WESTERN TIDEWATER REGIONAL JAIL AUTHORITY
BOARD OF DIRECTORS' MINUTES
January 8, 2025

Subject: Western Tidewater Regional Jail (WTRJ) Authority
Board of Directors' Minutes of January 8, 2025 Meeting

The Minutes of the January 8, 2025 meeting of the WTRJ Authority Board of Directors, commencing at 8:30 a.m., in the WTRJ Training Room, are as follows:

Members present:
Michael D. Duman (S)
Lue R. Ward (S)
David D. Miles (S)
Rudolph Jefferson (IOW)
James R. Clarke (IOW)
William M. McCarty (IOW)
Linwood W. Johnson, Chairman (F)
Wynndolyn Copeland (F)
Josh A. Wyche, Sr. (F)

Alternates Present:
Albert S. Moor (S)
Rosylen Oglesby (F)

Others Present:
H. Woodrow Crook, Authority Attorney
William C. Smith, Superintendent
Ernest Bower, Deputy Superintendent
Marissa A. Dickens, Recording Secretary

Member(s) Absent:
Randy R. Keaton (IOW)
Jimmy Gray (H)
Karen Bowden (H)
Mary Bunting (H)
Brian DeProfio (H)

Alternate(s) Absent:
None

I. CALL TO ORDER

Chairman Johnson called the meeting to order at 8:30 a.m.

II. ROLL CALL

Chairman Johnson called for a silent roll call.

III. APPROVAL OF MINUTES: *November 13, 2024 Board Meeting*

Chairman Johnson asked if everyone had the opportunity to review the Minutes. He stated if there were no additions, deletions or corrections at this time he would entertain a motion to approve the Minutes of the November 13, 2024 Board of Directors' meeting as presented. Vice Chairman McCarty moved to adopt the Minutes of the November 13, 2024 Board of Directors' meeting. Sheriff Clarke seconded the motion. The motion the Board adopt the Minutes of the November 13, 2024 Board of Directors' meeting was adopted by Mr. Duman, Mr. Moor, Vice Chairman McCarty, Sheriff Clarke, Mr. Jefferson, Chairman Johnson, Mrs. Copeland, and Sheriff Wyche all voting in favor and no members voting against. Sheriff Miles abstained as he was not present at the November 13, 2024 meeting. Mr. Ward was not present during the vote.

IV. JAIL SUPERINTENDENTS REPORT

IV-A. Monthly Inmate Report

Superintendent Smith directed the Board's attention to page 3 of the Agenda and stated the jail populations are outlined in the table provided. He reported the jail populations for November 2024 were 275 for Suffolk, 85 for Isle of Wight, 53 for Franklin and 125 for Hampton for a total of 742 (includes feds) with an overall ADP of 702. He reported the average daily federal inmate population for November 2024 was 163 and over the last couple of months it has dwindled down to about 130 due to the holidays. He stated our current budget is based on 150 federal inmates. He reported the Virginia Department of Corrections (VADOC) out of compliance number the end of November was 34, the number of inmates who are sentenced and should be in the State penitentiary. He reported the high count for November was 741, the current ADP for calendar year 2024 is 746, WTRJ is at 127% of our DOC rated capacity and at 66% of our total bed capacity. He pointed out the monthly inmate statistics for almost three years are on page 4 of the Agenda.

IV-B. Monthly Budget Report

Superintendent Smith directed the Board's attention to page 5 of the Agenda and reported WTRJ spent 46% of the allocated FY2024 budgeted expenses as of November 30, 2024 and at the end of November 2024 there was a balance of $3,085,068.81 in the Operating Fund. He directed the Board's attention to page 6 of the Agenda and stated this is a summary of our revenues and expenditures for the current fiscal year. He stated we are running about 5% over budget. He stated a large part is due to hiring a significant number of people in a short amount of time who have to be outfitted and trained. He pointed out while they are getting trained others have to fill in resulting in an increase in the extra duty line item. He stated the overtime is manageable and we are still bringing in more revenue than we are spending. He directed the Board's attention to page 7 of the Agenda and stated this shows the breakdown of our assets and liabilities, along with the

equity amount and the reserve accounts balances. He pointed out we have $5,156,243 in the Operating & Medical reserve fund and $1,395,944 in the Capital Improvement fund. He directed the Board's attention to pages 8-13 of the Agenda which shows a breakdown of all the line items over the last twelve months. He stated he has reviewed each line item and directed the Board's attention to page 11 of the Agenda, Building Maint. & Repairs. He pointed out this line item of $16,134 is high due to either an HVAC circulation pump being replaced and/or dishwasher repairs needed. Mr. Duman asked to refresh his memory on the Buy-In amount from Hampton? Superintendent Smith responded by stating our financial auditors who were here back in October 2024 conducting preliminary fieldwork stated we needed to invoice Hampton to have it on the books. He stated we sent them an invoice and he emailed Mr. Deprofio letting him know it was sent. He stated they do have one year to pay it, by September 1, 2025. He stated he believes they were going to pay it in one lump sum after receiving their money from the sale of Hampton Roads Regional Jail which the city of Portsmouth has finalized the purchase of the building. Mr. Duman asked if that will be recorded as a receivable in the budget for the next upcoming fiscal year? Superintendent Smith responded by stating yes. He pointed out we joined the VML/VACo Investment Pool which yielded a much higher interest rate than Townebank. He stated we put money in both the long term and short-term accounts and the funds are available at any time we need them.

IV-C. WTRJ Review of Operations and Activities

Superintendent Smith directed the Board's attention to page 14 of the Agenda and reported the following Operations and Activities for November 2024:

- Twelve (12) employees were hired (3 of them were civilian employees who transitioned to a jail officer position); four (4) resigned; one (1) was terminated; zero (0) retired; three (3) were on FMLA and there were zero (0) officers attending either of the academies.
- There were Two Hundred Ninety-Six (296) Intakes and Three Hundred Sixty (360) Releases in the month of November. He reported there were ten (10) inmates taken to Obici Hospital/ER with one (1) being admitted to Obici. He pointed out seven (7) were transported by jail transport and the other three (3) by ambulance.
- He stated the Employee Turnover Rate/Statistical Reports for the month of November are provided on pages 16-18 of the Agenda. At the end of December 2024, we had twenty (20) vacant employment positions but just hired ten (10) new jail officers. He stated the top reasons for leaving are other jobs in law enforcement and job dissatisfaction. He stated we even extended our orientation to two weeks and in the second week the new officer is placed on a shift and put on a post along with a field training officer. Mr. Jefferson commented the younger generation these days just don't know what they want to do. Superintendent Smith stated he gives his HR department lots of credit as they work hard at getting the vacant positions filled.
- He stated the Assault on Staff Report for the month of November 2024 is provided on page 19 of the Agenda. He pointed out all but one of the inmates listed have mental health issues.
- Aramark Maintenance Services statistics for the month of November 2024 are provided on pages 20-35 of the Agenda. He pointed out we did a performance upgrade several years ago and we are now seeing some items starting to wear out and need replaced.

- Medical has provided a breakdown of medical services for the month of November 2024 which are provided on pages 36-37 of the Agenda.
- Mental Health has provided a breakdown of mental health services for the month of November 2024 on page 38 of the Agenda. He stated we are down one mental health provider, had to terminate her as she did not get along with her supervisor. Mr. Ward asked if 228 is the number of inmates in this jail with mental health issues? Superintendent Smith responded by stating yes, it's about one-third of the population. Mr. Ward asked if most of them come in with a mental illness? Superintendent Smith responded by stating that is correct. Sheriff Miles asked if it is because of them not taking meds, needing them or both? Superintendent Smith responded by stating both. He stated there are several individuals with behavioral problems, for example, sexual deviant behavior which is not diagnosed as a mental health disorder. He stated a lot of inmates on mental health meds even refuse to take them and we cannot force over objection. He stated the jail doctor can force their meds over objection just once and this is only during extreme situations. He stated if it becomes a recurring problem, they are sent to a mental health hospital through a temporary detention order (TDO) where they are force-medicated to get them back to their normal. He stated they come back and are good for a while then they start refusing their meds all over again. He stated here is an example of a real issue with the system; a person charged with trespassing goes in front of a judge and the judge orders a mental health evaluation which takes at least a month to get done. He stated the person is then found incompetent to stand trial, so the judge orders the person to be restored to competency which must be attempted in the jail first and that takes another month or more. He pointed out most of the time it is unsuccessful in the jail. He stated they are then sent to a mental health hospital to be restored to competency which takes a few more months. He stated the person could have just been found guilty and charged with 12 months, given good time and the individual could have been out of jail in six months. Mr. Ward asked what QMHP stand for? Superintendent Smith responded by stating qualified mental health professionals and we have five (5) total; four (4) are clinical social workers (we are down one since firing an individual and one (1) is a licensed clinical social worker. He pointed out, last year, the State provided funding for two (2) of those positions and the Authority funded the other three (3).
- Aramark Food Services has provided a breakdown of food services for the month of November 2024 on page 39 of the Agenda.
- Work Release has provided statistics for the month of November on pages 40-42 of the Agenda.
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V. OLD BUSINESS

V-A. Siemens Audit Review and Recommendations

He directed the Board's attention to page 43 of the Agenda and stated our prior meeting was cancelled due to the weather and we are working on a new meeting date.

V-B. Mutual Aid Agreements with Member Jurisdictions

Superintendent Smith directed the Board's attention to pages 44-52 of the Agenda and stated Mr. Crook received some suggested changes which were incorporated into the new draft agreement. Superintendent Smith asked if a motion is needed? Mr. Crook responded by stating yes. Vice Chairman McCarty made a motion the Board adopt the Law Enforcement Mutual Aid Agreement and allow the Superintendent to send it to the jurisdictions for their signature. Mrs. Copeland seconded the motion. The motion the Board adopt the Law Enforcement Mutual Aid Agreement and allows the Superintendent to send it to the jurisdictions for their signature was adopted by Mr. Duman, Mr. Ward, Sheriff Miles, Mr. Jefferson, Vice Chairman McCarty, Sheriff Clarke, Chairman Johnson, Mrs. Copeland and Sheriff Wyche voting in favor and no members voting against.

V-C. FCC Rate Changes for Inmate Phone Calls

Superintendent Smith directed the Board's attention to page 53 of the Agenda and stated there had been several court proceedings attempting to implement a stay of the FCC rate changes; however, they failed and the new rates will go into effect on April 1, 2025. He stated the new language under the act forbids inmate phone vendors from paying any revenue to jails or prisons that was made from inmate telephone or video visitation. He stated we currently receive $1 million in revenue every year; however, the majority of that will be going away. He stated we are currently in the process of renewing our telephone/tablet contract which ends March 15, 2025. He stated we submitted a Request for Proposals (RFP) in early December and the bids are due by January 17, 2025. He stated we will be examining how the new rates will affect revenue for the next fiscal year and he we will be holding a Finance Committee meeting to discuss the draft preliminary budget for FY26. He added the new inmate phone call rate was slashed from a maximum of $.21 cents per minute to $.07 and our current rate is $.15. Chairman Johnson asked if we have another plan in place for next year? Superintendent Smith responded by stating he doesn't know where he would be able to generate $700,000, the Authority will have to make it up.

V-D. Inmate Phone Provider Request for Proposals (RFP)

Superintendent Smith directed the Board's attention to page 54 of the Agenda and stated we touched on this in the previous Agenda item. He stated we are awaiting the bids which are due by Friday, January 17, 2025. He stated this will better help us determine how much deficit needs to be covered.

V-E. Replacement of WTRJ Security Systems

Superintendent Smith directed the Board's attention to page 55 of the Agenda and stated the Authority directed the Superintendent to submit a Request for Proposals (RFP) for a qualified firm to review the current proposal(s) for a security systems upgrade. He stated we only received one (1) response which was from Moseley Architects. He stated the all-inclusive fee came in at $203,000 (5% of the project). He stated Moseley suggested a scoping fee negotiation meeting which could increase or decrease that price, but he doesn't foresee it going up. Mr. Duman asked what does this fee include? Superintendent Smith responded by stating Moseley would review the

estimate, oversee the project through to completion and assist in preparing the paperwork for reimbursement. Mr. Duman asked if you would have a member of your staff, who oversees the security of the facility, be present with you during that meeting? Superintendent Smith responded by stating yes. Mr. Duman made a motion the Board allows the Superintendent to meet with Moseley Architects and bring a contract for Mr. Crook's review. Sheriff Miles seconded the motion. The motion the Board allows the Superintendent to meet with Moseley Architects and bring a contract for Mr. Crook's review was adopted by Mr. Duman, Mr. Ward, Sheriff Miles, Mr. Jefferson, Vice Chairman McCarty, Sheriff Clarke, Chairman Johnson, Mrs. Copeland and Sheriff Wyche voting in favor and no members voting against.

V-F. Juvenile Detention Center

Superintendent Smith directed the Board's attention to pages 56-57 of the Agenda and stated he spoke with Moseley and was told the needs assessment is complete and the next steps would be to determine the site. He stated Mr. Moor had some conversation with Portsmouth. He stated Portsmouth just entered into a contract with Moseley Architects as well to conduct a needs assessment. Superintendent Smith stated we are in a holding pattern now. Mr. Duman asked, "can't they use the same needs assessment"? Superintendent Smith responded by stating no it only covers everyone in this room outside of Hampton. Mr. Moor stated he had some conversation with the City Manager of Portsmouth who said they would set up a meeting after the holidays. Chairman Johnson asked if there was enough space for our juveniles along with other outside agencies juveniles in that building? Superintendent Smith responded by stating there is plenty of space. Mr. Moor asked when setting up the tour of that facility, what constitutes a meeting is it more than two people? Mr. Crook responded by stating yes more than two.

V-G. WTRJ Compensation and Benefits Study

Superintendent Smith directed the Board's attention to page 58 of the Agenda and stated at the last meeting the Board wanted to see the full study which included the breakdown of job classifications and reclassifications, comparisons to other cities and a 20-step pay plan. He directed the Board's attention to Attachment 1 which was provided in your Agenda packet. He stated the overall impact to our salary line would be approximately a 10% increase of $1.2 million, which includes all benefits such as FICA, retirement, etc. He stated we should be getting around $200,000 from the State for salary increases which would reduce the impact to $1 million. He directed the Board's attention to Section 12 of the handout which is the proposed pay plan broken down by classifications. He pointed out MAG has proposed that a jail officer's starting salary should be $51,051 which will bring it to the minimum level. He directed the Board's attention to Section 11 which is the proposed pay grade and step plan. He pointed out a few years ago WTRJ received an increase that put us ahead of others but now we are back down to the minimum. He stated the Compensation Board has minimum pay requirements that must be met and there are times when some individuals are below that minimum, so we must adjust their salaries. He stated if the Authority adopts the step pay plan we will be able to stay ahead of the game. He pointed out every year there is going to be a cost for the increases which we already have anyway. He stated he doesn't know what questions you have but his recommendation is for the Board to adopt this plan which would be implemented July 1, 2025. Mr. Duman stated he is being honest he hasn't completely taken the time to read through all the tables. He stated with Hampton not being here

and the Finance Committee not meeting yet to discuss, we should table this item for the next meeting. Mrs. Dickens stated she will coordinate a Finance Committee meeting and asked the committee members to email her some available dates and times to determine what will work for everyone. Vice Chairman McCarty commented there is a lot of information in there and from his perspective he would like to see how the step process is implemented. Mr. Duman asked if this was annual because with the City of Suffolk's plan you don't get a step increase every year. He stated though if you don't get the step increase you will get the Cost-of-Living Adjustment (COLA). Superintendent Smith commented the problem is when increases are given, whether a 2, 3 or 5%, they are across the board for everyone, and this does not address compression. Mr. Jefferson asked if step increases are tied to the years of service? Superintendent Smith responded by stating yes. Mr. Duman stated he believes it is beneficial to do the step increases at the lower levels. He stated maybe some type of incentive or performance bonus at the end of the year be given to those with more years of service and it be based on certain criteria. Superintendent Smith stated there are incentives in a facility such as getting promoted, which you will move up another step with the pay plan. Superintendent Smith added that under GASB 68 we must report the total amount of annual and sick leave we would owe if everyone left today. Mrs. Oglesby stated it is GASB 101. Mr. Moor commented by having a step plan the employees will be able to look and see where they can get to. He stated this helps draw them in to stay longer. Superintendent Smith stated it levels the playing field. He pointed out there are some individuals who won't even get an adjustment, but we won't take anything away from them. He stated we will coordinate a Finance Committee meeting and bring this item back to the next meeting. He stated he did want to clear up a number listed for his position in Section 10, $190,017 is not his current salary and MAG told us Chesapeake was the only one who provided a salary, and it was their Sheriff's.

VI. NEW BUSINESS

VI-A. Draft Preliminary Budget for FY2026

Superintendent Smith directed the Board's attention to page 60 of the Agenda and stated the Finance Committee will discuss the draft preliminary budget for FY2026 at the upcoming meeting and bring a proposed FY2026 budget to the next meeting.

VI-B. Employment Contract for New Staff

Superintendent Smith directed the Board's attention to page 62 of the Agenda and stated the Board asked the Superintendent to conduct research on similar organizations to see if they require employment contracts. He reported 50% of those surveyed do require a contract. Chairman Johnson asked if the Board would like to table this item since there are no representatives from Hampton here today. This item was tabled until the next meeting.

VII. ADJOURNMENT

Chairman Johnson asked if there were any further items for discussion or action and none being offered, he asked for a motion to adjourn the meeting. Mr. Ward moved to adjourn the meeting.

Sheriff Clarke seconded the motion which was unanimously adopted. The meeting was adjourned at 9:45am.

Chairman

Recording Secretary