

NEW RIVER VALLEY REGIONAL JAIL AUTHORITY
April 15, 2016
Special Meeting
Held at the New River Valley Regional Jail

A. CALL TO ORDER:

The special meeting of the New River Valley Regional Jail Authority was called to order at 10:02 a.m. by Chairman Mark Armentrout with twelve (12) members and four (4) alternates present.

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

ALTERNATES PRESENT:	Giles County:	Mr. Martin; Lt. Gautier
	Pulaski County:	Mr. McCready
	Radford City:	Major Schumaker

STAFF & GUESTS PRESENT:	Superintendent Gerald McPeak
	Lt. Col. Tom Lawson

B. ROLL CALL:

Sheriff Gardner called the roll and reported a quorum present. Chairman Armentrout said he had received an email from Sheriff Millirons stating that Lt. Gautier would serve as his alternate for today's meeting. He added that he would forward a copy of that email to the jail.

C. APPROVAL OF MINUTES:

Due to the quick turnaround between meetings, the Minutes from the April 8, 2016 and April 15, 2016 meetings will be mailed in the board packets for review/approval at the May Authority Meeting.

D. OLD BUSINESS:

E. COMMITTEE REPORTS:

Operations Committee:

The Operations Committee did not meet today.

Finance Committee:

Ms. Cannon gave an update on the Finance Committee activity. A budget planning session was held on Wednesday, April 13th. Copies of the proposed budget were handed out to all members in attendance. The proposed budget shows a per diem of \$24.95 based on an average daily inmate population of 873. The changes made since the last budget presentation are as follows: inmate telephone has been increased by \$150,000, the salary reimbursement from the Comp Board estimate was provided. We also added the cost of the salary compressions which was not included in the Comp Board estimate. That is roughly \$114,000 and we have balanced the budget by putting \$316,861 in transfer to the operating reserve.

Ms. Cannon thinks this is a good budget that is being presented. Everyone seems glad to hear that the per diem is staying the same if this is in fact the approved budget. This budget also includes capital improvements such as a water filtration system and some plumbing repairs in E-Block. We also shared a little bit of the health rate increase with the employees. This increases the employee health contribution by \$3.40 a month. It was asked when that increase would begin and Ms. Cannon responded July 1st. It was asked when the employee pay raises began and she responded in December. Superintendent McPeak had a supervisor's meeting this morning and that question was brought up. He told them what was being proposed and he said there didn't seem to be too much heartburn regarding it.

Chairman Armentrout asked if we need any action on the budget today. Ms. Cannon said that it would be put before the Authority for approval at the May meeting. If anyone has any questions in the meantime, please contact Ms. Cannon.

Personnel Committee:

Mr. Reeves said that the Personnel Committee met on Tuesday and has the following motion.

Motion: The Personnel Committee moves that we create a temporary position funded by available vacancy savings with the title of Interim Superintendent. The Interim Superintendent will report directly to the Authority. They also recommend that we hire Mr. Charles I. Poff, Jr. to fill the position effective Monday, April 18th and continue until a permanent Superintendent is hired. The Interim Superintendent will be responsible for the administration of the New

River Valley Regional Jail with Col. McPeak, Lt. Col. Lawson and Major Stallard reporting directly to him.

Mr. Workman said that he needed some clarification on the motion that Mr. Chidester made last week. Mr. Reeves said that he wasn't here for that meeting. Mr. McCready said that he thought Mr. Chidester's motion was to hire a Consultant. Mr. Workman said that he had never heard the words Interim Superintendent and he had always thought we were hiring a consultant. Mr. McCready said that Mr. Chidester's motion was in fact to hire a Consultant to advise the jail board directly.

Chairman Armentrout said that we have a motion from the Personnel Committee and asked if we needed a second. Mr. McCready said no, we do not. Chairman Armentrout asked if there was any discussion.

Mr. McCready said he believes this is not what we authorized last week. Sheriff Vaughan said that he agrees and if we're going to hire a Consultant than he doesn't know that we need to do it at this point but maybe closer to the transition in July or August. We're looking at \$6,000 a month in addition to a short budget anyway.

Mr. Workman said if we're hiring an Interim Superintendent then why would we need to have two Superintendents. He said we need to go with the motion as it was made or basically we're going to have two chiefs of the jail. Where does that put the staff? Basically it devalues the current Superintendent. Either we go into another agreement with the current Superintendent to carry us through until August or do something else. He can't see how it is going to work with two chiefs here...an Interim Superintendent and the current Superintendent. Because then what is the role of the current one?

Chairman Armentrout repeated the portion of the motion stating that the Interim Superintendent be responsible for the administration of the NRVRJ. Col. McPeak, Lt. Col. Lawson and Major Stallard will report directly to him so there will just be one. Mr. Workman said that he does not recommend it.

Sheriff Vaughan asked if there was any contrary information brought up about Mr. Poff such as in his background or any investigation on him. Mr. Reeves said that we had copies of his bio/resume and those were handed out to members to review.

Mr. Young said that as he recalled, the term Consultant was substituted for Interim Superintendent in the motion itself. So when we talk about Interim Superintendent and Consultant we're talking about the same position. There was just a change in name during the discussion of Mr. Chidester's motion. What are we going to call the person that we're going to elect?

Sheriff Davis said that one of his concerns is that everybody will retire early.

Mr. Workman said that he was going to be honest that this has ticked him off. We came out of here last Friday with an understanding of how we were moving forward. He walked in here today and the next thing you know we've had interviews and a budget meeting Wednesday showing where we're going to have great per diems. But we've got a mess here. If we're going

to have two people in charge he doesn't know how that's going to work. He would rather people stop making phone calls and going around predetermining these meetings. He said it pisses him off when he walks into a meeting and it is already predetermined.

Mr. Reeves said that he would speak as the Chairman of the Personnel Committee. When they were discussing the Interim Superintendent and Consultant, they said do we want to solve the problems here at the jail or do we want somebody to just tell them what's happening at the jail. They decided that they want someone to actually come in and actually take care of the problems of the jail.

Mr. Workman said that he was going to make a couple of motions. Either we have an Interim Superintendent or we have a Consultant. After that, we need to make the determination...do we have a current Superintendent? How do we pay for both positions and who is going to run it? After that, we need to take a look at the leadership of this board. He said with the current leadership, he's tired of finding out about things when he walks into a meeting or when things happen behind the scenes. Basically as Interim Superintendent; is he being set up for later? Is this person going to slide into Superintendent? The same thing that's happening at this jail will continue. Our thoughts were that there would be a Search Committee. The Search Committee would advertise and we were going to find a replacement that understands budgeting and the operations of a jail. Mr. Reeves said that he agrees with that and it is his understanding that this is not permanent. They are going to do a search for a Superintendent.

Mr. Workman: How do we know that Mr. Reeves?

Chairman Armentrout said there is a motion on the floor and asked if there was any further discussion.

Mr. McCready said this goes contrary with what we talked about last week. He thought Mr. Chidester did an excellent job of looking at all of the parameters and we had a long discussion last week in closed session. We left the meeting last week with near unanimous support of that motion. He asked what changed in 7 days. We had hashed out a good plan. When we left, the Superintendent agreed that he was going to retire...not resign... retire effective August 31st to help us with the transition. We were going to hire a Consultant with the express purpose of advising this board. He would have no line authority whatsoever. The Consultant was going to be in the jail every day studying things. He might offer some friendly advice if Superintendent McPeak asked him but the main thing he was to do was advise this board. We had the big employee survey and it appears that we do have some problems. We were getting what we hoped would be a different set of eyes into this facility with no connection to this facility. They would then advise this jail board, probably in some cases in closed session, of what things we might need to look for or what may need to be corrected. Also, to identify issues that we might need to discuss with our next Superintendent. The worst thing we could do is search for new Superintendent and then ambush him with a bunch of issues. We need to be truthful with whoever we search out. He understands this gentleman to be just temporary. He believes he is retired from Roanoke County but he is just here temporarily. He's a different set of eyes to advise this board and that was the purpose of Mr. Chidester's motion last week.

Ms. Cannon said there were two names presented at the budget committee meeting. She asked if we could discuss the process of eliminating the other candidate. Mr. Reeves said that they had

interviewed both candidates. There was one vote for Mr. Jarvis and the rest were for Mr. Poff. The decision was based on their interviews and their resumes.

Mr. Smith said that he had read the survey in its entirety. He cautioned the group to take the survey for what it's worth. He has had a lot of experience with surveys in his private life, government and local government. He said that you can learn some things from them but you need to take them for what they are worth. He appreciated Mr. McCready's explanation this morning because he was wondering why we were hiring an Interim Superintendent when we have one until July or August. Why would we need or want to spend money for both? He didn't understand the Consultant either. A Consultant comes and gives advice but they don't manage. He appreciates the explanation of what a Consultant would do for the board in preparation for the next administration...that makes sense. They could tell us what we need to look for in the next Superintendent and also what the next Superintendent needs to be aware of. But the other doesn't make sense when we have a Superintendent until August.

Chairman Armentrout said that he would like to make the following comment prior to call roll: "This board asked for, paid for and received an employee satisfaction survey. The results of the survey were clear and concise. The suggestions and actions we need to take are as follows: Take action to address the central problematic issues that led to the negative pattern and low scores seen throughout survey results-Senior Management. Without visible and decisive change at this level, it is doubtful that any significant improvement in morale or organization effectiveness can occur. It is clear that the board has taken no action as to what the survey said to do to correct the steps. It also said once there has been an appropriate change in Senior Management, the new or interim leadership should...the report then goes on to list the steps."

Chairman Armentrout said that he would vote yes on this motion. He encouraged each member to do the same so that we can begin to take the steps necessary to fix the problems that were identified in the survey. He then asked the secretary to call the roll.

Sheriff Vaughan asked if there was time for some more discussion. Chairman Armentrout responded no.

Sheriff Roseberry-no	Mr. Workman-no
Sheriff Gardner-no	Ms. Cannon-no
Mr. Turman-yes	Lt. Gautier (Alt. for Sheriff Millirons)-yes
Mr. Martin-yes	Sheriff Vaughan-no
Mr. Smith-no	Mr. Conner-yes
Sheriff Davis-yes	Mr. Young-abstained
Sheriff Armentrout-yes	Sheriff Dunagan-yes
Mr. Reeves-yes	

Action: Following the roll call vote, the motion carried with a vote of 8 yes, 6 no and 1 abstention.

Chairman Reeves said that we needed to start the search for the new Superintendent as soon as possible. He has asked for some job descriptions and will be advertising in as many places as we can. Mr. Workman asked who was on the Search Committee. Mr. Reeves said that it was the

Personnel Committee. Mr. Workman asked how the Personnel Committee appointed. Mr. Reeves said the Personnel Committee was appointed by the Chairman but if the board feels that we needed to appoint a Search Committee then we can do that.

Motion: Mr. Workman made the motion that a Search Committee be opened up to all localities that want to participate in order to make sure that we have the right person to be the next leader at the New River Valley Regional Jail.

Chairman Armentrout asked who would like to be on the Search Committee. Several people volunteered and the group consists of Mr. Workman, Ms. Cannon, Mr. Reeves, Mr. McCready, Major Schumaker, Mr. Conner and Chairman Armentrout.

Mr. Workman made the statement that he isn't opposed to having a change in leadership here. His argument today is that when he left out of here last Friday he thought we were hiring a Consultant. What aggravated him today was hearing that we were now hiring an Interim Superintendent...that's what fired him up. We had a budget put before us that doesn't require a per diem increase. We had been told that we were going to have a pretty significant increase in per diem. He said if he reported a budget to his board every year that required a tax increase that he wouldn't be around too long. He asked jail staff when he left here on Wednesday if there were any recommendations to reduce budget expenditures. Whoever we hire to come in here should be able to lead us and make sure that we have a budget that operates financially secure. Not only can they operate the jail but can understand and operate this budget. We spent out \$300,000 this year that wasn't budgeted for and we need to get that under control. He said that was his two cents worth and his vent. He has spent enough time this week talking to everyone from rescue squads to schools about budgets and he is budgeted out. Mr. Workman stated that he would like to withdraw his motion that he had on the floor. He thinks that we do need a well rounded group and to make sure that all localities have the ability to participate. So that when we walk in we don't think that someone has been selected prior to all localities having input. That is what his beefs are.

Mr. Reeves asked how soon the Search Committee would like to meet. Several dates were discussed and finally a meeting was scheduled for Thursday, April 21st at 12:00 at the Wythe County Board of Supervisors conference room.

Sheriff Davis said that he felt communication was an issue and that he thought everybody was being copied on these emails. Mr. Workman said that he did not know that the motion was changed to Interim Superintendent. He thought that we were hiring a Consultant...they had changed the name and changed the role.

Mr. McCready asked when the decision was made by the Personnel Committee to make the change. Mr. Reeves said it was made at the Personnel Committee meeting on Tuesday. Mr. McCready said you couldn't send an email out to the rest of the board to say that you had made a change in process. Were you trying to hide something? Major Schumaker said it was on the website. Mr. McCready asked on the jail website...the minutes from that meeting on Tuesday are on the jail website? Major Schumaker said no; the notice of the meeting was on the jail website.

Mr. McCready said no, a decision was made at the meeting to change the direction. Mr. McCready asked when that information was conveyed to the full board. Chairman Armentrout

said in the Personnel Committee report. Mr. McCready asked when that was. Chairman Armentrout said just a few minutes ago. Mr. McCready said couldn't that have been sent out to all of us because it's a pretty substantial policy change wouldn't you think. Mr. Reeves said that he agrees. Mr. McCready said would we as supervisors tolerate this if our county administrators walked in and ambushed us with stuff like this. Mr. Reeves said we're not county administrators that he is a supervisor just like Mr. McCready. Mr. Reeves added that he wasn't at the last Authority meeting. Mr. Reeves said that he questioned the Interim Superintendent and said are we going to fix the problem or have somebody come in and tell us you have a problem. He was informed last week that Superintendent McPeak said if he was asked to do anything with Col. Lawson or Major Stallard such as reassign them...that he wouldn't. Mr. McCready said that he can't...they are grievable. Mr. Reeves said that reassigning them to do something else isn't grievable.

Superintendent McPeak said that his perception of what he was asked is would he terminate those two. He wasn't asked if he would reassign or do anything with them...he was asked if he would terminate those two. He told them no; that he had no legal reason to do that...there was no policy violation whatsoever. Mr. Reeves said he agrees with that. Superintendent McPeak said that he had asked to speak with both Mr. Reeves and Chairman Armentrout prior to today's meeting. The reason he had wanted to talk with them was to make some changes with Col. Lawson and Major Stallard and to swap their duties. He said that he knew what the issues were. He had been hearing them just like the board has been. Major Stallard wouldn't be over the largest portion of the jail anymore such as the security staff. He would take those duties away from him and give those duties to Col. Lawson and give Col. Lawson's duties to Major Stallard. It is a much smaller group of people. So yes, he was in the process of effecting changes...terminations no...but he was in the process. He wasn't going to leave them in the current positions another four weeks.

Sheriff Davis said the thing is that we've had people that were going to retire and they take on a part-time job. Then they say screw this; thirty years is enough and decide to retire. His fear is that two of the top people in this jail are going to retire and he wonders if we are taking enough precautions.

Superintendent McPeak said that he understands that and that's why he extended his retirement out. He had originally planned to retire on June 30th and extended it out to August 31st. Sheriff Davis said that he wasn't aware of that. Sheriff Davis said this is a major institution with 900+ inmates and 200+ employees. What happens if everybody retires and we've been sitting here discussing the same things month after month? Sheriff Davis said that he personally has never had a problem with the Superintendent or Col. Lawson. What happens if everybody leaves this facility? He doesn't have the personnel or the knowledge to run this facility. The lack of communication came up in the survey and he believes we have another one now. The problem is it takes time to recruit, to interview and to hire; the state police takes 7 months. It was asked if he wanted to be on the Search Committee. He was on the Operations Committee for 5 years and he went to them one time for a request. He was denied and there are two sheriffs sitting on the board that were on the Operations Committee. He said that didn't work out well for him and he would gladly step down and give it anybody.

Mr. Young said that when Mr. Chidester wrote out the notes for his motion and made his motion; he originally said that we were going to hire an Interim Superintendent to work with

Superintendent McPeak. That person would be in place in case we didn't have a new hire Superintendent when Superintendent McPeak retires. There was some objection in the discussion to the term Interim Superintendent. Mr. Chidester said ok we'll call him a Consultant and that's how this all started. But as far as the Consultant, he doesn't know why we afraid of the term Interim Superintendent. As far as a Consultant's chief job being to advise the Authority; he doesn't recall that being part of the discussion.

Sheriff Davis said that he would just like to think that this jail isn't in the other members' backyards. He said that he has sit in here and voted against LEO's for the officers...officers that he thinks the world of. But he did so because the officers in other counties didn't have it. He has had county administrators go back and tell their counties...you deputies don't have any LEO's. He also mentioned voting on a Christmas bonus when his officers weren't getting anything. He said it was hard for him to say "you drive a new car but I'll keep my '07 Impala". He is a firm believer in this facility and he thinks it is one of the greatest things that has ever happened to Southwest Virginia. However, it's in his backyard and it's not in yours. He said that it's kind of like a half way house. We need one but he would like to put it in someone else's neighborhood. His only fear is that we move a pace quick enough to satisfy Superintendent McPeak's and Col. Lawson's requests and that we find someone with the financial head that the group is talking about. He believes the search will reveal a candidate.

Ms. Cannon said that she would like to make one observation. One of the results of the employee survey is it demonstrated a divisiveness that is happening within the facility. What that in turn has done is created a bit of divisiveness amongst the Authority itself. She thinks that it is really important for everyone around the table to remember that we (the Authority) set the tone. Moving forward, that we set the tone to demonstrate how you work together and how you lead. If we can accomplish that through this search, she thinks that would be really great progress to address some of the situations.

Mr. McCready said that good communication and keeping all of the board members informed is the key to being successful. There are certainly occasions where information needs to be contained to the Chairman and Personnel Committee like a potential lawsuit and things that aren't ready for primetime yet. But as far as big issues, it is imperative that the top of all committees and the Chairman keep information flowing to all members. He said if we would have known that the Personnel Committee had taken the stand that they had and that if an email had been sent out it would have gone a long way to answering the questions we had here today. Chairman Armentrout said that he answered every question in every email that was sent to him. He said he gave all the information that he had. The Personnel Committee made their decision and Mr. Reeves and Mr. Chidester were at the Personnel Committee meeting.

Mr. Workman said that he was prepared today to vote yes. The only reason that he voted no was the change in terminology and that's what fired him up. It's not that we don't need to make an immediate change and it's not that we don't need to continue to take a look of how we make a few changes here at the jail. It's simply the fact that of terminology and the motion of the whole board were changed by a committee. He said that wasn't even sure if legally that a committee can change a motion of a full board. We're looking at legality here too.

Mr. Reeves said that a committee can make any motion coming out of a committee meeting but the full board doesn't have to accept it; they can vote it down. Mr. Workman said that was not

the action that was directed by the full board last Friday. He's not saying it wasn't appropriate and he's not saying that it's not needed. He's just saying that was not the action that was accepted by the full board last Friday. He is totally in favor of getting the ball rolling and getting somebody in here to get things going. His biggest concern was it was changed from the full board's direction last week.

Chairman Armentrout said this entire process has been put it in the full board's hands. We had a full board meeting last week and we had an executive session. He called another meeting today because he wanted all of this discussion before the full board. Yes, the committee came up with a different motion and that's why you're all here. If you're dissatisfied with that...then that's fine. As a matter of fact, we have a Nominations Committee coming up for Chairman and all the officers. If anybody would like to be Chairman over this jail other than him, then submit your name. He has no problem turning it over to anybody in this room. His main goal has been to operate this jail safely and successfully with everybody in mind. Not just the administrative staff but every person that took that survey. If anyone is upset with him...fine he can handle it. That's how we want to move forward. Submit him your name if you want to be Chairman and let's vote on it. Chairman Armentrout said everything he has done in this meeting has been in full or executive session and he doesn't know what else he could do.

Mr. Young asked if we had voted to approve the April 8th minutes. Chairman Armentrout said no; that they were typed but weren't ready for approval. Mr. Young said that we needed those minutes to really see what Mr. Chidester's motion was. Chairman Armentrout said that he had the minutes right here...the motion is here but he didn't know at this point whether it really matters. A draft of the minutes was then passed to Mr. Young to review.

Design and Construction Committee:

The Design and Construction Committee did not meet today.

F. SUPERINTENDENT'S REPORT:

G. NEW BUSINESS:

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. Workman 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 10:46 am.

Secretary, Sheriff Gardner