

NEW RIVER VALLEY REGIONAL JAIL AUTHORITY
April 8, 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 10:00 a.m. by Chairman Mark Armentrout with fifteen (15) members and five (5) alternates present.

MEMBERS PRESENT:	Bland County:	Sheriff Roseberry; Mr. Workman
	Carroll County:	Ms. Cannon; Sheriff Gardner
	Floyd County:	Mr. Turman; Sheriff Craig
	Giles County:	Sheriff Millirons; Mr. Chidester
	Grayson County:	Mr. Sweet; Sheriff Vaughan
	Pulaski County:	Sheriff Davis; Mr. Conner
	Radford City:	Sheriff Armentrout; Mr. Young
	Wythe County:	Sheriff Dunagan

ALTERNATES PRESENT:	Carroll County:	Ch. Dep. Bourne
	Giles County:	Mr. Martin
	Pulaski County:	Mr. McCready
	Radford City:	Major Schumaker
	Wythe County:	Mr. Dalton

STAFF & GUESTS PRESENT:	Superintendent Gerald McPeak
	Lt. Col. Tom Lawson
	Major Marty Stallard
	Jim Cornwell-Sands, Anderson, Marks & Miller
	Robert Lyons-citizen
	Charles Havens-citizen
	Terry Hammer-NRVRJ officer
	Bob Sumner-NRVRJ officer

B. ROLL CALL:

Sheriff Gardner called the roll and reported a quorum present.

C. APPROVAL OF MARCH 2016 MINUTES:

The Minutes from the March 2016 meeting were mailed to each board member. Chairman Armentrout asked if there were any additions or corrections to the Minutes. Hearing none, he asked for a motion to approve the Minutes.

Motion: Mr. Workman moved to approve the March 2016 Minutes as presented. Sheriff Millirons seconded the motion.

Action: The motion passed with a vote of 15 yes and 1 abstention. Mr. Dalton abstained from the vote due to his absence from the March meeting.

D. OLD BUSINESS:

Chairman Armentrout said that he would defer the Old Business portion until the end of the meeting.

E. COMMITTEE REPORTS:

Personnel Committee:

In Mr. Reeves' absence, Major Schumaker gave a report from the Personnel Committee meeting that was held earlier in the morning. There are ten jail officers in training and they are doing fine according to reports from the academy. We have twelve vacant security positions but we are fully staffed in the medical department and kitchen. There have been 17 employees leave since January 1. There was one new hire officer and 1 new hire nurse during the month of March. No suspensions, promotions, terminations or changes in policy. There is one Radford University tour remaining which is scheduled for April 22nd. A vocational group from Wythe County visited the jail on April 4th. Carroll County has canceled and will reschedule. There are currently two use of force investigations ongoing and the Authority will receive a report on those next month.

Operations Committee:

The Operations Committee did not meet today.

Finance Committee:

The Finance Committee did meet and copies of the Revenue & Expenditures from July 2015 through March 2016 for this fiscal year were handed out to all members. The total revenue was \$14,905,785.56 and expenses were \$15,469,535.35. We closed on our bond refinancing it was

listed on the financials as other income in the amount of \$1,862,746.59. That money has been transferred into the reserve leaving us with a gross profit of \$1,298,796.80. We do have some accounts receivable, per diems, lids and coins that have yet to be collected.

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.

There will be a 2nd budget planning session held on Wednesday, April 13th at 1:00 pm. There will again be discussion of a per diem increase. She added that if anyone would like to weigh in on the budget that would be the time to do it before it is submitted in May for approval. It was asked if there was an idea of what that increase may be. Ms. Cannon said they were looking at \$1.13-\$2.31 is where it's capped out bringing the per diem to probably a maximum of \$27.26.

Mr. Chidester asked what the interest rate ended up being on the bond refinancing. The Superintendent said it was in the 3% range but he would find out the exact percentage.

Mr. Chidester said he was interested in what we were paying versus what the new rate was. He also asked if the terms stayed the same. Ms. Cannon said yes they did. He also asked what we anticipated in payment savings because of the new interest rate. Ms. Cannon said \$3.1 million dollars over the term and all the savings are front loaded. Chairman Armentrout said that we would get that exact interest rate for the group but we would now move on.

Design and Construction Committee:

The Design and Construction Committee did not meet today.

F. SUPERINTENDENT'S REPORT:

Superintendent McPeak reviewed his report in detail and gave totals for all jurisdictions. Our state responsible inmates total rose from 304 to 315 for the month. We had two assaults on staff last month. Both of those assaults came from new arrestees that came into the facility under the influence of drugs or alcohol. In the first instance, a male inmate was being unloaded off the van. The inmate struggled with the officers while getting off the van and during that process kicked an officer in the chest. In the second instance, a female officer was processing a female inmate. When the officer placed the inmate in a cell the inmate resisted. The female inmate turned on the officer and slapped her in the face. Warrants have been issued on both of those individuals for a Class 2 Felony for Assault on Law Enforcement and we will be prosecuting them for that. Neither of the officers sustained serious injuries in either occurrence.

As Major Schumaker reported, we have had 2 new hires. In regards to the 2 resignations, both of those officers were re-hires that had worked here before and left. Both sought employment back and we offered jobs to each of them. One had worked here again for 90 days and the other

worked less than 30 days. They decided that they really didn't want to do this job anymore. Someone asked if they went back to Volvo. The Superintendent said that when one left here the first time it was to go to a local pharmacy. Major said that he thought the 2nd officer had worked at Volvo. But when that 2nd officer left here this month, he didn't tell us where he was going. Sheriff Vaughan said it's hard to compete with that.

The Superintendent gave an update on all inmate programs and the totals of inmates in each program. There were no policy changes during the month.

In regards to our solar hot water system, there has been a lot of back and forth communication between Baker Renewable and Moore's. They are trying to hash out the best design for the pump that is going to be put in. They will then forward that to Thompson & Litton to review and make sure that everything is being done properly. We are in a hold pattern there but work in ongoing with that particular project.

He recapped what Major Shumaker spoke of earlier regarding the Wythe County vocational tour. We received an email from the instructor stating that he was impressed with the program and he hopes to make it an annual trip. He said that he will be encouraging folks in the Wythe County School system to get involved like Giles has done with their 7th grade students.

Our headcount today was 877. We have seen a little bit of an increase there as we've been averaging 830-840.

Superintendent McPeak said that he had an announcement for the Authority this morning. This is something that he has been contemplating for quite some time. He has talked with various members of his staff, had conversations with his wife and had done lot of soul searching. He advised the Authority that he wishes to retire effective August 31, 2016. He said that he felt it was best for him, his family and the agency and that it was time to make this move. He has spent 31 years of his life in law enforcement with 18 of those spent here at the jail. He has been Superintendent since 2007. It's been a privilege and an honor to hold this position and to work with the ladies and gentlemen that he's worked with here. He hopes that he has made a positive impact not just here but throughout his career. He feels that it's time for him to move on to go and enjoy his retirement and his family. He added that he thanked the Authority for allowing him to serve as Superintendent and to work here.

Chairman Armentrout said that we appreciate his service. He asked if there were any comments.

Sheriff Vaughan said that he appreciated all the work that the Superintendent has done here. He said he worked with Superintendent McPeak in Wythe County back in 1997 and he helped train him in fingerprinting. Sheriff Vaughan said that Superintendent McPeak was over the jail then and didn't have to take the time to train him but he did. Sheriff Vaughan said he that appreciated the job that he had done here and that he has done a good job. Sheriff Vaughan added that there is a reason that the DOC moves wardens every 3-4 years that sometimes they max out on the positive things that they've done.

Mr. McCready said that the good job performance on the annual DOC audit speaks volumes. The jail consistently scores 99-100% when other jails cannot. That goes a long way to show professionalism and the effort that the Superintendent makes to run an outstanding facility. He

said that the Superintendent needs to be complimented and applauded for that. He added it is the ultimate test of what a correctional facility should be and he thanked Superintendent McPeak.

Superintendent McPeak said that inmates are our number one priority here and we have to take care of them. He said that he has an excellent staff and they have supported him for many years. He will miss those folks greatly and the professional relationships he's developed over the years. He thanked everyone for their positive comments, everything they have done to help him and said that he has a great deal of respect for them.

Mr. Sweet stated that he appreciated the Superintendent professionally but also as a person. He thanked him for the service that he's done here at the Regional Jail...adding that it's a tough job. Working with a board with multi-personalities is a challenge and having to manage personnel, balance budgets and all other aspects associated with the administrative role. He said that he appreciated the work that the Superintendent has done. Superintendent thanked Mr. Sweet and said that meant a lot to him.

Chairman Armentrout said to get back to Mr. Chidester's question on the interest rates. It was 2.9% and now it's 3%. Mr. Chidester said that he didn't know if that was accurate. Chairman Armentrout said that was the information that he was given but he would double check that information again.

G. NEW BUSINESS:

H. CITIZEN'S COMMENTS:

I. OTHER BUSINESS OR INFORMATIONAL ITEMS:

Chairman Armentrout said that he wanted to refer back to Old Business at this time. On April 1st, he emailed copies of the comprehensive analysis of the employee opinion survey to all members and asked that they forward those copies to each of their alternates. He also had hard copies available today if any member or alternate needed one and he also has a copy for the minutes. He asked if there was a motion to enter into executive session.

Motion: Sheriff Millirons made the motion to go into executive session to discuss personnel matters under §2.2-3711.A.1 of the Code of Virginia.

Mr. Dalton seconded the motion. Hearing no discussion, Chairman Armentrout asked Sheriff Gardner to call the roll.

Action: Following roll call, the motion passed unanimously.

Mr. Cornwell gave clarification on the purpose of the closed session.

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)

Prior to all non members leaving and the recording device being paused, Major Stallard said that he had received the interest rate information that Mr. Chidester had requested. According to our Director of Finance, the jail was paying approximately \$3.7 million a year and now we are paying \$3.1million a year. Over the long term of the bond, there is probably a ½ a percentage point decrease.

The board entered into closed session at 10:22 am.

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

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

Action: Following roll call, the motion passed unanimously.

The Authority resumed open session at 12:26 pm.

Motion: Sheriff Millirons made the motion to certify that only matters permitted under **§2.2-3711.A.1** of the Code of Virginia were discussed. Mr. Workman seconded the motion.

Action: Following roll call, the motion passed unanimously.

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

Motion: Mr. Chidester made the motion to accept the retirement of Superintendent McPeak effective 8/31/16 and that we appoint a search committee (he is fine with that being the Personnel Committee) to hire a replacement Superintendent as soon as possible. Superintendent McPeak will continue on. Once a new Superintendent is retained; Superintendent McPeak would assist him with the transition until the new Superintendent felt his services were no longer needed. Regardless of that, the Authority would continue paying Superintendent McPeak's salary through 8/31/16. We will also direct the Personnel Committee to seek a Consultant to provide consulting services for both the current and new Superintendent for such a time as the board deems that no longer necessary. Mr. Sweet said that he would offer a second to the motion with the amendment that if the Personnel Committee deems it necessary to hire a Consultant and if the Authority has the funding to do that.

Mr. Workman asked for some clarification on the wording of the motion. As far as the search committee, will they hire the new Superintendent or make their recommendation. Mr. Chidester said that the search committee would find candidates. Mr. Workman said that he wanted to make it clear that we weren't giving authority to the search committee to hire; they would do the search but the full board has the ultimate authority to hire.

Motion: Mr. Chidester said that he agrees with the amendment proposed by Mr. Sweet. Chairman Armentrout asked if everyone was clear on the motion and if there was any discussion. Hearing none, he asked that Sheriff Gardner call the roll.

Action: Following the roll call, the motion passed with a vote of 15 yes and 1 no vote.

Chairman Armentrout said that we need to schedule a Personnel Committee early next week. Mr. Workman reminded the group that there is a budget work session already scheduled for Wednesday, April 13th, He recommended having it on that day since there are already people scheduled to be here. Chairman Armentrout said then we will just plan to have a Personnel Committee meeting immediately after the budget planning session. He said if anybody has someone in mind for the Consultant position to please submit those names to Mr. Reeves or himself.

J. ADJOURNMENT:

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

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

Mr. Sweet said that he appreciated all of the conversation today. He hopes that the Authority can reach a mutually acceptable conclusion. He also appreciated Chairman Armentrout's chairmanship and being able to manage all of that conversation today.

Action: The motion passed unanimously.

There being no further business to come before the Board, Chairman Armentrout adjourned the meeting at 12:35 am.

Secretary, Sheriff Gardner