



Western Virginia Regional Jail Authority

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

ACTION AGENDA **JULY 2, 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 9:08 a.m. and the roll call was taken.

Members present: Jane Johnson; Keith Mucha; Christopher Whitlow; Ewell Hunt (arrived at 9:15); Carol Edmonds; Doug Marrs; James “Tommy” Whitt; Mike Altizer; Gerald Holt; Vicki Meadors; Clay Goodman; Robbie Hall

Members absent: James Taliaferro, II; Eric “Ric” Atkins; Charles Wagner; Diane Hyatt; Frank Turk; Randy Foley; Richard Huff, II; Wayne Angell; Gary Creed; Butch Church; Michael Winston

Others present: Charlie Poff; Bobby Russell; Jim Guynn; Barry Tayloe; John Chambliss, Jr.; Cheri Lankford; Mary Brandt

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

There were none.

C. RECOGNITIONS

1. Resolution of appreciation for John M. Chambliss, Jr., on the occasion of his retirement—Gerald Holt, Chairman

Chairman Holt read the resolution and presented Mr. Chambliss with a framed copy of the resolution and a commemorative shadowbox in honor of his many contributions as a founding member of the Authority. Mr. Holt stated that Mr. Chambliss played a key role in the creation of the Authority, the importance of which could not be overstated. He added that his guidance, knowledge, and expertise will be greatly missed.

The members of the Authority concurred with Mr. Holt's statements and were unanimous in thanking Mr. Chambliss for his leadership and offering their congratulations upon his

retirement from public life. Several members stated that they were glad to have worked with Mr. Chambliss on the regional jail project and that they now considered him a good friend.

Mr. Altizer motion to adopt the resolution of appreciation for John M. Chambliss, Jr. The motion was seconded by Mr. Whitt and adopted by unanimous acclaim.

RESOLUTION EXPRESSING THE APPRECIATION OF THE WESTERN VIRGINIA REGIONAL JAIL AUTHORITY TO JOHN M. CHAMBLISS, JR., ON THE OCCASION OF HIS RETIREMENT

WHEREAS, John M. Chambliss, Jr., will retire from a lifetime of public service on August 1, 2009; and

WHEREAS, Mr. Chambliss began working for Roanoke County in 1973 rising through the ranks to become the Assistant County Administrator and also serving as interim County Administrator from July 2008 until March 2009; and

WHEREAS, Mr. Chambliss assisted with and directed numerous projects during his career and played a key role in the formation of the Western Virginia Regional Jail Authority in June 2005 to construct and operate a regional jail to serve the City of Salem and the Counties of Franklin, Montgomery, and Roanoke, Virginia; and

WHEREAS, the Western Virginia Regional Jail was a major public safety project and is a significant example of regional cooperation which will serve the needs of its member localities for many years to come; and

WHEREAS, Mr. Chambliss' experience, diplomatic skills, and patience helped shepherd the regional jail project through to a successful conclusion with the opening of the facility in April 2009; and

WHEREAS, during his career, Mr. Chambliss earned the respect of his peers through his hard work as well as his willingness to lend a helping hand to those around him; and

WHEREAS, Mr. Chambliss will be sorely missed by his colleagues not only for his professional abilities, but for his generosity of spirit and his sense of humor.

NOW THEREFORE, be it resolved that the Western Virginia Regional Jail Authority expresses its deepest appreciation to JOHN M. CHAMBLISS, JR., for all that he accomplished on behalf of the Authority and wishes him a happy, healthy, and productive retirement.

D. ELECTION OF VICE CHAIRMAN

Chairman Holt announced that with Mr. Chambliss' retirement, the vice-chairmanship was now vacant and opened the floor for nominations.

Mr. Whitt nominated Jay Taliaferro to serve as vice chair. Ms. Johnson seconded the motion.

Mr. Altizer moved that the nominations be closed. The motion was seconded by Mr. Whitlow and carried by unanimous voice vote.

Chairman Holt asked the Clerk to call the roll on Mr. Taliaferro's nomination which carried unanimously.

AYES: Jane Johnson; Keith Mucha; Christopher Whitlow; Ewell Hunt; Carol Edmonds; Doug Marrs; James "Tommy" Whitt; Mike Altizer; Gerald Holt

NAYES: None

E. APPROVAL OF MINUTES

1. June 4, 2009

Mr. Marrs motion to approve the June 4, 2009, minutes. The motion was seconded by Ms. Johnson and adopted by unanimous voice vote.

F. REPORTS & BRIEFINGS

1. Financial reports for the month of May 2009—Cheri Lankford, Business Manager

Ms. Lankford advised that the current cash balance is \$22,227,866. The construction costs as of May 31, 2009, totaled \$14,667,243 and operating expenses totaled \$7,971,830.

2. Superintendent's Report—Charlie Poff, Superintendent

Mr. Poff advised that staff is in the process of fine tuning the facility's operations as well as offering coaching and additional training to the less experienced officers. He reported that preparations are underway for the Department of Corrections (DOC) audit which is scheduled for October 2009. He added that the accreditation contract has been submitted to the American Correctional Association (ACA) and that after the contract is accepted, staff will become active in the accreditation process. Mr. Poff stated that the NIC will conduct a pre-audit of the facility prior to the ACA audit which will take place within the next eight to twelve months.

Mr. Poff reviewed the operational statistics for June 2009 (copy attached). He noted that the inmate population is down but added that this is a state-wide trend. He reported that in order to maximize revenues, staff will begin offering contract beds to other localities. He added that Mr. Russell has contacted the U.S. Marshalls to see if they are interested in using the facility. He noted that because the Compensation Board takes a portion of the fee for federal prisoners, a higher per diem will be charged for federal prisoners to compensate.

Mr. Poff reported that three assaults took place in the facility in June; two were against staff and resulted in charges and one was against another inmate.

Mr. Poff reported that the officers in the academy have graduated and returned to regular duty. He added that there are eight officers who still need to attend the academy; however, the next academy will not start until fall so that the shifts will not be short handed during vacation season. He noted that there have been two resignations: one officer returned to college and one accepted a position with the City of Roanoke.

Mr. Poff advised that staff has worked out the glitches in the video arraignment system which is currently being demonstrated at the City of Salem. He reported that once Salem's judges have had an opportunity to review the process, the system will be set up in the remaining localities for their judges to review.

Mr. Poff reported that the facility received two federal grants but that one had to be refused because the facility did not meet one of that grant's requirements.

Mr. Poff advised that the dialysis equipment has been installed and is operational. He added that the \$400 cost per kidney treatment is similar to what the facility could expect to pay in the community; however, performing the treatment in house is much more secure and generates a savings in personnel costs. He stated that this procedure is available to the localities but that an inmate requiring treatment will have to be committed to the facility prior to treatment. He stated that the localities will be billed for the treatments but that any applicable insurance will be billed first. He noted that the jail has accepted an inmate from Montgomery County with meningitis.

Mr. Poff reported that since the Authority is now meeting on a quarterly basis, he would like to begin monthly operations meetings with personnel from the four local jails to coordinate and improve inter-facility operations.

Mr. Poff advised that progress continues on the construction project's close out. He reported that Roanoke County has given its final approval of the detention ponds; and with the exception of a few minor items, work is basically complete. He reported that once he receives Shockey's pay application, he will finalize and submit the construction reimbursement request to the state. He added that the payment to Shockey is approximately \$2.4 million and will be made via wire transfer. He noted that one of the subcontractors is making a claim against Shockey for additional funds. He advised that this claim concerns the inserts for the retherm carts and that the dispute is over whether they were included (or should have been included) in the subcontractor's original bid. He added that this claim should not delay the submission to the state since language noting the discrepancy was added to Shockey's lien and claims release. He reported that Mr. Guynn will brief the Authority on this claim.

Mr. Guynn advised that the amount in question is approximately \$171,000 and that he does not believe that the Authority is liable to any of the interested parties for those funds. He stated that this is a dispute between the vendor, the subcontractor, and the contractor. He added that the contractor could have requested a change order against the contract's contingency fund at the time the discrepancy was discovered but that they did not do so. He stated that the time limit to request a change order has long expired and the contingency fund has been zeroed out leaving the contractor no recourse under the comprehensive agreement. He noted that if the dispute drags out, it may become more cost effective for the Authority to settle the matter rather than incur interest on the bond. He reported that Mr. Spain has advised that he does not believe the Authority bears any liability in the matter, and he added that he believes the concerned parties will eventually settle the dispute among themselves. He stated that he wanted the Authority to be aware that the issue exists although they may never hear of it again if it's settled as he anticipates.

Mr. Poff advised that Shockey must now send a letter stating that the work has been completed. He reported that once Shockey signs the modified lien and claim release, he will submit it to Brooks Ballard; however, the language Shockey added may be removed prior to the submission to the state since the Authority does not owe any funds as a result of this dispute. He stated that if it becomes necessary, Mr. Guynn will defend the Authority's position that it is not liable for this claim and that the recently negotiated final settlement which was lately approved by the Authority allows no changes.

Mr. Poff advised that Mr. Guynn will write Shockey when their payment is wired advising them of the Authority's position. He advised that it is important to submit the reimbursement request

promptly since the DOC Jail Committee is reviewing the process of approving and funding jails including facilities that have already been approved and constructed such as the regional jail.

Mr. Holt advised that Ms. Hyatt is working with the bonding company to have the debt removed from the Authority's books. Ms. Edmonds stated that she hoped this will free funds that may then be used to make the debt service payments. Mr. Poff noted that the per diem was being lowered effective today. Mr. Holt suggested contacting the West Virginia Department of Corrections and offering them the facility's contract beds.

In response to Mr. Altizer's question regarding the conversion of the detention ponds to stormwater management ponds, Mr. Poff reported that this is a standard construction practice and was anticipated from the beginning of the project. He added that there is no cost to the Authority for the conversion as the cost was included in the agreement.

G. CITIZENS' COMMENTS AND COMMUNICATIONS

There were none.

H. REPORTS AND INQUIRIES OF AUTHORITY MEMBERS

There were none.

I. ADJOURNMENT

(Next meeting date: October 1, 2009, 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 10:10 a.m.

