywhere they prefer. The survey runs through Feb. 23<sup>rd</sup>.

Ms. Cannon said that she had been through a couple of employee satisfaction surveys and participation usually isn't very good. Some employees choose not to participate. She asked what the enforcement mechanism is if you have people that don't want to participate. Chairman Armentrout said the agency that is doing this does these quite regularly. They feel that 100% participation is needed to get a true and accurate reading. He said that if you have no opinion on a particular area they want to know that and if you have a good opinion then they want to know that. He said per our contract we are requiring 100% participation so that was going to fall on the Superintendent and management staff to make sure they take it. The Superintendent has already offered computers here at work and time to do it. If we have a large number that don't do it then we will have to compel them to do it. Major Schumaker said that the exit survey of course you can't. We're a little behind for January because those people have left the facility. But for the ones that are leaving in February and working their two weeks out you just give them time to do it. He said basically when you have employees that are on the clock. You instruct them to take the survey, you've given them time to do it and the Superintendent has made arrangements so it's convenient for everyone to do it. It's more less a situation of supervisors just rotating and giving them an opportunity. They are free to do it at home or wherever they prefer.

Ms. Cannon said she could imagine that she would have staff that would come to her and say they aren't filling that out. It's their opinion and they would keep it to themselves. Major Schumaker said that's one way of looking at it but another way is that they are on the clock. You're paying them and they are compelled to do whatever you ask them to do. They have options in any given area to decline or can put no opinion but they have to take the survey. The problem is like in the old days when we had police shootings. There came a point where we decided it would be a good idea for the officer to at least talk to a psychologist. But there was a certain stigma that went along with that. What happens now is that anyone that is involved in a major incident goes to talk to a counselor so there is no stigma. He said it was like voting. When you walk in the voting booth you can check any block you want. We think since you're on the

clock it's reasonable to ask that. InsightLink was concerned with the fact that we only have 240+ people. They feel to get a good and fair snapshot that it was important that we get everybody involved. Ms. Cannon asked if the Authority would get an opportunity to see the survey. Major Schumaker said it was up and running right now.

Ms. Cannon asked if there was a code to access it. Chairman Armentrout said no that he didn't have a code to access it. Ms. Cannon asked if they knew what questions were being asked. Major Schumaker said yes. Ms. Cannon asked if everyone would be able to see the survey at some point. Major Schumaker said that he could get a hard copy of it and he added that it ends on Feb. 23<sup>rd</sup>. InsightLink is going to present a full report. Major Schumaker gave a summary of how the survey works. The employee puts their number in, takes the survey and hits submit. It severs the data from the code so the organization can't reconstruct who said what. InsightLink will gather all of the data, look for trends and then report that information to the Authority. You won't get actual quotes that were given but get the jest of what was analyzed. Depending on the amount of written narratives, it may take some time to put that report together but they are shooting for the April 8<sup>th</sup> Authority Meeting to present the results.

Mr. Smith added a comment based on being a part of employee surveys through the years, when you do force people to take it...you get forced results. It will be skewed because they are mad that you made them do it and it does affect your results. Major Schumaker said that they had gotten pretty favorable comments at the meetings and in private conversations. He had left his cell phone number in case people thought of questions after the meetings. He said he hadn't had anyone say anything negative. Mainly people wanted to know if the results would be made available so they could see them and what will you do when you get the results. That can't be answered because they don't know what areas have been identified. He added that we know that we're doing a lot of good stuff...tell us what that is so we can continue. Also, there are areas that probably need improvement. Tell us what those are so we can work in that direction. Major Schumaker gave an example using the auto industry and said if you want to build a better automobile then you ask the people who are building the automobile. He added that we want to build a better jail so we're going to ask the people that are working in the jail how to do that.

## **E. COMMITTEE REPORTS:**

### **Personnel Committee:**

In Mr. Reeves' absence, Major Schumaker gave a report from the Personnel Committee.

The basic jail school starts on February 22<sup>nd</sup> with at least eleven officers enrolled and possibly a twelfth one will be added. There are eight vacant security officer positions and one vacant nurse position. We have two new hires (one officer and one nurse). There have been five officer resignations, one nurse resignation and two retirements during the month of January for a total of eight. There have been no suspensions, no demotions, reductions in pay, no termination and no policy changes for this month.

Carroll County High School tour is set for March 9<sup>th</sup> and Radford University tours are scheduled for March 18<sup>th</sup>, 24<sup>th</sup> and 31<sup>st</sup>.

Chairman Armentrout asked the Superintendent to give an update on the investigation mentioned last month. The Superintendent said that it has been wrapped up and the investigation report is quite lengthy. He is in the process of reviewing the report. He said that there are some issues that have been identified and that he, the Major and the Colonel will have to work on internally. He added that there may or may not be some disciplinary action from varying levels for staff for some policy violations but he doesn't see anything major coming from it.

### **Finance Committee:**

The Finance Committee did meet and copies of the Revenue & Expenditures from July 2015 through January 2016 for this fiscal year were handed out to all members. The total income year to date is \$11,595,934.61 and total expenses \$12,195,508.97 for a loss of \$599,574.36. She pointed out that bills went out a little late to the jurisdictions and that six of the jurisdictions had not paid their per diems as of January 31<sup>st</sup>. Those have probably since come in which would increase the financial position overall.

**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 introduced our guest as Kevin Rotty from PFM Asset Management, LLC to make a presentation to the Authority. Mr. Rotty said in the Finance Committee meeting they had discussed an opportunity to refinance the Authority's outstanding debt. Currently, the Authority has one issue out there of \$52,000,000 of a Series 2008 bond issue. That was a refinancing of the original Series 1997 issue as well as some money for the expansion. Right now interest rates are very favorable. This is something that his group has continued to monitor and has stayed in touch with staff about the opportunity to do a refinancing. Based on current market conditions, he is seeing significant cash flow savings to the Authority in the neighborhood of \$4 million of cash flow savings over the remaining term of our loan. They have talked to staff about potential ways to realize that savings and the general consensus was to attempt to take the majority of those savings upfront. We're looking at potentially \$600,000 this year, about \$500,000 next year and \$400,000 the following year and it declines from there. What they are seeking today is authorization to move forward with this as it takes about 30-40 days to document the transaction, get it in the market and actually sell the bonds and lock in the interest rate. He presented the members with copies of a perimeter resolution that would authorize his group to move forward on this transaction to the extent that they can achieve minimal acceptable levels of savings for the Authority. He gave a detailed presentation to the Finance Committee this morning prior to that Authority meeting. Ms. Cannon said that we have one more payment remaining on the debt service for 2016. The reason for the quick turnaround and why we're asking for the adoption of the resolution today is that we would like to capture in this year's budget a savings on the debt service. That payment is due on April 1<sup>st</sup>. In order to do the financing and capture that savings, we would have to proceed on in a relatively short window of time. Chairman Armentrout said

that Finance Committee was in agreement that we do this and he asked if there was a motion from the floor.

**Motion:** Mr. Conner made the motion to authorize staff to move forward with the resolution to refinance the Authority's outstanding debt. Sheriff Vaughan seconded the motion.

Mr. Cornwell pointed out a couple of items regarding the resolution. There are conditions to the issuance of the bonds to assure that a savings will be realized in the issuance. If those conditions are not met then the bonds cannot be issued. The anticipated savings according to projections range between a net saving of at least \$2.1 million to \$4.6 million. The only anticipated cost if the Authority moves forward and the bottom falls out would be \$35,000 to the rating agency. Hearing no further discussion, Chairman Armentrout asked for the Superintendent to call the roll.

**Action:** Following roll call, the motion passed unanimously.

Chairman Armentrout read some notices that had been received from various jurisdictions. Wythe County sent a letter indicating that Tim Reeves was reappointed to serve as a board member and Cellell Dalton will serve as an alternate. Floyd County has reappointed Joe Turman to serve as a board member and Lauren Yoder to serve as alternate. Carroll County has appointed Nikki Cannon to serve as a full member and no longer as an alternate.

#### **Design and Construction Committee:**

The Design and Construction Committee did not meet today.

#### **F. SUPERINTENDENT'S REPORT:**

The Superintendent said that he had failed to mention one thing during the Finance portion of the meeting. The jail Authority can ask the Comp Board for vacancy savings if there is a vacant position and we have that money out there. Last month, we requested and received vacancy savings in the amount of \$123,500. There remains \$53,099 that we can still request in the future. We have previously discussed the fact that the comp board has taken a reimbursement from us for a little over \$78,000 for risk management protection. Since we went with VaCorp and not VML, we have requested and received that money back as well.

The Superintendent reviewed his report in detail. He gave the inmate totals for each jurisdiction. The state responsible inmates for January decreased from 309 to 294. There were no escapes, assaults or disturbances for the month. Our employee activity was discussed earlier this morning

during the Personnel portion of the minutes. He also reviewed all current inmate programs and gave the total participants in each program.

In regards to the repairs to the solar hot water system, Baker has received the information from Moore's for the cost to replace the pump. The cost is in the neighborhood of \$18,000-20,000. Baker requested a formal proposal from Moore's which they should have today or Monday. They will forward that on to Thompson-Litton for them to review and comment on. Hopefully, we will soon have a new pump with our system up and running again.

The Superintendent said that we appreciated Mr. Rotty's presentation this morning.

We are currently in the 2016-17 budget preparation. He along with staff will be having their first budget workshop next week. They will have something to report to the Authority next month. The Employee Satisfaction survey has begun. He was here with Chairman Armentrout and Major Schumaker to show support for the survey. He attended each of the meetings to encourage staff to complete their surveys.

We did have some promotional testing to replace a retiring captain. After the testing and interviews were complete, Sgt. Tommy Bobbitt was promoted to the rank of Captain. Tommy came to us from Carroll County and has been with the jail for quite a while. It will be a night shift position with the hours of 10 pm-6 am. We look forward to having Captain Bobbitt in that position as he brings a lot to the table. He's excited about the position and we're excited about him having it.

Over the last few months, we've talked about the water we are getting from Pulaski County. He passed two items around for the group to look at. The 1<sup>st</sup> item was a piece of copper pipe that was taken out of the new part of the jail. One end of the pipe is the same thickness as when it was originally installed. The other end was half the thickness and full of holes. He said that he felt like that was due to his 2<sup>nd</sup> item which is cup of sediment that was collected out of our chilling tower. That unit takes in water and uses it to chill the air during warmer weather. This type of sediment is one of the reasons we are going to have to be paying for repairs or a filtration system. A filtration system would take this type of sediment out of the water before it gets into the building. He said he believes that our hot water heaters, boilers and any kitchen equipment are probably full of this.

Ms. Cannon asked if we were sure it was coming in that way. The Superintendent said that was the only way that it could be. What he has been told by the county is this. The majority of the county's water comes from Claytor Lake. They pick the water up from the lake, it goes to the filtration system, then to the water tower in Dublin and then is fed to us. If they pick up silt from the lake it eventually is fed to us. If they have a water main break then you can get these things into the system. Also over the years, this type of stuff builds up anyway. Our problem is that we have so many water interruptions in service here. Because Claytor Lake is so far below us that when it stops, everything flushes back in the system and drags everything out of the pipes. When the system starts back up again, all of this sediment comes flooding back to us. The worst part for us is that we're on the end of this system so we get a lot of this. He is going to contacting the county and showing them these samples. It is an ongoing problem for us that we are going to have to deal with. These pipes will eventually have to be replaced. He said that there is one particular piece of 10 ft pipe that probably has 40 patches on it where pin holes have developed. It was asked if he had checked pricing on a filtration system. The Superintendent said that he

spoke with Moore's and they provided us with a price of less than \$50,000. It is system that you install and forget it. It is maintenance free. It cleans itself so you don't have to go in and replace filters all the time. It backflows and purges itself. When it cleans out it flushes all of that sediment out of the storm water system. Chief Deputy Turpin asked with that kind of issue was there a possibility of a grant out there somewhere. The Superintendent said that they can research that and maybe this refinancing may help with some of the funding. But sooner or later, we are going to come up with the dollars to repair these pipes and replace some equipment.

**G. NEW BUSINESS:**

Sheriff Vaughan said that he wanted to commend Jerel Dobbins and his work crew. That group has been doing a lot of painting at the Grayson County School and they did a great job.

Sheriff Millirons also commended the transportation officers for their help with a sovereign citizen that didn't want to go into the court room. The Superintendent said that we currently have two inmates here that are sovereign citizens that claim that we have no right to tell them to do anything.

The Superintendent said that he appreciated the good comments and that he would pass them along to staff.

Mr. Cornwell gave a brief report on a decision of a federal lawsuit against the jail. The inmate claimed that he had lost the enamel off of his teeth while here at the jail and needed to be provided with Sensodyne toothpaste. Neither the dentist nor the doctor prescribed it for him. Therefore, the jail did not provide it and the inmate took the jail to federal court. The court determined that the jail's procedure for handling medical issues met all appropriate standards under federal law. As the judge said the jail has no responsibility and cannot provide medical services that are not prescribed by a medical provider. There is no duty on the jail to do so. Although the Sensodyn toothpaste case wasn't much of an issue, the court's ratification of how the jail handles medical issues was very good and will be useful.

**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:** Sheriff Millirons made the motion to adjourn the meeting.  
Sheriff Vaughan seconded the motion.

**Action:** The motion passed unanimously.

There being no further business to come before the Board, Chairman Armentrout adjourned the meeting at 10:41 am.

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Secretary, Sheriff Gardner



