



Western Virginia Regional Jail Authority

Serving the City of Salem and Counties of Franklin, Montgomery, and Roanoke

ACTION AGENDA **OCTOBER 1, 2009, 9:00 A.M.**

Western Virginia Regional Jail
5885 West River Road
Salem, VA 24153

A. CALL TO ORDER

1. Introduction and Roll Call – Chairman Gerald Holt

The Chairman called the meeting to order at 9:05 a.m. and the roll call was taken.

Members present: James “Jay” Taliaferro, II (arrived 9:07 a.m.); Eric “Ric” Atkins; Christopher Whitlow; Charles Wagner; Vicki Meadors; Craig Meadows; Doug Marrs; Robert Hall; Diane Hyatt; Mike Altizer; Gerald Holt

Members absent: Jane Johnson; Ewell Hunt; James “Tommy” Whitt; Frank Turk; Randy Foley; Keith Mucha; Richard Huff, II; Wayne Angell; Carol Edmonds; Gary Creed; Clay Goodman; Joseph “Butch” Church; Michael Winston

Others present: Charlie Poff, Bobby Russell, Jim Guynn, Letitia Smith, David Cox, Barry Tayloe, Cheri Lankford, Mary Brandt

Mr. Marrs introduced Craig Meadows, the new Montgomery County Administrator, who will serve as the county’s administrative member on the Authority. Mr. Holt welcomed Mr. Meadows to the Authority.

B. REQUESTS TO POSTPONE, ADD TO, OR CHANGE THE ORDER OF AGENDA ITEMS

Chairman Holt requested the addition of the following items to the agenda: (1) committee appointments as Item G; and (2) a closed meeting under Code of Virginia Section 2.2-3711 (A) 3 as Item H. It was the consensus of the Board to add these items to the agenda.

C. APPROVAL OF MINUTES

1. July 2, 2009

Mr. Marrs motioned to approve the July 2, 2009, minutes. The motion was seconded by Ms. Hyatt and adopted by unanimous voice vote.

D. REPORTS & BRIEFINGS

1. Financial Reports for August 2009—Cheri Lankford, Business Manager

Ms. Lankford advised that the current cash balance is \$17,280,763 and operating expenses total \$1,409,138.

Ms. Hyatt reviewed the bond fund expenditures and advised that the fund will have a \$10 million balance once the remaining payouts have been made. She advised that she will prepare some spending scenarios and recommended that the funds be used to pay down the debt to relieve the localities.

Chairman Holt congratulated Ms. Hyatt on becoming assistant county administrator for Roanoke County. He also recognized Ms. Letitia Smith, Director of Human Resources, and Major David Cox, Services Division Commander, who were present.

2. Operations Briefing—Charlie Poff, Superintendent

Mr. Poff advised that the request for state reimbursement was submitted on July 17, 2009, in the amount of \$46,148,160 plus interest. He reported that Brooks Ballard, Department of Corrections (DOC) project coordinator, has requested that the Virginia Department of Treasury certify the amount as \$46,130,433. He added that the payment should be received within the next few weeks.

Ms. Hyatt reported that she would direct Kevin Rotty to begin negotiating the interest rate and that the Authority should have an additional \$2 million to pay the state's share of the note.

Mr. Poff noted that he had received favorable feedback regarding the documentation submitted by the jail and thanked Ms. Lankford for doing an excellent job of preparation.

Mr. Poff reported that the project close out is complete and that Shockey and Sons received a payout of approximately \$2.4 million. He added that the dispute over the retherm units was settled as expected. He noted that there are a few remaining warranty issues to be resolved and a problem with the rainwater collection system's emergency mode that needs to be corrected.

Mr. Poff advised that the LEED certification process is progressing well. He reported that the 13 design credits have been approved, and the 16 construction credits are under review. He reported that 32 credits were submitted which is three more than required, so there should not be any difficulty receiving certification.

Mr. Poff reported that the facility will undergo a Department of Corrections preliminary-audit the first week of November and that all the necessary files have been prepared. He added that staff is still preparing for the American Correctional Association audit which will take place in April 2010.

Mr. Poff reviewed the operational statistics and the facility's current staffing. He noted that the state's budget reductions could have an impact on staffing should the General Assembly approve the budget reductions for 2011.

Mr. Whitlow inquired if there is a policy covering layoffs should layoffs become necessary. In response, Mr. Poff reported that the food service and medical positions would be the positions cut should a reduction in staff become necessary. Mr. Russell added that the facility does have a relevant policy in place. Mr. Poff stated that the Regional Jail Association will work with the next governor to restore the budget cuts and that he will work with the General Assembly on this issue.

In response to Mr. Altizer's inquiry, Ms. Hyatt reported that there is no timeline for spending the remainder of the proceeds of the bond issue.

3. Video Visitation Update—Bobby Russell, Deputy Superintendent

Mr. Russell reported that staff has worked with the vendor and the service provider to correct the problems that initially plagued the system and that the system is now operating as it should. He advised that in the last 30 days, there has been a significant reduction in service issues and that staff will begin moving visitors back to the local jails for visitation beginning October 19. He added that he would meet with representatives of the local jails to review procedures and distribute the keys for the units.

4. Services Update—David Cox, Services Division Commander

Mr. Cox presented an overview of the services division. He reviewed the classification section's staffing and operations noting that classification has conducted 1,200 inmate disciplinary hearings to date. He summarized the facility's trustee program and reported that the savings generated by the inmate workforce is approximately \$150,000. He advised that the maintenance department has four employees who are cross trained for maximum flexibility. He reported that maintenance handled 360 work orders in September covering a variety of issues.

Mr. Cox reviewed the programs currently available to inmates as well as medical and food services. He reported that staff has attempted to develop comprehensive medical and dental programs to minimize the need to take inmates outside the facility. He noted that the jail has an agreement in place with Carilion to bill inmates directly for pre-existing conditions. He advised that the state has an assistance program for collecting medical debts from inmates which the jail will take advantage of. Mr. Poff added that the facility's population is a sick one and that staff is doing everything possible to minimize the impact on the local facilities.

Mr. Cox reported that Oasis is the vendor for the jail's commissary, and PayTel is the vendor for the inmate phone system. He advised that both are working well.

5. Budget Update—Cheri Lankford, Business Manager; Charlie Poff, Superintendent

Ms. Lankford briefed the Authority members on the impact of the governor's 2010 budget reductions which resulted in a 6.9 percent reduction in the operating budget (\$410,397), a 6.9 percent cut in the per diem rate, and a 90-day hiring freeze which has recently been lifted. Ms. Lankford reported that the fiscal year 2010 budget approved by the Authority was reduced by 7 percent to compensate for the cuts made by the governor. She reviewed the current revenue stream and projected shortfall caused by the declining inmate population.

Superintendent Poff advised that the budget was developed based on filling 600 inmate beds and 100 contract beds and that the facility opened with 550 inmates; however, the inmate population has undergone a steady decline since that date following a state-wide trend. He reported that the jail's daily inmate population is averaging 499 and that it reached a low of 492 at one point. He noted that the drug arrests are down which is partially responsible for the decline. He stated that he believes the trend will soon reverse itself adding that recent decisions to close three DOC facilities and to restrict the intake of DOC inmates with the exception of those with special needs should have a positive impact on the situation.

Mr. Poff advised that he has taken several steps to address the revenue shortfall which include signing a contract with the U.S. Marshalls to house federal prisoners and negotiating contracts with the DOC for jail contract beds and other types of inmates. He reported that he has contacted various localities offering to house their surplus prisoners and that Loudoun County, which has a large surplus prisoner population, is reviewing its existing contract to see if it will be possible to send its surplus prisoners to the regional jail.

Mr. Poff advised that he plans to call a Finance Committee meeting in November to begin work on the fiscal year 2011 budget. He reported that staff needs to ask for the \$2 million in interest and determine how best to use the funds. Ms. Hyatt advised that she would prepare some spending scenarios for the Finance Committee's review prior to making a recommendation to the Authority members at the next Authority meeting. She suggested that these funds not be used to cover recurring expenses. In response to an inquiry, Mr. Poff reported that staff is required to submit the budget to the Authority annually in January which will give the localities ample notice should it be necessary for the regional jail to request additional funding.

Mr. Holt stated the Mr. Poff has been proactive in dealing with the revenue shortfall. He added that he has been in contact with Rockbridge Regional Jail which is overcrowded and may be interested in transferring their surplus prisoners to the regional jail at a per diem of \$35.

Mr. Poff advised that state code allows facilities to charge a per diem of up to \$3 to inmates for their upkeep, and he recommended that the regional jail begin charging this fee at a rate of \$1 per day. There was a general discussion on the advisability of charging this fee. Mr. Guynn advised that a resolution would be needed from each locality and that the administrators for the member localities should be contacted in writing to request one and that a draft resolution should be provided for their use.

Mr. Tayloe advised that Roanoke County was seeing an increase in sentenced inmates reporting to the jail after 6 p.m. to begin serving their sentences. He stated that he would like to send these inmates to the regional jail but providing transportation is an issue. Mr. Poff responded that the regional jail will provide the transport for those inmates.

6. Human Resources Update—Letitia Smith, Human Resources Manager

Ms. Smith briefed the Authority members on the status of current applicants and the hiring process. She reviewed her recruitment activities, terminations to date, and employee demographics. She reported that the jail no longer has to advertise vacant positions since word of mouth is generating sufficient interest. She added that the minority percentage was low but that increasing the jail's visibility at diverse events should improve this demographic.

E. CITIZENS' COMMENTS AND COMMUNICATIONS

There were none.

F. REPORTS AND INQUIRIES OF AUTHORITY MEMBERS

Mr. Hall inquired if the inmate population will be inoculated for H1N1. Mr. Poff responded that only high-risk inmates and members of the staff who ask for it will receive the vaccine.

G. COMMITTEE ASSIGNMENTS/RETIREMENTS

Mr. Holt recommended that the Finance Committee be reactivated with the following members: (1) Roanoke County: Clay Goodman and Diane Hyatt; (2) Franklin County: Christopher Whitlow; (3) Montgomery County: Craig Meadows and Carol Edmonds; and (4) City of Salem: Frank Turk. Mr. Holt requested that Superintendent Poff send written notification to the committee members and set up a committee meeting to discuss the budget.

Mr. Holt also recommended that the Human Resource Committee be disbanded as of October 1, 2009. Both recommendations were unanimously approved by the Authority.

H. CLOSED MEETING

The closed meeting was held from 10:30 a.m. until 10:55 a.m.

Mr. Whitlow motioned to enter closed session pursuant to the Code of Virginia Section 2.2-3711 (A) 3 to discuss the acquisition of real property. The motion was seconded by Mr. Atkins and adopted by unanimous voice vote.

Mr. Altizer motioned to certify the closed session. The motion was seconded by Mr. Taliaferro and adopted by unanimous voice vote.

RESOLUTION CERTIFYING THE CLOSED MEETING WAS HELD IN CONFORMITY WITH THE CODE OF VIRGINIA

WHEREAS, the Western Virginia Regional Jail Authority Board has convened a closed meeting on this date pursuant to Code of Virginia Section 2.2-3711 (A) 3 and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Western Virginia Regional Jail Authority Board, that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Western Virginia Regional Jail Authority Board, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting which this certification resolution applies, and

2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Western Virginia Regional Jail Authority Board.

I. ADJOURNMENT

(Next meeting date: January 7, 2010, at 9:00 a.m. at the Western Virginia Regional Jail, 5885 West River Road, Salem, VA 24153.)

There being no further business, Chairman Holt adjourned the meeting at 11:00 a.m.

Christopher Whitlow, Secretary