

NEW RIVER VALLEY REGIONAL JAIL AUTHORITY
November 13, 2020
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 10:15 a.m. by Chairman Mark Armentrout with ten (10) members and four (4) alternates present.

MEMBERS PRESENT:	Bland County:	Sheriff Ramsey; Mr. Workman
	Floyd County:	Sheriff Craig
	Giles County:	Sheriff Millirons; Mr. Chidester
	Grayson County:	Sheriff Vaughan
	Pulaski County:	Mr. Travis
	Radford City:	Sheriff Armentrout; Ms. Cumberland
	Wythe County:	Mr. Vaught

ALTERNATES PRESENT:	Grayson County:	Mr. Smith
	Pulaski County:	Mr. Sweet
	Wythe County:	Mr. Bear; Ch. Dep. Foster

STAFF & GUESTS PRESENT:	Superintendent Gregory Winston
	Dep. Superintendent John Bowman
	Mr. Steve Durbin-Sands Anderson
	Mr. Bob Sumner-Citizen
	Candice Johnson-NRVRJ retiree
	Angie Gautier-NRVRJ retiree

B. ROLL CALL:

Mrs. Akers called roll and reported a quorum present.

Superintendent Winston recognized Corporal Candice Johnson (22 years of service) and Master Jail Officer Angie Gautier (21 years of service) on their recent retirement from the New River Valley Regional Jail. Their many years of experience and dedicated service to the jail will be greatly missed. Kim Dalton was unable to attend today but was also recognized on her retirement after many years of service in our food service and records department.

C. APPROVAL OF SEPTEMBER 2020 MINUTES:

Copies of the Minutes from the September 11, 2020 meeting were mailed to each member. Chairman Armentrout asked if there were any additions or additional corrections to the Minutes as presented.

Motion: Sheriff Millirons moved that the September 11, 2020 Minutes be approved as presented. Mr. Workman seconded the motion.

Action: The motion passed unanimously.

D. OLD BUSINESS:

E. COMMITTEE REPORTS:

Finance Committee:

Copies of the monthly financials were distributed. Mr. Workman reviewed the report in detail with the group.

Motion: On behalf of the Finance Committee, Mr. Workman made the motion to approve the Finance Report as presented.

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

F. SUPERINTENDENT'S REPORT:

Last year we were engaged with Radford University Carilion School of Health Sciences and their PA's and Nurse Practitioner classes. The students spend time here to receive clinical experience in psychiatry and all of the other types of medicine that we practice here at the jail. We recently received a letter from Ms. Christina Gardner the Program Director announcing that the jail was selected to receive the Outstanding New Clerkship Award recognizing of our outstanding clinical rotation offering and education provided to the students. We also received a second letter recognizing Ms. Mary Cox, NP our full-time Nurse Practitioner here at the jail as she was selected the NP Preceptor of the Year Award. This award was voted on by the PA students for her hard work and assistance that she had provided to them. Superintendent took a minute to thank the entire medical department for their excellent efforts on a daily basis handling a huge variety of medical issues.

Operations:

- Headcount today: 964
- Total days served 30,070
- Average Daily Population: 970
- Average Daily Population for male prisoners: 776
- Average Daily Population for female prisoners: 195
- Number of commitments: 457
- Avg Daily commitments: 15
- Number of releases: 424
- Avg Daily releases: 14

COVID Update:

Superintendent Winston discussed the uptick in COVID cases in our part of the state. Much like the jurisdictions, we're seeing staff members that will have to be out 8-14 days who have been exposed to someone with COVID-19. He discussed the recent announcement that Western Virginia Regional Jail has at least 125 prisoners that are positive for COVID and the health department is doing mass testing today of all WVRJ staff and inmates. At this time, we are not accepting any inmates from or transporting any inmates to WVRJ until further notice. He also gave updates on other surrounding facilities based on the information he's receiving. If any of the jurisdictions have to go pick up inmates from facilities such as WVRJ, River North, Montgomery County, Roanoke County, Salem for court, he encouraged everyone to work with the judges and delay those cases if at all possible. He added that he would let everyone know if he hears of more facilities being affected.

We have had about six positive cases in the last ten days. The true risk to our prisoners is when they leave the jail and being exposed to staff. We encourage our staff to be mindful of their responsibility to maintain social distancing.

Mr. Vaught asked the Superintendent if he could communicate all of this information via email to the group so that they could talk with the judges. Superintendent said that he would send the information out to all of the Sheriff's as well as the judges. He will also send any future outbreak information as he received it.

Fralin Labs is the group that has been providing accurate testing for the jail since late Feb-early March. We were recently notified that they are now one of three official labs for the Commonwealth meaning that they will be receiving test from all over the state. We don't know what that's going to do to our ability to maintain the amount of testing we're doing here. He will send out an email to the judges and everyone know where we stand with that.

Inmate Tablets:

We have finally gotten the tablets for the inmates in the jail. With the exception of attorney visitation, the inmates haven't had any programs or family visitation since March of this year. The tablets will enable inmates to access programs and communicate with their families through a type of email which will help cut down on contraband. The next step is enabling attorneys to be able to visit with their clients via the tablets. As part of our contract, we will have an on-site

dedicated technician and he will be the point of contact for the attorneys to call to set up visitation.

We're currently working out the kinks and will be sending out notices/brochures to all of the localities/jurisdictions/court houses once that is up and going.

Arbitrage Rebate Calculation:

We received our five-year arbitrage rebate calculation and we didn't have to pay anything. This won't need to be done again for a few more years.

Ameresco:

Our energy savings performance contracting group is currently working on-site. They are putting in lighting and doing plumbing in the back of the jail. Inmates have to be moved periodically throughout the jail to make this happen. We expect the lighting, plumbing and domestic cold water which are our major energy savings components to be completed on time. They're also working on the roof top units and chiller in the back, all at the same time. They haven't made pay application yet but the money is sitting in escrow to pay when they do. Once we receive our first pay application, members will receive an email stating what has been completed and what is being paid for out of escrow. For the months that we meet in person, Supt. Winston will update the group in the meeting.

Jail Cost Report:

Superintendent Winston updated the group on the most recent jail cost report. Of all of the jails in the state, our jail is ranked the 4th lowest at \$52.85 including debt service at \$63.78. The only ones operating less than us is Northern Neck, Middle River and Piedmont. Historically our jail cost trend has been \$53.78 (2017), \$55.03 (2018) and then this year's cost of \$52.85 (2019). Our local jail funding from this prospective is roughly 42%. We're one of the very lowest jails relying on local funding. So, we have a very high reliance on state funding and a low reliance on local funding. We're certainly in the top 5% of both categories. We're relying as much as we can on state funding which in turn helps maintain a fairly low reliance on the localities to fund the regional jail.

G. NEW BUSINESS:

Over the last few months, we've been closely following state legislative level regarding on police reform. From a correctional perspective in budgeting there was a reform initiative passed that increases the amount of good time an inmate receives from 4.5 days to 15 days for every 30 days served based on program participation. The final details are being worked out at this time. The state is also looking to reduce jail funding for per diems at about \$5.1 million to account for this. The assumption is that the inmates that are going to receive the "good time" to receive a shorter sentence and the regional jail will then back fill the state as beds become available. Currently 4,200 state inmates are still in regional jails at this time. Superintendent Winston has been communicating with the Compensation Board and he doesn't feel that the funding will change unless the "real numbers" change.

Also, in the budget language, all regional jail superintendents and their sworn staff and all sheriff offices/constitutional officers were awarded a one time \$500 bonus from the comp board payable

on December 1st. It didn't allocate money for locally funded employees which leaves around 30 of our employees that wouldn't be eligible for that bonus. Admin staff went back to the drawing board to look for a way to fund these folks. Annually, we budget for a \$100 bonus for all full-time employees which amounts to \$29,700 to cover that. The cost to extend the comp board's \$500 bonus to everyone would cost around \$19,377 to do so. That money is already in the budget and we would like to use that money to reward all of the staff for that \$500 bonus. Mr. Workman added that the funds are already there but they would just need to be reassigned to be used in that matter.

Motion: On behalf of the Finance Committee, Mr. Workman made the motion to reassign and utilize already budgeted funds in addition to comp board funds to award a one-time \$500 bonus to all full-time employees. Sheriff Vaughan seconded the motion.

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

Superintendent Winston had emailed the board in regards asking the localities to consider contributing some of their CARES Act money to the regional jail for our jail staff. Regional jails are not eligible to receive any CARES Act money on their own and money they receive would have to come from the jurisdictions. Several jurisdictions wanted to add some support but they had limitations on what they could do. Superintendent Winston has been looking for possibilities of how we could save some money and provide some funding without asking the localities for any contribution. He would like to provide the staff with a matching hazard duty payment based upon their months of service during the Coronavirus emergency March-December. They would receive a \$50 per month hazardous duty payment up to \$500 matching the comp board's grant based on their months of service. So, for an employee that worked Mar-Dec, they would receive a one time \$500 payment. To do so would cost us approximately \$102,000 so we've looked for ways to identify money in the budge to cover that. We saved \$83,950 in a bond payment that was overbudgeted for so that money will be credited to our account this fiscal year. Also, there is approximately \$8,500 left over in the money that we had allotted for employee Christmas bonuses. In addition to that we had budgeted a certain amount of money for contract prisoner bed space for revenue. YTD, we're already 333% above that projected revenue in that line item as well. Those three things could completely cover this one-time hazardous duty pay in January without increasing our per diems in any way. It would be of no cost to the Authority but would go a long way in recognizing the staff for the challenges they have faced during this very stressful time. Superintendent Winston respectfully asked that Authority consider doing this for our staff.

Motion: On behalf of the Finance Committee and Mr. Workman who stepped out, Sheriff Armentrout made the motion to move forward and award a hazardous duty payout of \$50 per month of service during the COVID-19 emergency from March-December 2020 up to \$500.

Sheriff Vaughan seconded the motion.

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

At the end of the September meeting, Superintendent Winston was tasked with finding possible ways we could increase our starting salary here at the jail. Currently the comp board pays us \$32,578 per sworn staff member and we in turn pass that on as a starting salary. The Southwest VA Regional Jail is currently paying that as well. Montgomery County is paying \$41,000 which isn't something that we can do. We have so many new officers and so many new supervisors that in order for us to increase our starting pay we're going to have to relieve compression up to the rank of Captain. The cost of compression for us isn't a great as it would normally be because we currently have 40 vacancies. The most affordable number for us would be to raise our starting salary by 4.5% to just sworn staff. While that's still not highly competitive but it's definitely something for sure. We can't afford to relieve compression beyond that number and that would cost about \$160,000. If we do increase starting salaries and relieve compression now that turns into a recurring expense in next year's budget so we have to be mindful of that. We're looking for ways in our current budget to offset that cost without increasing expenditures in a way that it comes back to the localities. We have a budget line item now for pre-existing health conditions. Working with our attorney Mr. Durbin, we were able to come to terms with Carilion that relieved us of the need to pay for pre-existing health conditions freeing up about \$225,000 in our budget. We have the money in this year's budget to pay for the compression relief at no cost to anyone and no change in per diem cost. But the question is in next year's budget we'll have to make up \$120,000 that has to be recovered as we do budget planning for next year and cover the increase to staff. Superintendent Winston is confident that we can do that but we need to wait for the health insurance costs to come to fruition for us. We have done a good job in creating revenue such as housing additional inmates from Bristol, Henry County and Martinsville. There is a cost to increasing the starting salary and he believes we can bear that cost without asking anymore from the localities. Superintendent respectfully asked that the Authority look at our starting salary and try to align what these men and women are being paid for the what they are doing here at the jail.

Sheriff Craig asked how much study had been put into this and had we dug into what the issues were for the folks in the back. Why are they leaving other than just pay? He said that he's spoke to quite a few folks that have left and quite a few folks in his jurisdiction and neighboring jurisdictions of people who work here and it's not just money. There are some other issues going on and needs to be addressed. Sheriff Armentrout said that the money part has been an issue for quite some time. He said that we've been discussing this for 6 months or so and we need to take some action.

After a lengthy discussion and input from several members. Some members had concerns with a possible increase in our employee healthcare costs for next year, the timing as it's the middle of a budget year and also, we're in a pandemic. Mr. Sweet mentioned the possibility of approve a contingent phased in approach to this throughout the remainder of the fiscal year. Basically, see where we are tracking from projected expenditures/revenues to actuals and where we think we're headed next year. He added that the jurisdictions could keep an eye on theirs as well. We could have the intent to phase this compression approach in...not in January but per quarter. So, we can get to the 4.5% but in a more measured approach. That way if anything causes us to change course then we have the ability to do that. Superintendent Winston said he thinks that is wise in terms of planning next year's budget.

After more discussion, the decision was made to table the matter and discuss it further at the January 2021 meeting. Several members voiced their support on working towards a salary increase but would feel better if they could finish up this year and discuss it again at the next meeting. Superintendent Winston will compile some salary increases showing various increments up to 4.5% and send the proposals out to the members prior to the next meeting for review.

I. OTHER BUSINESS OR INFORMATIONAL ITEMS:

The January 2021 Authority meeting will be moved from Friday, January 8th until **Friday, January 15, 2021.**

Yearly Financial Disclosure forms will be due again January 1st. Please send those into the jail via fax at 540-643-2010.

Mr. Workman also mentioned something that came up in a VACORP meeting. Qualified immunity is something that is being discussed. If that passes it will have a dramatic impact on the cost of worker's comp insurance. He said we need to continue to stress to our legislatures that some of these political philosophies that they're trying to push through the General Assembly have a price tag to them.

Chairman Armentrout said there was a need for an executive session and asked if there was a motion from the board. Attorney Steve Durbin said our executive closed session would be held under §2.2-3711. A.1 of the Code of Virginia.

The purpose of the executive closed session is: Personnel Matters, §2.2-3711. A.1 of the Code of Virginia, (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees).

Motion: Sheriff Millirons made the motion to go into executive session for Personnel Matters pursuant to §2.2-3711. A.1. Mr. Smith seconded the motion.

Action: Following roll call, the motion passed unanimously.

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

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

Action: Following roll call, the motion passed unanimously.

Chairman Armentrout asked for a motion to certify that only matters permitted under §2.2-3711. A.1 of the Code of Virginia were discussed.

Motion: Mr. Workman moved to certify the closed session discussion.
Mr. Chidester seconded the motion.

Action: Following roll call, the motion passed unanimously.

J. ADJOURNMENT:

With no further business to discuss, Chairman Armentrout asked for motion to adjourn.

Motion: Mr. Workman made the motion to adjourn the meeting.
Mr. Chidester seconded the motion.

Action: The motion passed unanimously.

There being no further business to come before the Authority, Chairman Armentrout adjourned the meeting at 12:41 p.m.

Chairman Mark A. Armentrout