



ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

(SERVING ALBEMARLE, CHARLOTTESVILLE, NELSON)

160 Peregory Lane
Charlottesville, Virginia 22902

Phone: (434) 977-6981 Fax: (434) 951-1339 Col. Martin Kumer, Superintendent (ext. 230)
Web: <http://www.acrj.org> Mrs. Marce B. Anderson, Clerk (ext. 229)

Board Business Meeting

September 12, 2019 (12:30 – 2 p.m.)

Muster Room • Albemarle-Charlottesville Regional Jail, 160 Peregory Lane, Charlottesville, VA

AGENDA

(Action/Information)

I. ACRJ Board Meeting – Call to Order

Adopt Meeting Agenda

Action Item

II. Consent Agenda

For Approval:

- 1) Draft Summary Minutes May 9, 2019 ACRJA Board Bi-Monthly Business Meeting

Action Item

Informational

- 1) Administrative Reports
 - a) Personnel Report – thru September 2019
 - b) Out of Compliance Report - July 2019
 - c) Census Report –YTD June 2019
 - d) Work Force Report / VDOT Report / Litter Control Report –July 2019
 - e) Special Management Report
- 2) Final Summary Minutes March 4, 2019 ACRJA Board Bi-Monthly Business Meeting

III. Matters from the Public (Time Limit: 3 Minutes)

IV. Matters from ACRJA Attorney – Brendan Hefty

V. Matters from ACRJA Board Members

VI. Matters from Business Manager – Jeff Brill

- 1) June FY19 YTD Financials Unaudited
- 2) Nursing Contract

Informational
Action Item

VII. Matters from Superintendent – Colonel Martin Kumer

- 1) Fiscal Agent Analysis
- 2) Changes to Personnel Policy
- 3) Video Visitation Status Update
- 4) Praeses Contract
- 5) Capital Projects
- 6) Population Report

Informational
Action Item
Informational
Action Item
Informational
Informational

VIII. New Business –

IX. Closed Session – Superintendent Goal Setting

Action Item

X. Adjournment

Action Item

NEXT MEETING: November 14, 2019

Agenda Items for upcoming ACRJA Board Bi-Monthly Business Meetings:

Authority Board

Doug Walker (Albemarle)
Sheriff J.E. “Chip” Harding (Albemarle)
Cyndra Van Clief (Albemarle)
Diantha McKeel (Albemarle) - Chair

Sheriff James E. Brown, III (Charlottesville)
Kristin Clarens (Charlottesville)
Wes Bellamy (Charlottesville)
Michael Murphy (Charlottesville) – Vice Chair

Jay James (Joint Representative)
Sheriff David Hill (Nelson)
Stephen Carter (Nelson)

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DRAFT

**Summary Minutes of the
Albemarle Charlottesville Regional Jail Authority Board Meeting
May 9, 2019**

Jail Board Members Present:

Ms. Diantha McKeel
Mr. Mike Murphy
Dr. Wes Bellamy
Mr. W. Lawton Tufts
Sheriff David Hill
Mrs. Kristin Clarens
Mrs. Cyndra Van Clief
Sheriff “Chip” Harding
Mr. Doug Walker
Sheriff James Brown
Mr. Steve Carter

Jail Board Members Absent:

Others Present:

Colonel Martin Kumer
Lt. Colonel Todd Rowland
Mrs. Marce Anderson
Ms. Felicia Morris
Mrs. Gequetta Murray-Key
Mr. Robert Barnabei
Mr. Jeff Brill
Mr. Brendan Hefty

The meeting was called to order at 12:02 pm by Chairperson Diantha McKeel. Ms. McKeel asked for a motion to approve the agenda. Mr. Tufts made a motion to approve. Mrs. Clarens seconded the motion. The motion carried.

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Mr. Hefty advised that he would need a motion to go into closed session for a personnel matter involving the annual review of Superintendent Martin Kumer under section 2.2-3711A1 of the Freedom of Information Act. Mrs. Van Clief made the motion. Mr. Tufts seconded the motion. The motion carried. The meeting went into closed session at 12:03 pm.

Mr. Hefty advised that the board needed to certify by roll call vote that only the matter identified in the motion was discussed in closed session.

Mr. Carter	Yes
Sheriff Hill	Yes
Mrs. Van Clief	Yes
Mrs. Clarens	Yes
Mr. Murphy	Yes
Ms. McKeel	Yes
Mr. Walker	Yes
Mr. Tufts	Yes
Dr. Bellamy	Yes
Sheriff Harding	Yes
Sheriff Brown	Yes

Mr. Murphy made a motion that effective on July 1, 2019 Superintendent Martin Kumer receive a 5% increase based on his performance. The motion was seconded by Dr. Bellamy. The motion carried.

Mr. Walker made a motion to approve the consent agenda. Dr. Bellamy seconded the motion. The motion carried.

Matters from the Public:

Lynne Simpson – Ms. Simpson believes that it is very important to notify ICE when an undocumented individual is being released.

Helen Flamini – Ms. Flamini implored the jail board to make the right decision concerning the issue of ICE notification. She would like this issue put to rest. If

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you change the way information is conveyed to ICE, it will have a rolling effect throughout Virginia. Your voters, who put you in office to represent us, will not forget your callous disregard for our safety. Do the right thing and keep us all safer.

Sarah Haye - Ms. Haye wanted it on the record that she wanted the jail to keep in contact with ICE for the community's safety.

Madeline Chandler – Ms. Chandler is in favor of reporting to ICE. We need to protect our citizens, our legal citizens, and our police officers. Please continue to allow ICE agents to do their job of protecting the public, our legal citizens, and our families by doing your job and not making any changes to the current policy of having the jail directly notify ICE agents when a suspected illegal immigrant is being released.

Jeanne Williams-Masloff – Mrs. Masloff stated that we need to have more concern for our legal citizens, than for our illegal citizens who don't belong here in the first place. Please continue to allow ICE agents to do their job of protecting the public, our legal citizens, our families by doing your job and not making any changes to the current policy of having the jail directly notify ICE agents when a suspected illegal immigrant is about to be released. We need to keep this city and our county safe from the illegals who are committing crimes.

Jim Masloff – Mr. Masloff stated that he would echo what has been said. He believes every illegal alien who is incarcerated; ICE should be notified for everyone that is discharged out into the community. They have more information on these people than any of you here. Given what is happening on the border now, people are getting by unscreened. I plead with you to continue to call every time personally. The apparatus that was supposed to do this automatically is still problematic. Every incarcerated alien should be reported to ICE in a manner with which they can adequately respond to it.

Diane Johnson – Ms. Johnson stated that this isn't about public safety; it is about money and politics. ICE isn't coming for the Jaywalkers. They don't have the resources for that. ICE is coming for career criminals. They are coming for the

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big fish and they are doing us a favor by removing these dangerous individuals from our community. There is something worse than poverty, and that is crime. Crime destroys the bonds of affection and neighborly association that community builds.

Mason Pickett – Mr. Pickett stated that he is for letting ICE know when undocumented immigrants are being released.

Ben Doernberg – Mr. Doernberg thanked the last two speakers for repeating all of the racist rhetoric that was used in the 1920's to ban immigrants. Jewish immigrants, Polish immigrants and Irish immigrants were seen as dangerous criminals and people that have low moral character. If all of our ancestors had been kicked out because we had somebody that was in an Italian gang or an Irish gang, or a Jewish gang, none of us would be here. I think the level of fear that I am hearing behind me is completely disconnected from reality. I think we have an opportunity to do the right thing, and I have faith that you will do that.

Luis Oyola – Mr. Oyola stated that he is a resident of Albemarle County, and an organizer for the Legal Aid and Justice Center. In the time since this board has voted to continue the practice of notifying ICE, ICE abuses have only gotten worse and it's time for the board to take a stance. As of early 2018, 169 localities have stopped notifying ICE and not one of those has had funding cut in retaliation. It is time for this board to pioneer a decision in Virginia and take the stance to stop voluntarily notifying ICE before releasing immigrant inmates. We will continue to show up until you make that decision.

Matthew Christensen – Mr. Christensen spoke of the conditions of ICE detention facilities. Mr. Christensen stated that the reality is there isn't a law that says you have to notify ICE. ICE is already notified when someone is checked into the jail. That's the notification. This is all about a special phone call because ICE doesn't want to actually do their job. Research has shown over and over that getting ICE involved makes communities less safe because people are less likely to call the police. People become less safe, and less willing to cooperate with police.

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Edgar Lara – Mr. Lara stated that he was a Marine Corps Veteran. He was born to an undocumented mother and grew up in a community that was mostly undocumented. This is not the community of criminals that some people would believe them to be. I am part of that community. If you look at the population that is undocumented, they are very hardworking, family oriented people that are a credit to us, but they are being targeted. This is about hate and blaming people who can't really defend themselves.

A.C. – A.C. advised that she was here to ask for a no vote on collaborating with ICE. Last year, 25 human beings were murdered while in ICE detention. They were detained at the border after a grueling journey to safety. They were not killed via knife or gun or individuals that were just wanting to harm them with weapons. They were murdered by ICE officials via abuse. We cannot continue to wait for the next law. We need to take action now to ensure that all human beings coming across the border are safe and have the ability to remain safe.

Clara Belle Wheeler – Some of the people who have spoken today have diverted our attention off the main subject. The subject is will the jail continue to notify ICE when and illegal immigrant who has committed a crime and been incarcerated be released into the community. We are not here to debate legal /illegal entry into this country or what's happening in Texas or anywhere else. We are talking about the counties represented in this room and the safety of the citizens who live in these counties.

Ms. McKeel recognized the jail's nursing staff in honor of Nurse's Week and the jail's Education staff in honor of Teacher's Week. Ms. Cutlip, the Education Director introduced her staff to the board.

Matters from Brendan Hefty, ACRJA Attorney:

Mr. Hefty stated that at the prior meeting he passed out House Bill 2270. Since that time, that bill has been vetoed by the Governor.

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Matters from the ACRJA Board Members:

Sheriff Harding distributed a document regarding a breakfast being hosted by the Good News Jail and Prison Ministry.

Mrs. Van Clief asked for additional information regarding the recording of inmate phone calls. Mr. Hefty advised that inmates do not have an expectation of privacy on their phone calls. They are notified at the beginning of each call that they are being recorded. There is not a right to a phone call throughout the course of their jail term. It is essentially a privilege. Mrs. Van Clief asked who owns the recordings and who has access to them? Is the jail paying someone to listen to them? Can defense attorney have open access to them? Colonel Kumer advised that all local law enforcement has access to calls. We provide them with the recordings; they listen to it themselves and interpret the information. It does not happen as often as one may think. But it has solved some fairly significant crimes here locally in addition to some internal issues as well. Ms. McKeel advised Mrs. Van Clief to send any additional questions to Colonel Kumer and he could share those responses with the entire board.

Matters from Jeff Brill, Business Manager:

There were no issues from Mr. Brill.

Matters from Colonel Martin Kumer, Superintendent:

Ms. McKeel advised the board that they would not be discussing the changes to personnel policy due to time constraints.

Dollar a Day Debt - Colonel Kumer reminded the board that it was agreed upon that the jail would stop collecting the dollar a day fee. However, they did not address how the left over debt would be handled. I would like to know what the board would like to do with that debt. Although we stopped collecting that debt, should we still continue to collect the old debt that is owed, or do we do away with it. We have talked to our auditors. They agree that if the board chose to wipe away the debt; that is financially sound advice. There is no issue with that from

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the auditor's standpoint. From 1999 through 2015 we had Keefe as our commissary provider. During that time there was \$635,000 of debt that was accrued. From then until now, there was \$81,000 with the new commissary company which is Oasis. That money is all dollar a day debt, however, there is additional debt out there. We will continue to collect those. They are medical copayments, property destruction fees, etc. When we went to the new vendor, the old vendor simply took all of the debt and shoved it into the pile of debt. We can't break it down as dollar a day debt or other debt. Mr. Brill advised that this is not revenue on the books. We only recognize the revenue when money is paid in. Even though it is sitting on the books, it is not any big expense that is going to be written off, because we only recognize it when we get the money. After further discussion, Mr. Murphy made a motion to forgive all debts roughly in the amount of \$635,000 that was incurred by inmates in the period from 1999 to May 31, 2017 and to forgive the dollar a day debt incurred since that time until the present. Ms. Clarens seconded the motion. The motion carried unanimously.

Ms. Clarens read a statement for the record. Since the last time when we updated our financial disclosure in January talking to new part-time employment positions beginning in April, I started working on a contract basis with the American Bar Associations Children Immigration Law Academy where I conduct legal intakes for detained children. Also beginning next week, I will be working in conjunction with the Charlottesville Albemarle Bar Association in Legal Aid Justice Center to develop and coordinate our regional pro bono program. Through this position, I will interact with local lawyers; encourage them to do more pro bono work. I am letting you all know in interest of full disclosure as a member of the business groups affected by the transaction; I will continue to evaluate the jail board's policies fairly, objectively and in the public's interest.

VINE Status Update – In January, Colonel Kumer advised the board that he would be returning to the board with an update on VINE Link. Several enhancements and changes have been made in cooperation with our Jail Management System. The date of release notification is working. Our concern is that every time the release date changes, or changes are made to the system, it is not updated. Although the information is good for the general public, it is not information that anyone else could make an operational or logistical decision.

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Colonel Kumer also advised the board that the VINE system is not picking up photographs. Without photos, it could leave some uneasiness. That being said, in the case of good conscience, I cannot recommend that VINE be used for that purpose. It is perfectly fine to be used for the purpose of which it was intended which is victim notification. Mr. Walker stated that if it doesn't pick up on changes to release dates, they would have the same problem. Colonel Kumer's answer was yes. Mr. Walker asked if upon request, victims of domestic violence are notified by phone call. Colonel Kumer stated that we choose to pick up the phone and make that call personally to every single person. We do not rely on VINE for that purpose. Mr. Murphy stated that although he has concerns with the ICE practice, we should not stop our pursuit in correcting the interface between VINE Link and the Jail Management System. Mrs. Clarens stated that it is disturbing that this state mandated system has so many problems. We may need to do a comprehensive audit of all the systems being used. Mr. Walker stated that we don't know what we don't know about the fidelity of our systems. That applies to any number of systems. An audit or evaluation of those systems that are most vulnerable or impact jail operations or inmates may be needed. Colonel Kumer advised that our release dates are manually calculated and that is one of the things that would impact people here. As long as I am here, I will never turn that over to some software. They will always be manually calculated. Mr. Walker asked if the jail would provide direct notification upon request to any other governmental agency. Colonel Kumer stated that we provide notification to Law Enforcement, Social Security Administration, Department of Corrections, Social Services, DCJS, etc. It is not a blanket request. It is an individual request. Sheriff Harding stated that after speaking to individuals from immigration, even if the VINE system was working properly, they were not interested in using it. He stated that he was going to vote to continue doing telephonic notifications. After speaking with ICE, if they are not notified telephonically, they would bring more ICE resources into our community to apprehend these people, and particularly the more serious offenders. I think that brings danger to the community and danger to law enforcement. Mr. Murphy stated that there is some argument from the general public that reports aren't being made to ICE. That is not accurate. Every person is reported at the front end. This is only about back end notification. The characterization that immigrants are somehow more dangerous than the rest of the inmate population I think is inaccurate, distasteful, and I want to be on the record that we should refute

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that when we're talking about this particular topic and making a decision about the practice. Criminal justice systems have already determined every person in this facility's length of stay. At no point has this jail board ever imagined that we would hold someone outside of that length of stay. This is a request from ICE. It is not regulatory, and I think that has been clarified by a couple of speakers. There was something at the General Assembly that made its way through, and it was vetoed. We have to continue to pursue VINE not just as the ICE remedy, but for the sake of victims in our community. Mr. Murphy further stated that the concept of a blanket order is problematic. At the very least, I think the practice would have to be modified to reflect that every institution, law enforcement or otherwise has to initiate an individualized request on that person. Colonel Kumer advised the board that ICE does make individualized request currently in the form of a detainer. Mr. Tufts stated that one of his biggest concerns during this process is elected officials going on TV and radio saying that we are not following federal law if we were to change the system. And as Mr. Hefty has clarified, this is by no means federal law. Mr. Carter asked Colonel Kumer what he would do if DCJS wanted to know information about a group of inmates. Colonel Kumer advised that he would attempt to talk them out of the request. And try to find out what their reasoning for needing the information would be. Mr. Murphy stated that could be considered a civil rights violation. Sheriff Brown pointed out that there are 2 types of illegal immigration. One is criminal and the other is civil. The civil illegal immigration would be someone that was here legally with a work visa and for whatever reason, they did not leave the country before that visa expired and therefore, they are no longer here legally, but it is not a criminal matter. If they end up driving somewhere and they are found not to have a license, which would be a criminal offense. Mr. Tufts stated that just because someone is housed in this facility does not mean they have committed a crime. It means that they have been charged with one.

Dr. Bellamy made a motion to stop notifying ICE. Mrs. Clarens seconded the motion. Roll call was as follows:

Mr. Carter	No
Sheriff Hill	No
Mrs. Van Clief	No

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Mrs. Clarens	Yes
Mr. Murphy	Yes
Ms. McKeel	No
Mr. Walker	No
Mr. Tufts	Yes
Dr. Bellamy	Yes
Sheriff Brown	No
Sheriff Harding	No

With a vote of 4 Yes' and 7 No's the motion did not carry. ACRJ will maintain the current practice of notifying ICE. Ms. McKeel stated that the jail should continue to pursue improvements in VINE. Ms. Clarens stated that although she has not seen blanket detainers firsthand, they are being used. She would like further investigation into that. She advised Colonel Kumer that she would get some additional information pertaining to blanket detainers.

The meeting adjourned at 2:10 pm.

DRAFT

CONSENT/AGENDA

PERSONNEL/NEW HIRES:

Dale Scott	Corrections Officer	05/06/2019
Jason Crispin	Corrections Officer	05/20/2019
Linwood Frye	Corrections Officer	05/20/2019
Mateo Hirshell	Corrections Officer	05/20/2019
Shadarryl Veney	Corrections Officer	05/20/2019
Shatiqua Woodson	Records Technician	05/20/2019
Kate Oprandy	RN	06/10/2019
Michael Diaz-Perez	Corrections Officer	07/01/2019
Candice Noel	Corrections Officer	07/01/2019
Alisha Payne	Corrections Officer	08/05/2019
Elli Rak	Corrections Officer	08/05/2019
Brandon Taylor	Corrections Officer	08/05/2019
Justin Lamb	Corrections Officer	09/03/2019
Anthony Shifflett	Corrections Officer	09/03/2019

Lids Reconciliation (State Bonus Payment Breakdown) and Final Out of Compliance Figures

	9/6/2019	7/3/2019	5/3/2019	3/6/2019
Total number of inmates the jail received a \$8.00 bonus payment from 12/1/18 through 2/15/19	136	147	163	157
The number of inmates who have been released or transferred since 12/1/18 through 2/15/19	-41	-60	-61	-62
The number of inmates participating in jail sponsored programs*	-25	-28	-41	-34
The number of inmates with less than 60 days until their scheduled release**	0	0	0	0
The number of inmates who are being held as courtesies for other jurisdictions.	0	0	0	0
Total number of state sentenced ACRJ inmates who are eligible for intake as of 10/31/18	70 (1)	59 (1)	62 (1)	61 (1)
Percentage of State Responsible inmates compared to jail's total inmate population	14.14	13.59	13.96	13.09

*These are state sentenced inmates who are not transferred to DOC because they are participating in jail sponsored programs such as Work Release, Home Electronic Monitoring, McGuffey Arts, Culinary Arts and the Road Crew.

**The DOC will not accept inmates with less than 60 days to serve.

- (1) This number represents 13.96% of the jail's population (495) as of 9:07 am on Friday, Sept. 6, 2019
- (2) This number represents 13.96% of the jail's population (434) as of 3:10 pm on Wednesday July 3, 2019
- (3) This number represents 13.96% of the jail's population (444) as of 11:26 am on Friday, May 3, 2019
- (4) This number represents 13.09% of the jail's population (466) as of 4:12 pm on Wednesday, Mar. 6, 2019

The primary driver for the sharp increase in the State Responsible population is the closure of DOC facilities around the state. This greatly reduced the number of beds available for the intake of state responsible inmates from local jails. In addition there has been an ever increasing backlog of state responsible inmates in local jails all across the state. Last year the DOC instituted a policy to focus on receiving inmates with more than two years to serve as opposed to one year.

Albemarle Charlottesville Regional Jail
Census Report

2017/2018	COA	City	Nelson	Federal	Other	Total
July 2017	5,354	7,053	1,335	186	440	14,368
August	5,051	6,227	1,406	129	363	13,176
September	5,117	6,585	1,344	152	326	13,524
October	5,631	7,179	1,551	246	358	14,965
November	5,759	6,613	1,331	222	331	14,256
December	5,700	6,241	1,167	281	308	13,697
January-18	5,766	6,067	1,211	288	352	13,684
February	5,750	5,550	1,350	299	223	13,172
March	6,874	6,072	1,511	370	253	15,080
April	6,786	5,974	1,572	292	225	14,849
May	6,630	5,747	1,639	280	224	14,520
June 2018	6,744	5,864	1,619	234	191	14,652
						0
Total FY 17/18	71,162	75,172	17,036	2,979	3,594	169,943
ADP	195	206	47	8	10	466
Percent	41.87%	44.23%	10.02%	1.75%	2.11%	100.00%
Local Share	43.56%	46.01%	10.43%	N/A	N/A	100.00%

2018/2019	COA	City	Nelson	Federal	Other	Total
July 2018	6,860	5,635	1,769	282	190	14,736
August	6,806	5,560	2,034	339	202	14,941
September	6,763	5,672	1,835	257	134	14,661
October	6,959	5,957	1,862	345	198	15,321
November	6,608	5,483	2,007	163	199	14,460
December	7,129	5,357	2,019	162	185	14,852
January-19	7,439	5,401	2,150	126	208	15,324
February	6,665	4,765	1,918	122	196	13,666
March	7,364	4,813	1,802	155	254	14,388
April	6,935	4,399	1,776	199	283	13,592
May	7,209	4,354	1,933	176	287	13,959
June 2019	6,877	4,214	2,023	165	243	13,522
						0
Total FY 18/19	83,614	61,610	23,128	2,491	2,579	173,422
ADP	229	169	63	7	7	475
Percent	48.21%	35.53%	13.34%	1.44%	1.49%	100.00%
Local Share	49.67%	36.60%	13.74%	N/A	N/A	100.00%

FY 2018	71,162	75,172	17,036	2,979	3,594	169,943
FY 2019	83,614	61,610	23,128	2,491	2,579	173,422
Variance	12,452	(13,562)	6,092	(488)	(1,015)	3,479
Percent Change	17.5%	-18.0%	35.8%	-16.4%	-28.2%	2.0%

ICWFP STATS 2019

Departments	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Hours
County Sheriff			40	176	184	160	184						744
City Sheriff	162.5	133	103.5			49	159						607
Department of Forestry	222.5	180.5	109	232.25	329.5	278.25	299.5						1651.5
ACRJ Road Crew	62	84.5	121.5	61	28								357
Albemarle County Parks	169	96	108	53	181	198	126						931
ICWFP	936.25	1066	1066.5	1475	1611	1275	1559						8988.75
Albemarle County Transportation													
Albemarle County Litter Crew	7.75	27	60	138	77	129	123.5						562.25
VDOT Litter Crew				24	79	77	48						228
PROGRAM TOTALS	1560	1587	1608.5	2159.25	2489.5	2166.25	2499						14069.5
DOLLAR CREDITS	\$11,310.00	\$11,505.75	\$11,661.63	\$15,654.56	\$18,048.88	\$15,705.31	\$18,117.75						\$102,003.88

Special Management Housing at ACRJ

During the month of June 2019, Special Management Housing stats are as follows:

- 15 inmates were assigned to Administrative Segregation
- 5 inmates were assigned to General Detention
- 10 inmates were assigned to Medical Segregation
- 19 inmates were assigned to Pre-Hearing or Disciplinary Detention

Special Management Housing at ACRJ

During the month of August 2019, special management housing stats are as follows:

- 27 inmates were assigned to Administrative Segregation
- 6 inmates were assigned to General Detention
- 10 inmates were assigned to Medical Segregation
- 27 inmates were assigned to Pre-Hearing or Disciplinary Detention

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FINAL

Summary Minutes of the Albemarle Charlottesville Regional Jail Authority Board Meeting March 14, 2019

Jail Board Members Present:

Ms. Diantha McKeel
Mr. Mike Murphy
Dr. Wes Bellamy
Mr. W. Lawton Tufts
Sheriff David Hill
Mrs. Kristin Clarens
Mrs. Cyndra Van Clief
Chief Deputy Chan Bryant (Proxy for Sheriff Chip Harding)

Jail Board Members Absent:

Mr. Doug Walker
Sheriff James Brown
Mr. Steve Carter

Others Present:

Colonel Martin Kumer
Lt. Colonel Todd Rowland
Mrs. Marce Anderson
Ms. Felicia Morris
Mrs. Gequetta Murray-Key
Mr. Robert Barnabei
Mr. Jeff Brill

The meeting was called to order at 12:30 pm by Chairperson Diantha McKeel. Ms. McKeel asked all board members, voting and non-voting to introduce themselves. Ms. McKeel asked if the agenda was acceptable to everyone. Mr. Tufts made a motion to adopt the agenda as presented. Dr. Bellamy seconded the motion, the motion carried unanimously. Ms. McKeel then asked for a motion to adopt the consent agenda. Mrs. Van Clief made a motion to adopt the consent agenda as presented. Dr. Bellamy seconded the motion. The motion carried unanimously.

Matters from the Public:

Clara Bell Wheeler – Ms. Wheeler states that she is in opposition of using the VINE system due to its unreliability and lack of functionality. The jail should not be releasing criminals into the public on their own recognizance. If someone is in this country illegally, they have broken the law by being here illegally, and crossing our borders illegally. They should be recommended to ICE when they leave here. I should be notified in a verifiable manner to decide whether ICE needs to take action or not, and we cannot leave that notification to an unreliable system.

Luis Oyola – Mr. Oyola stated that he is a resident of Albemarle County and is representing Legal Aid Justice Center. On December 17th the Commonwealth's Attorney, Robert Tracci sent a letter to Mark Herring asking for his opinion on the VINE system and the ICE notification practice. On January 28th, Herring responded rejecting that request stating that it is not a matter of law, but a matter of policy. This is really important to emphasize because that means this board has full discretion on this practice as it stands today. Mr. Oyola stated that ICE has tampered with detainer forms. Some are missing signatures entirely or different signatures for the same person. If VINE Link is being called an unreliable system, ICE as a federal agency is equally unreliable, if not more. The House Bill from Charles Poindexter is a bill that passed the Senate and the House along party lines. That Bill would force localities to notify ICE as soon as they know the release date. It is forcing jails to notify ICE for every non-citizen regardless of whether they are here with documents for not. Wherever this Bill goes, you all need to make up your minds no on where you stand knowing that the notifications as a policy matter today.

Jalane Schmidt - Mr. Schmidt stated that ICE is not adhering to the rule of law. As the AG said, this is a matter of policy, and we should err on the side of empathy.

Reverend Isaac Collins – Reverend Collins agreed with the last 2 speakers and the unreliability of ICE. When we choose to send people into the custody of ICE, it is a federal agency that is working with incompetent oversight and we can't

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guarantee the safety of what they will experience there. We don't even know if they are receiving proper medical care. In many cases, we know that they are not. I would say on a human level, this board has the power to choose to make Charlottesville and the surrounding area, less afraid, less dictated to by a federal agency, and has the opportunity to introduce more love, empathy and more humanity into the community. I encourage you to exercise on behalf of the humanity of all people regardless of their documentation status.

Eva Solano – Ms. Solano is from Mexico and has been living in the US for 15 years. She immigrated to the US as a single mother. Her first job was in a Japanese Restaurant. Since then, she has been working hard to make her dreams come true. She has a house and has learned English. She has worked hard, sometimes 7 days a week, 12-14 hours a day. She made a mistake and is not proud of it. It will be 15 years of having tried to do better, to work harder, to show that I deserve to be here. I want to put a face to immigration. I know I made a mistake, but people like me sometimes don't feel like they have a second chance. I come here to ask for a second chance. Charlottesville helped me to get out of ICE custody after spending a month in a center. I was 18 with no chances and no other options. Sometimes in other countries there is no other option.

Tanishka Cruz – Ms. Cruz thanked Eva for having the courage to stand up and tell her story. When Eva was released from immigration detention, she came to see me. She wanted to know how she could help others in her situation. Prior to meeting Eva, Ms. Cruz learned from her friends and colleagues about what an incredible woman she is. She is a mother and primary breadwinner for her two girls, one of which has a physical disability. She started living here 15 years ago and wanted to be the best, do the best, and took whatever extra time she had to attend classes. The immigration judge granted Eva a bond because it was overwhelmingly clear that given the length of time she has been in the United States, the work history, 16 letters of support from her US citizen friends and colleagues, that she was neither a danger to the community or a flight risk. By picking Eva up, ICE filled one of their detention beds in the new Caroline facility for 23 days. That was the motivation. That was the incentive when they picked her up.

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Michael Payne – Mr. Payne wanted to reiterate what others have already said in terms of calling on the board to vote to end voluntary ICE notifications. Your current policy creates a sense of fear that is actively harming some of our most valuable community members. As long as you maintain your policy, and continue to do voluntary ICE notifications, you will never be able to build trust in the local community.

Matters from Brendan Hefty, ACRJA Attorney:

Mr. Hefty passed out House Bill 2270, which passed both in the House and the Senate in this General Assembly session, and requires Jail Superintendents to notify ICE of the release of an “alien inmate” forth with as soon as the release date is known. It is currently on the Governor’s desk. He has until March 26th to veto the Bill. If he doesn’t veto the Bill, it will become law, July, 2019.

In other business, there was a 3% Comp Board blending effective July 1st. There were also some mental health issues that were big in jails. They extended the Creigh Deeds commission and there will be some ongoing legislation in the future because of that.

Matters from the ACRJA Board Members:

Dr. Bellamy stated that he had an email exchange with Colonel Kumer and he was pleased with his response. There have been some community concerns from members of the community with regard to some of the conditions here within the jail. One particular mother reached out in regards to how her daughter had been treated because she had been in segregation for quite some time. Mr. Kumer responded to that correspondence and let her know that he would be willing to follow up. He did subsequently follow up. Dr. Bellamy asked if it would be possible to get updates on the number of inmates that are in segregation on a meeting basis. Colonel Kumer advised that can happen. There is a detailed daily report. Ms. McKeel advised that this information would be added to the board packets. Mr. Tufts asked if there could be a presentation on the jail’s policy with regard to segregation either at the May or July meeting. Colonel Kumer advised that he would ensure that happened.

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Mrs. Van Clief stated that she had received communication from members of the community about visitation being canceled. Ms. Van Clief stated that it was her understanding that it was due to personnel issues. Colonel Kumer advised that it was due to staffing issues. There were 2 inmates that had to be rushed to the hospital. In that case, 2 officers have to with each inmate at all times. When we only have 14 staff members on hand at any given time and 4 are at the hospital, we only have 10 staff members to run the jail and we have 11 posts. It becomes very difficult to run visitation in that situation. Canceling visitation is always a last resort. We are working on the visitation RFP, which would eliminate this issue altogether.

Dr. Bellamy stated that he is working with a non-profit organization We Code too and OAR to have a graduation of digital skills training course. He has been receiving some correspondence from family members of individuals incarcerated here about potentially exploring the possibility of providing a digital skills course to the inmates in this facility. Colonel Kumer advised that we currently have some courses involving computer literacy and a computer programming class taught by some volunteers from the University of Virginia that has been very successful and popular. Ms. McKeel stated that an update on those programs would probably be good idea.

Mr. Murphy asked if the Governor should veto Bill 2270, is there any obstacle to the board voting on a change in policy at our May meeting? Mr. Hefty stated that at the May meeting, if the Governor vetoes this bill, in the General Assembly session, they could theoretically override the veto. Mr. Hefty did not believe that would happen. He stated that he thinks the Bill will be dead at that point. Assuming that is doesn't get overwritten, then we would be back to square one and it would be a policy matter for this board to adopt in May. Ms. McKeel stated that Colonel Kumer would be giving an update on VINE Link and hoping that by May everyone would have had an opportunity to test the system.

Matters from Jeff Brill, Business Manager:

Mr. Brill advised that the budget change from January to March is an increase of \$20,000, with changes to 4 areas of the budget; Health Insurance, Board Salaries,

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Per Diem, and the Reserve Fund. Mr. Tufts made a motion to approve the budget as presented. Dr. Bellamy seconded the motion. The motion carried unanimously.

Matters from Colonel Martin Kumer, Superintendent:

VINE Status Update - Colonel Kumer advised everyone that when looking into the updates to VINE, the major focus here is that this is a service used by victims. The decision was made to reach out to VINE and see if we could enhance the services we are currently providing to victims and make it more useful than it already is. That is the purpose of this. If at some point in the future, we choose to use it for another purpose that is in and of itself. When doing our research, we discovered the information that VINE was sending out to the community was not accurate because of the way their system was pulling the information from our database. This was not VINE's fault. VINE was doing everything they were supposed to. Our Jail Management System was calculating the release date based on some algorithm that we do not use. We calculate our own release date or the Department of Corrections calculates them. We then put them in another data field and we discovered that the VINE system was pulling the release date from the date the jail management system was calculating, which is incorrect. Once we reached out to VINE, they were every responsive and quickly identified the problem. They have worked with our vendor to make corrections to the pathway. The fixes have been made. They have tested on their end, and they have released it to us. We can now begin testing until we are satisfied that the information that we are sending out is correct and pulling from the correct place. In addition to knowing that notifications are going out as soon as the release date is calculated, and then again within 72 hours prior to release. Once that has taken place, we will then ask our partner agencies, Commonwealth's Attorney's, victim witness, and anyone who wants to participate and test it to their satisfaction. After our partner agencies are satisfied that the information is correct, I will then come back to the board and notify that the system is now operating as it is designed. That is the main focus of all of this. All other issues regarding the VINE update are secondary to this.

Nursing Shortage – Like hospitals, nursing homes, and other jails and prisons, we are experiencing nursing shortages. There just aren't enough in this country to fill the need. We are currently down 4 Licensed Practical Nurses. We are working to

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recruit them heavily as well. We are competing with 2 hospital systems, a rehabilitation center and Middle River Regional Jail. We are competing for the same pool of people. We have signed a contract with a staffing agency that will be a last resort. We much prefer to hire our own staff locally before going through an agency. But we have to get nurses in here in order to provide medical care. Colonel Kumer stated that he just wanted to make the board aware that there is a shortage.

Elimination of dollar a day – The jail currently charges a dollar a day to anyone who spends a day in here. We do not have to charge this fee. Colonel Kumer stated that this fee is not paid by the offender. It is paid for by the family, friends, non-profit organizations, or churches. Whoever sends money to an individual here, we take out the dollar that is owed to the jail. That money could otherwise be used to purchase items from canteen, use our phone system, pay for medical copays or to reimburse the jail for damaged property that is our property. By charging a dollar a day, we are taking money away from funds they would still use here that was still going to benefit the jail. We are already charging them. We currently earn \$.74 on every dollar that they pay for phone usage. We currently make 32 or 34% on every dollar spent on canteen items here at the jail. I believe we are already charging these individuals and their family's money and this money goes back in to offset the cost to localities. I do believe the more money they have to spend on phone time, or ordering commissary, they will do that and we will make back the money in commissions. We were able to renegotiate our phone contract and we went from \$220,000.00 per year to almost \$300,000.00 in commission fees. We did not raise the rates on inmates, but we did increase our amount of commissions. One of the biggest complaints, with the exception of the conditions of the jail is the dollar a day fee. I see this as a win-win all the way around. Mr. Hefty advised the board that this was a policy from the board to charge the dollar a day. If the board would like to eliminate it, there should be a motion. Mr. Tufts made a motion to eliminate the dollar a day fee currently being charged to inmates being housed in this facility. Mrs. Clarens seconded the motion. Roll call was as follows:

Sheriff Hill –	No
Mrs. Van Clief –	Yes

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Mrs. Clarens –	Yes
Mr. Murphy –	Yes
Ms. McKeel –	Yes
Mr. Tufts –	Yes
Dr. Bellamy –	Yes
Chief Deputy Bryant -	Yes

The motion carried by majority vote.

This new policy will be effective as soon as possible.

Holiday Time – this policy only applies to the 72 current security staff that we have. Support staff will continue to earn and use their holiday time. It is the security staff that has to operate this facility 24/7. We find it very difficult to allow them to use the holiday time that they have earned. The reason this has come up is because we are trying to mirror Albemarle County’s practices because of the timekeeping system. Any differences between the two entities will require software changes. The county has asked us to in any way possible, mirror what they are doing to limit the number of software changes. Security staff earns anywhere from 11-13 Holidays per year. We are lucky if we are able to get them off for the 2 weeks of annual time that is earned. It is much more difficult to get them off for the additional holiday time earned. Therefore, that time sits on the books. The problem with the current policy is that once they leave, they only get paid for 24 hours, which means they could leave several weeks of holiday time on the books. We would like to follow the County’s policy regarding holiday time which is, if the staff member is unable to use the time during the 28 day cycle in which it is awarded, they would be paid for that time. It would come off of the books, and not accrue. Those individuals with time currently on the books would have the next 12 months to burn that time. At the end of the 12 month period, we will take another look at it and see if we will be able to get them the time off. We funded it completely as though no one would ever get to use a holiday. We know that is not accurate. We have some really good people here, so it would be helpful for recruiting as well as retention if they can have the opportunity to actually use their holiday time or at least get paid for it. Mr. Tufts made a motion that as of May 1, 2019 nonexempt security team personnel would be paid for their unused

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holiday time in the pay period for which it was earned. Mrs. Clarens seconded the motion. Roll Call was as follows:

Sheriff Hill	Yes
Mrs. Van Clief	Yes
Mrs. Clarens	Yes
Mr. Murphy	Yes
Ms. McKeel	Yes
Mr. Tufts	Yes
Dr. Bellamy	Yes
Deputy Bryant	Yes

The motion carried unanimously.

Ms. McKeel asked if any board members had anything else they would like to discuss. Mrs. Van Clief asked if there was any law behind the recording of inmate phone calls. Mr. Hefty advised that as an inmate there is no expectation of privacy on phone calls, and inmates are prompted at the beginning of the call.

The meeting adjourned at 1:36 pm.

FINAL

**ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY
EXECUTIVE SUMMARY**

<p><u>AGENDA TITLE:</u> June 30, 2019 YTD audited Financial Report</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Matters from Business Manager</p> <p><u>STAFF CONTACTS:</u> Superintendent: Kumer & Brill</p>	<p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> September 12, 2019</p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> No <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> No <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> Yes</p>
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Compensation and benefits is estimate to come in under budget **(\$331,142)** due to:

- Wages is estimated to come in under budget (\$270,548) due to the number of vacancies. *A 1% reduction in wages was used for budgeting vacancy savings in FY 19. FY 20 reduction in wages is 1.4%.*
- Overtime Wages is estimated to come in over \$78,332 mostly due to hours related to a hospitalized inmate and nursing shortage.
- VRS is estimated to come in under budget \$57,588.
- Health Insurance and HSA is estimated to come in under \$28,831 and \$21,508 respectively.
- Worker’s comp. is estimated to come in under budget \$28,253 because it went out to bid and proposals were lower than estimated.

Operating expense is estimated to come in under (\$101,532).

- Data processing is estimated to come in over budget \$14,103 due to additional software licenses for Northpoint software.
- Health Services is estimated to come in under budget **\$267,337.**
 - This is partially due to a fewer sick prisoners than years past.
 - In addition, during FY 19 ACRJ added an additional primary care provider, a Physician Assistant, which allows us to provide more in-house care at a fixed cost as opposed to sending to outside providers.
 - Also hospitalization cost have been reduced due to the Medicaid/Medicare expansion during FY 19. Jail personnel enroll, proactively or reactively, any inmate who requires hospitalization for any medical procedure that will or has lasted longer than 24 hours. The cost of that hospitalization is then covered by Medicaid or Medicare.
- Water and Sewer is estimated to come in over \$26,878 due to cost increase and water usage.
- Food supplies expense is estimated to come in over \$78,177 due to population and savings in cost due to an anticipated software purchase that never came about.
- Pharmaceutical expense is estimated to come in over \$76,006 due to increased medical cost and sicker patients.

Capital expense is estimate to come in under budget (**\$94,228**) due to the timing of when projects started and completed. Several HVAC projects are going to be completed until FY20 and where budgeted in FY19.

Total expenditures are estimated to come in under budget (\$526,902).

Operating income is estimated to come in over budget \$65,897.

- Interest income is estimated to come in over \$92,787.
- Women's program is estimated to come in under \$24,695. This is first year this was budgeted and they are not be utilized as much as anticipated.
- Dollar a day is estimated under \$30,606 due to the elimination of the program in March.
- Pharmaceutical is estimate to come in over \$90,011 due to unbudgeted state reimbursement which was a new program this year.
- SCAAP funds came in over budget \$19,806 due to increased days in the state alien assistance program.

Net Income is estimated to come in under budget (**\$592,799**) or 3.8% over budget. Yearend hasn't been finalized and net income will be presented in November after the audit is complete.

Recommendations: None

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
June 30, 2019**

	G	H	S	T	U	V	W	X
1	OBJECT DESCRIPTION:	FY 2019 Budget	MAY	JUNE	YTD	Percent of Budget =100%	June 2019 Extrapolation	Variance
2	Total Combined Oper. Exp.:							
3	Total Combined Compensation:							
4	Salaries - regular	8,284,342	688,140	685,622	8,013,794	96.73%	8,013,794	(270,548)
6	Overtime wages	137,000	15,031	14,615	215,332	157.18%	215,332	78,332
8	Overtime - Reimbursable	7,000	2,399	864	15,974	228.20%	15,974	8,974
9	Part-time wages	319,528	23,877	26,004	354,767	111.03%	354,767	35,239
10	PT/wages - board member	2,100	0	1,000	1,900	90.48%	1,900	(200)
11	Shift Differential	50,000	3,730	4,247	50,808	101.62%	50,808	808
12	Accrued annual leave		0		-	#DIV/0!	0	0
13	FICA	673,037	54,618	54,615	643,029	95.54%	643,029	(30,008)
14	VRS @ 10.94%	899,777	71,901	72,141	842,189	93.60%	842,189	(57,588)
15	VLDP- disability	3,600	468	487	5,001	138.92%	5,001	1,401
16	Life Part Time	500	0	0	-	0.00%	0	(500)
17	VRS Hybrid	12,000	1,393	1,428	13,967	116.39%	13,967	1,967
18	Health insurance 8,280	1,334,480	111,702	112,281	1,305,649	97.84%	1,305,649	(28,831)
19	Dental insurance \$250	40,000	2,940	2,959	34,570	86.43%	34,570	(5,430)
20	HSA contribution	40,000	460	368	18,492	46.23%	18,492	(21,508)
21	VRS group life 1.31%	109,180	8,774	8,812	102,521	93.90%	102,521	(6,659)
22	Group life - part-time	500	0	0	-	0.00%		(500)
23	Line of Duty	26,265			28,427	108.23%	28,427	2,162
24	Unemployment insurance	10,000	0	0	-	0.00%	0	(10,000)
25	Workers' compensation	123,900	0	0	95,647	77.20%	95,647	(28,253)
27	Subtotal Comp. & Benefits	\$12,073,209	985,433	985,443	11,742,067	97.26%	\$11,742,067	(\$331,142)
28			985,433	985,443	11,742,067			
29	Total Combined Operating Expenditures:							
30	Professional Services	13,760	2,965	26,913	38,882	282.57%	38,882	25,122
31	Contract services other	34,000	2,352	2,354	14,082	41.42%	14,082	(19,918)
32	Health services	573,700	21,120	7,719	306,363	53.40%	306,363	(267,337)
36	Prof services - legal	33,000	2,682	0	26,793	81.19%	26,793	(6,207)
38	Prof services - audit	11,500	0	0	11,145	96.91%	11,145	(355)
42	R&M - buildings	63,750	10,505	16,940	65,371	102.54%	65,371	1,621
43	R&M - vehicles	3,000	0	556	2,143	71.43%	2,143	(857)
44	Maint contract - equip	75,980	1,813	4,367	68,001	89.50%	68,001	(7,979)
45	Maint contract - buildings	15,935	685	5,728	19,513	122.45%	19,513	3,578
46	Printing & Binding	3,700	0	0	2,839	76.73%	2,839	(861)
47	Advertising	4,000	62	0	3,714	92.85%	3,714	(286)
49	Tuition assistance	2,000	0	0	-	0.00%		(2,000)
50	Employee physicals	4,500	687	1,032	6,461	143.58%	6,461	1,961
51	Other purchased services	1,000	475	608	3,925	392.50%	3,925	2,925
52	Contract - Disposal	24,520	214	935	20,952	85.45%	20,952	(3,568)
53	Contract - fiscal agent	156,029	39,008	0	156,029	100.00%	156,029	0
54	Data processing	56,400	17,478	1,653	70,503	125.01%	70,503	14,103
55	Electrical service	220,000	16,037	0	179,082	81.40%	179,082	(40,918)
56	Gas service	100,000	9,377	5,142	83,000	83.00%	83,000	(17,000)
57	Water & sewer	290,000	24,690	27,145	316,878	109.27%	316,878	26,878
58	Postal services	5,700	524	639	4,123	72.33%	4,123	(1,577)
59	Telecommunications	42,600	4,714	3,785	41,135	96.56%	41,135	(1,465)
60	Fire insurance	41,000	0	0	42,944	104.74%	42,944	1,944
63	Automotive insurance	6,500	0	0	5,382	82.80%	5,382	(1,118)
64	Lease Equipment	16,443	786	6,902	18,462	112.28%	18,462	2,019
65	Software Licensing		0	0	-		0	0
66	Travel - education	45,975	16,907	1,926	47,002	102.23%	47,002	1,027
67	Training - Academy	75,000	3,750	1,352	79,701	106.27%	79,701	4,701
69	Travel - subsistence	4,500	263	413	7,096	157.69%	7,096	2,596
70	Staff Support / Miscellaneous	750	0	358	358	47.73%	358	(392)
71	Sams Club vending wellness		0	0	-	#DIV/0!	0	0

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
June 30, 2019**

	G	H	S	T	U	V	W	X
1	OBJECT DESCRIPTION:	FY 2019 Budget	MAY	JUNE	YTD	Percent of Budget =100%	June 2019 Extrapolation	Variance
72	Donations		0	0	68	#DIV/0!	68	68
73	Human Resource Exp	4,000	(1)	280	1,507	37.68%	1,507	(2,493)
74	Inclement Weather Expense	1,000	1	0	2,903	290.30%	2,903	1,903
75	Wellness Fund Sams Club	2,000	69	289	2,534	126.70%	2,534	534
76	Wellness Fund Expense	2,000	0	0	1,434	71.70%	1,434	(566)
77	Inmate Fund Expense	4,500	1,276	661	18,698	415.51%	18,698	14,198
78	Dues & memberships	15,943	3,222	65	8,846	55.49%	8,846	(7,097)
79	Office supplies	47,750	3,971	5,204	42,802	89.64%	42,802	(4,948)
80	Food supplies	689,500	74,958	78,665	767,677	111.34%	767,677	78,177
81	ACRJ Employees	79,000	4,471	5,354	67,673	85.66%	67,673	(11,327)
82	BRDC food supplies	26,000	2,033	0	16,603	63.86%	16,603	(9,397)
83	SWVC	4,000	-	699	3,702	92.55%	3,702	(298)
84	Meals for meetings	6,400	1,030	331	6,356	99.31%	6,356	(44)
85	Medical Disposal				-	#DIV/0!	0	0
86	Pharmaceutical Drugs	380,000	76,633	51,738	456,006	120.00%	456,006	76,006
87	Laundry & janitorial supplies	61,400	6,464	11,682	62,665	102.06%	62,665	1,265
88	Kitchen & Maint. Cleaners	32,800	2,177	1,965	49,365	150.50%	49,365	16,565
89	Linen supplies	15,000	1	0	11,547	76.98%	14,920	(80)
90	Uniforms - inmate	23,000	6,364	2,165	21,542	93.66%	23,721	721
91	R&M supplies	62,049	4,171	8,063	68,831	110.93%	68,831	6,782
93	Vehicle & equip fuel & supplies	16,300	1,888	1,227	17,178	105.39%	17,178	878
94	Vehicle & equip supplies	13,300	1,019	90	10,998	82.69%	10,998	(2,302)
95	Security supplies	25,210	10,529	3,853	36,618	145.25%	36,618	11,408
96	Uniforms & apparel	41,200	5,430	9,402	51,478	124.95%	51,478	10,278
97	Books & subscriptions	3,600	0	0	180	5.00%	180	(3,420)
98	Inmate Education	27,865	15,472	11,082	34,651	124.35%	34,651	6,786
99	Other operating supplies	1,000	0	0	-	0.00%	0	(1,000)
100	Copy supplies	1,500	0	0	734	48.93%	734	(766)
101	Fund Balance ACRJ operating					#DIV/0!	0	0
104	Subtotal Operating Exp.	\$3,511,559	\$398,272	\$309,282	3,404,475	96.95%	\$3,410,027	(\$101,532)
105								
106	Total Combined Operating Capital:							
107	Machinery & equip		0	0	-	#DIV/0!	0	0
108	Machinery & Equipment Replace	110,000	-	14,584	24,630	22.39%	24,630	(85,370)
109	Kitchen Equipment - Replacement		0	20,206	20,206	#DIV/0!	20,206	20,206
110	Furniture & fixtures - new	21,150	0	0	3,503	16.56%	3,503	(17,647)
111	F&F - replacement	18,046	0	3,315	3,315	18.37%	3,315	(14,731)
112	Communications equip		0	4,460	4,460	#DIV/0!	4,460	4,460
113	Comm equip - replacement		0	0	-	#DIV/0!	0	0
114	Motor vehicles	25,000	0	0	23,854	95.42%	23,854	(1,146)
115	Parking Paving		0	0	-	#DIV/0!	0	0
116	ADP Equipment		0	0	-	#DIV/0!	0	0
117	ADP Equipment - Rep		0	0	-	#DIV/0!	0	0
118	Software Upgrade	0	0	0	-	#DIV/0!	0	0
122	Subtotal Operating Capital	\$174,196	0	\$42,565	79,968	45.91%	79,968	(94,228)
123								
124	Subtotal Expenditures	\$15,758,964	1,383,705	\$1,337,290	15,226,510	96.62%	15,232,062	(526,902)

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
June 30, 2019**

	G	H	S	T	U	V	W	X
1	OBJECT DESCRIPTION:	FY 2019 Budget	MAY	JUNE	YTD	Percent of Budget =100%	June 2019 Extrapolation	Variance
125	Operating Revenues:							
126	Interest	20,000	16,622		112,787	563.94%	112,787	92,787
127	Sale surplus vehicles				-	#DIV/0!	0	0
128	Sale salvage				-	#DIV/0!	0	0
129	Cellular Tower Lease	48,000	2,493	2,493	59,454	123.86%	59,454	11,454
130	Regional Jail Service Fees	10,000			3,843	38.43%	3,843	(6,157)
131	Other jurisdictions				-	#DIV/0!		0
132	Charlottesville	4,657,784	388,149	388,149	4,657,786	100.00%	4,657,784	0
133	Albemarle	3,705,178	308,765	308,765	3,705,180	100.00%	3,705,178	0
134	Federal prisoners 50.63	130,000	10,197	8,982	122,756	94.43%	122,756	(7,244)
135	Nelson County	632,372	52,698	52,698	632,376	100.00%	632,372	0
136	Telephone system	214,000	30,352	36,467	226,153	105.68%	226,142	12,142
137	Dollar a day Inmate Charge	85,000	829	336	54,394	63.99%	54,394	(30,606)
138	Misc. Inmate reimbursements				-	#DIV/0!	0	0
139	Workers' comp. reimb.				-	#DIV/0!	0	0
140	Work release insurance				-	#DIV/0!	0	0
141	Womens program	37,000	1,674	1,080	12,305	33.26%	12,305	(24,695)
142	Work release	110,000		11,609	98,215	89.29%	98,215	(11,785)
143	Vdot	168,000		16,294	172,451	102.65%	172,451	4,451
144	Electronic Monitoring-other	10,000			1,789	17.89%	1,789	(8,211)
145	Subscription Revenues	3,000	153	221	2,130	71.00%	2,130	(870)
146	Region Ten	25,000			25,000	100.00%	25,000	0
147	Miscellaneous -misc jail revenues	2,500	221	492	1,768	70.72%	1,768	(732)
148	Wkend & Work Force Reim-misc	12,000	864	520	9,785	81.54%	9,785	(2,215)
152	Wellness Fund Sams	2,000			-	0.00%	0	(2,000)
153	Wellness Fund Other Rev	2,000			316	15.80%	316	(1,684)
154	Inmate Fund Revenue	2,500		1,419	16,431	657.24%	16,431	13,931
155	Shrd Svc: BRJDC Food & Mgmt.-misc	68,000		14,911	53,663	78.92%	53,663	(14,337)
156	Insurance Recoveries				-		0	0
157	Medical Copayment-misc	10,000	971	2,137	8,515	85.15%	8,515	(1,485)
158	Training Fees Recovered-misc	4,000	2,588		6,360	159.00%	6,360	2,360
159	Prior year recovery				124		124	124
160	Comp Board - salaries	4,819,629	406,319	403,877	4,795,394	99.50%	4,795,394	(24,235)
161	Pharmaceutical reimb		34,643	7,829	90,011	#DIV/0!	90,011	90,011
162	Comp Board - office State ATL Reductions				-		0	0
163	Jail Auto				-		0	0
164	State per diem	960,000	89,062	163,335	904,187	94.19%	904,187	(55,813)
168	SSA/SSI Recovery	1,000	1,400	1,600	11,900	1190.00%	11,900	10,900
169	Justice Reinvestment				-	#DIV/0!	0	0
170	SCAPP Funds	20,000			39,806	199.03%	39,806	19,806
175	Subtotal Operating Revenues	\$15,758,963	\$1,348,000	\$1,423,214	15,824,879	100.42%	15,824,860	65,897
176								
177		(\$1)	(35,705)	85,924	598,369		592,798	592,799

**ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY
EXECUTIVE SUMMARY**

<p><u>AGENDA TITLE:</u> Nursing Staff - Flex RN</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p><u>STAFF CONTACTS:</u> Col. & Mess: Kumer, Brill,</p>	<p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> September 12, 2019</p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u> Yes</p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> No</p>
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Information:

With the recent shortage in the nursing staff, ACRJ moved into an emergency contract with FlexRN Staffing in July 2019. A purchase order for \$50,000 was processed to cover the financial needs of the agency. The original purchase order has been exhausted.

The intent was to use the Flex RN emergency contract either until we were able to hire full-time staff or we could use the County’s staffing agency contract. Although we have been able to hire two full-time nurses we are still using the Flex RN to cover the remaining two vacant positions. We are unable to use the County’s staffing agency contract since it just went out for bid and will not be ready for at least two months.

Therefore, we are requesting an executive approval for another \$50,000 allocated for this purchase order to cover further staffing needs of the agency until the County’s new solicitation is closed and awarded or additional staff is hired.

Although this increase is an unbudgeted item we are confident it will be covered by vacancy savings with no additional impact to the localities.

Recommendations:

ACRJ is requesting that the Board authorize additional funds be allotted for nursing contract until such time that ACRJ is able to hire nurses for the medical department.

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Fiscal Agent Analysis</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p><u>STAFF CONTACTS:</u> Martin Kumer, Superintendent Jeff Brill, Business Manager</p>	<p><u>AGENDA DATE:</u> July 11, 2019</p> <p><u>ITEM NUMBER:</u></p> <p><u>FORMAL AGENDA:</u> <u>ACTION: YES</u> <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> Vendor contract</p> <p><u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u></p>
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BACKGROUND:

During the May 9, 2019, Jail Board Meeting a discussion was held regarding that the County of Albemarle had requested a cost benefit analysis of the services they provide as the Board Authority's fiscal agent. A cursory study was conducted prior to the May meeting by the Superintendent and the Jail's Business Manager. The study was presented to the Board during the same meeting. The result concluded that based on the current fee charged by the County of Albemarle it was more cost effective to retain the County as the fiscal agent as opposed to the jail acting as its own fiscal agent.

However, after further discussion it was determined that a thorough and complete cost benefit analysis be conducted by a qualified vendor.

The Business Manager worked with the County and properly procured a qualified vendor, Birch Bark Strategic Consulting, to conduct the study. If approved by the board to continue, the study will begin in September 1, 2019 and conclude no later than November 30, 2019. The cost of the study is \$4,950.00.

RECOMMENDATION:

Approve



STRATEGIC CONSULTING

This contract entered into this 1, JULY 2019 between BIRCHbark Strategic Consulting hereinafter called the "Contractor" and the Albemarle Charlottesville Regional Jail hereinafter called "ACRJ."

WITNESSETH that the Contractor and ACRJ, in consideration of the mutual covenants, agree as follows:

SCOPE OF CONTRACT:

The work to be Performed by the Contractor for ACRJ is as follows:

1. Kick-off meeting and any additional meetings that may be required with ACRJ leadership.
2. Discussion with select Albemarle County officials (notably the Chief Financial Officer) to determine any unintended consequences of eliminating the Fiscal Agent relationship.
3. Prepare an analysis and report to ACRJ that outlines the cost-benefit of continuing/discontinuing the Fiscal Agent relationship with Albemarle County. This analysis will include:
 - a. An analysis of the human resources and/or financial/technological systems that may be required to deliver similar services as the County currently provides.
 - b. A high-level benchmark review of other Virginia regional jail systems to determine the Fiscal Agent relationship, including any governance or financial structures that may be required by the change.
4. Delivery of presentation to the Board, if requested.

PROJECT COST:

\$4,950, with 50% due at signing of this agreement and 50% due at the successful completion of the project.

The Contractor will invoice ACRJ and ACRJ shall promptly pay for the delivered services not more than 15 days after receipt of an invoice.

Contract Work is to Commence on September 1, 2019 and be completed no later than November 30, 2019.

IN WITNESSETH WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

BIRCHbark Strategic Consulting

Signature: Nelsie Birch

Name (print): Nelsie L Birch

Title: President/Founder

Date: July 2, 2019

Albemarle-Charlottesville Regional Jail

Signature: _____

Name (print): _____

Title: _____

Date: _____

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Mirroring Albemarle County HR Practices</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p><u>STAFF CONTACTS:</u> Martin Kumer, Superintendent</p>	<p><u>AGENDA DATE:</u> May 9, 2019</p> <p><u>ITEM NUMBER:</u></p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> Yes <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u></p>
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BACKGROUND:

Recently, Albemarle County has upgraded their time keeping system. The county has requested that all ancillary entities attempt to mirror Albemarle County's human resource practices and policies to the degree feasible. By imitating the county's practices it will lower the implementation and software costs since the developer will only have to build one software suite to process all of the entities for which the county handles payroll and time keeping.

The two issues before the board today is a request to reduce the amount of sick time a Regional Jail employee earns on a monthly basis and the elimination of the practice of leave sharing.

Per policy, jail employees earn 10 hours of sick time per month. There is no cap on the amount of sick time an employee may maintain. Any employee who has been employed for at least five years and leaves employment on acceptable terms will be compensated \$25.00 for every 8 hours of unused sick time up to 800 hours for a maximum compensation of \$2,500.00.

Albemarle County's policy allows county employees to earn no more than 8 hours per month.

In order to mirror the county's practice the Jail would effective July 1, 2019, only award 8 hours of sick time per month as opposed to our current practice of 10 hours per month, an annual reduction of 24 hours or three days.

The second issue is the elimination of the Jail's practice of Leave Sharing. Leave Sharing allows any employee to transfer or donate sick time from their sick time accruals to another employee if the receiving employee has exhausted their sick time and is in need of time due to a serious medical issue.

The Leave Sharing policy is redundant since the Jail also participates in the Albemarle County sick bank. The sick bank is a voluntary system that all Jail employees are eligible to join. They must donate one day of sick time to the bank to be eligible. Once any employee has exhausted their sick leave, they may apply to use the sick bank. Please see the attached policy regarding sick leave accruals, Leave Sharing and the Sick Bank for further details.

RECOMMENDATION:

Comply with Albemarle County's request to reduce sick leave from 10 hours to 8 hours since it coincides with the City of Charlottesville and the County of Nelson's sick leave accruals practices of 8 hours per month. In addition the Blue Ridge Juvenile Detention Facility's employees also earn 8 hours per month of sick time.

Comply with Albemarle County's request to eliminate the practice of leave sharing since it is redundant compared to the sick bank.

**ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL
STANDARD OPERATING PROCEDURE**

SOP NUMBER: 1.48	SOP TITLE: Absences	EFFECTIVE DATE: September 1, 2006	AMENDS {X} CANCELS { } NEW { }
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Retain this policy in your S.O.P. Manual. You are responsible for the thorough knowledge and proper application of this policy.

PURPOSE:

To provide written policy and procedures that will be used regarding employee absences.

This Standard Operating Procedure consists of the following numbered sections:

- I. Policy**
- II. Procedures**
- III. Forms**
- IV. Revision**
- V. Staff Reviewer's Signature**
- VI. Superintendent's Signature**

I. POLICY

It is the policy of the Albemarle-Charlottesville Regional Jail that the Authority shall endeavor to keep attendance of employees at a maximum and absences at a minimum. The Superintendent recognizes that absences are unavoidable and inevitable and, therefore, allows certain absences and absence payments. The facility will establish policies which are meant to maintain the highest possible efficiency. Allowance will be made to permit bona fide absences, and prevent employees who have been ill from becoming a hazard to other employees by returning to work too soon.

II. PROCEDURES

It will remain the right of the Department Head/designee and the Jail Superintendent/designee to:

1. Authorize, or refuse to authorize in exceptional cases, the advance request of an employee for permission to be absent.
2. Investigate absences.
3. Deny leave payment for absence in violation of any facility policy.
4. Impose reasonable disciplinary penalties upon employees who have abused their leave privileges and who violate the provisions of the "Employee Responsibility" section of this policy.

A. EMPLOYEE RESPONSIBILITY

Every employee of the Albemarle-Charlottesville Regional Jail has the following obligations and responsibilities concerning absence.

1. **Request for Leave** - When the need for being absent from work is known in advance, the employee must notify his/her immediate supervisor as far in advance as possible on the Leave Request form.
2. **Notice of Unexpected Absence** - When an employee finds that he cannot report to work, he or she must notify his/her supervisor, or in the case of custody staff, the Shift Commander on duty, as soon as possible or no less than a **minimum of two (2) hours prior to starting time**. The employee must also call their immediate Supervisor during the scheduled shift or workday they are absent from. Upon returning to work the employee must complete a Leave Request form as a record of absence.
3. **Failure to Give Notice** - Failure to give the notice required shall constitute cause for a reasonable disciplinary penalty including cause for denial of absence pay allowance. Unless an absence has been authorized in advance or an absence is unavoidable, every employee shall be expected for his/her scheduled work.
4. **Failure to Keep Supervisor Informed** - Failure to keep Supervisor informed of illness or other causes for absence shall constitute cause for a reasonable disciplinary penalty including denial of absence pay allowance and/or termination.
- 5.

B. CIVIL DUTY LEAVE

1. Full-time employees called by government entities to perform civil duties such as jury duty, witness duty, etc., unrelated to personal affairs and of a public nature, will be granted paid civil leave by the jail on reasonable advance notice and presentation of properly executed documentation, such as a subpoena.
2. It is the employee's responsibility to bring the appropriate documentation to his/her Supervisor immediately on receipt. A letter from the Superintendent can then be attached in the event the employee or the Jail would like to have the employee excused.
3. Employees serving jury duty will receive full salary as well as retain compensation received from the court. Employees are expected to give notice of jury duty and to report to work when jury is not in session.
4. Employees who initiate or are otherwise involved in private legal actions of any kind, whether such actions involve the jail or not, will not be permitted to treat time spent during working hours in connection with such actions as compensable working time. Such employees will be required to use accrued annual, holiday or unpaid leave.

C. SICK LEAVE

The Albemarle - Charlottesville Regional Jail recognizes that its employees may need time away from their positions to remain at home due to personal illness. The immediate family for sick leave is defined as the employee's spouse, children, spouse's children, parents, and grandparents. It is also necessary, however, for employees to realize that absenteeism problems hinder the efficient operation of the department and its delivery of services to the public. Therefore, an attendance criteria is established which emphasizes how sick leave will be handled.

The primary purpose of sick leave is to provide for paid time in the event of long-term illnesses. Employees must accumulate sufficient balances to cover this possibility. All personnel shall earn sick leave days at the rate of 10 hours per month (permanent full-time) or a major fraction thereof (permanent, part-time) with no maximum on accumulation. Sick leave extending beyond two consecutive workdays requires a written statement by a medical provider explaining the facts of the absence.

NOTE: Employees identified as abusing the sick leave policy will be placed on Sick Certification (see Section E), and will be required to bring a statement from a licensed medical provider after every absence.

Accrued sick leave may be used for the following:

1. Temporary disability to include an illness, pregnancy, childbirth or related complications, in which an employee is unable to perform their assigned duties.
2. Medical appointments that cannot be scheduled during non-working hours. However, your supervisor may request verification of an appointment if abuse is suspected.

3. Family sick leave is not to exceed a maximum of forty-eight (48) hours per calendar year for an illness, injury or medical appointment related to an employee's immediate family, which would include the employee's children, spouse or dependents residing in the same household.

ACCEPTABLE ATTENDANCE.

Acceptable attendance is a minimum expectation of all ACRJ employees. Department Heads are responsible for monitoring attendance within their departments. Except as noted, when an employee's absenteeism exceeds four (4%) or 83.40 hours of available work time earned for Sick Leave, Unpaid Leave, and/or **unplanned use** of Holiday time or Annual Leave, the department head is responsible for investigating the absenteeism and taking appropriate action as necessary.

Leave taken under FMLA, Bereavement, and/or Worker's Compensation shall not be considered when determining acceptable attendance.

FMLA

Family Medical Leave Act is defined as a "serious health condition", illness, injury, impairment or physical or mental condition that requires inpatient care or continuing treatment by a health care provider. Under FMLA, an employee is eligible up to twelve weeks of unpaid, job-protected leave for certain family members and medical reasons. Employees are eligible for FMLA if they have worked for a covered employer for at least one year, and must have worked 1,250 hours over the previous twelve months. When an employee returns from FMLA leave status, he/she must be restored to his/her original or equivalent position with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employees leave.

Reasons for taking Leave:

- 1) To care for the employees child after birth, or placement for adoption or foster care.

Leave must be taken within twelve (12) months of birth or placement. However, if the paternal leave is related to the care of a qualifying family member, the employee may use up to a maximum or 48 hours of family sick leave as outlined in SECTION C, Sick Leave #3 of this Standard Operating Policy. The remainder of time, upon request to the Superintendent, may be used against accrued annual, holiday leave or will be taken as leave without pay.

- 2) To care for the employees spouse, son, daughter, or parent who has a serious health condition:

When the FML is due to the illness of an employee's spouse, parent, or child, the employee will first be compensated using accrued sick leave up to the maximum of 48 hours (as outlined in SECTION C. Sick Leave, #3) (Note: Employees are not eligible for sick bank benefits in these circumstances). The remainder of time used, upon request to the Superintendent, may be charged against accrued annual, holiday leave or will be taken as leave without pay.

- 3) For a serious health condition that makes the employee unable to perform their job:

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves :

- a) Inpatient care in a hospital, hospice, or residential medical care facility; or
- b) Continuing treatment by a health care provider;**

**Note: Treatment does not include routine physical, eye or dental exams.

(Employees may use Sick Bank, or ACRJ Leave Sharing Program if eligible)

FMLA - Notification/Certification:

The employee is required to provide advance leave notice and medical certification 30 days prior to taking leave when the leave is foreseeable.

Eligible employees may take up to 12 weeks of leave during a rolling 12 month period. This is defined as the 12-month period measured forward from the date an employees first FML begins.

FMLA - Medical Certification Requirements:

When the necessity for FML exists due to the employee's own serious health condition or the serious health condition of a spouse, parent, or child, certification of the condition and a statement of the need for leave are required from the health care provider, using the Certification of Health Care Provider form provided by HR. If the employee fails to provide the requested information to the HR Specialist, the leave may not be job-protected under the FMLA.

ACRJ may require medical certification to support the request for leave because of serious health conditions, and may require a second or third opinion and a fitness for duty report (on the employee) prior to the employees return to work. The employee is responsible for maintaining up to date medical status while on FML.

ACRJ may also require periodic reports from the employee as to the employee's status and intent to return to work.

FMLA -Intermittent or Reduced Leave

While most family and medical leave occurrences will necessitate leave to be taken in a single block of several weeks, the employee may request "intermittent" leave or "reduced leave schedule" to care for a seriously ill family member or for the employee's own serious health condition where the need for leave is foreseeable and based on planned medical treatment.

Employees requesting FMLA must do the following:

1. Request, in writing, to the Superintendent to use FMLA;
2. Once the request has been received, the Superintendent will review and forward to ACRJ Human Resources office;
3. ACRJ Human Resources will forward applicable FMLA forms and instructions to the employee;
4. Employee returns forms to ACRJ Human Resources or forms may be forwarded to Albemarle Human Resources directly.

Employees returning from FML

An employee returning from FML due to his own serious health condition must submit a statement on the required form to HR , from the attending physician, indicating the employee is physically and mentally capable of returning to work.

D. BEREAVEMENT

Employees may be permitted to use up to five (days) of accrued Sick Leave in the event of the death of a member of the employee's immediate family (employee's spouse or children, spouses children, parents, spouse's parents, siblings, spouses siblings and grandparents. Any additional time required by the employee in such event shall be covered by Annual leave, Holiday leave or Unpaid leave as may be applicable. In the event of the death of a non-immediate family member, employees will be required to use Annual, Holiday or Unpaid leave, as may be applicable.

Leave taken under FMLA, Bereavement, and/or Worker's Compensation shall not be considered when determining acceptable attendance

E. SICK LEAVE BANK

Albemarle County and ACRJ will maintain a sick leave bank to be used when a member of the bank (employee's only) becomes incapacitated by a long-term illness or injury as long as one-third of the eligible members agree to participate in accordance with the terms contained herein.

Membership in the sick leave bank shall be voluntary and open to all eligible personnel who accrue sick leave.

Each employee of the Board who accumulates sick leave is eligible for membership and may become a member by donating one day of sick leave upon joining and one day thereafter whenever the assessment is required.

Requests for leave time from the bank must be made in writing by the employee (or his representative if the employee is unable to submit the request) in advance of the absence for which the extra days are to be granted. Requests cannot be made retroactively.

The Director of Human Resources (located at Albemarle County Office Bldg.) is designated as the administrator of the Sick Leave Bank.

1. Enrollment Procedures

An eligible employee may enroll within the first thirty days of employment. An employee who does not enroll when first eligible may do so during open enrollment by making application and providing satisfactory evidence of good health to the Board. Enrollment the first year the bank is in existence will be for any eligible employee who fills out the appropriate form and submits this form to the Board within the initial enrollment period. Membership in the bank may be earned by contributing one day of sick leave upon joining and one day thereafter whenever an assessment is required. The donated days of leave will be deducted from the donor's accumulated days of sick leave.

2. Rules for Use

- a. The first twenty (20) consecutive working days of illness, or disability will not be covered by the bank, but must be covered by the member's own accumulated paid leave or leave without pay. This requirement may be met in cases in which twenty days of absence, although not consecutive for the same illness/injury, although not consecutive, occur within thirty working days.
- b. Requests for use of the sick leave bank must be made in writing by the employee (or representative if the employee is unable to submit the request) prior to the 20th day of the absence except in the case of Workers Compensation claims that were denied.

- c. Eligible employees may take a maximum of forty-five (45) working days from the Sick Leave Bank in any rolling year (defined as a three hundred sixty-five (365) day period beginning with the first day of Sick Leave Bank usage).
- d. Days drawn from the bank for any one period of eligibility must be consecutive, except additional periods of disability resulting from recurrence or relapse of the original illness, which will be covered fully on a continuing basis up to the annual maximum of forty-five days. Once a member has used all forty-five days of Sick Leave Bank, he/she must return to work and must meet the necessary requirements before becoming eligible to utilize sick leave bank benefits again.
- e. A member of the bank will not be able to use sick leave bank benefits until the employees sick leave declines to zero. Sick Leave and/or Sick Leave Bank leave will run concurrently with FMLA where applicable.
- f. Members of the bank will be assessed additional days of sick leave at such time as the bank is depleted to two hundred days, unless they choose not to participate further in the bank. Members who have no sick leave to contribute at the time of assessment will be assessed one day and allowed to temporarily maintain a negative balance.
- g. Members utilizing sick leave days from the bank will not have to replace these days except as a regular contributing member of the bank.

The Sick Leave Bank request form must be signed by a medical provider acceptable to the Regional Jail. The jail reserves the right to require additional medical documentation supporting the request.

Upon termination of employment or membership in the sick leave bank, a participating employee may not withdraw the days he has contributed to the bank.

*All employees working on a 28 day cycle schedule will automatically convert to an eight (8) hour day schedule when utilizing sick bank.

F. LEAVE SHARING

The Albemarle-Charlottesville Regional Jail's Leave Sharing program allows an employee to donate sick leave to another employee who may need additional leave as the result of an illness or accident. (Refer to SOP policy 1.20 for details)

G. SICK CERTIFICATION

Refer to S.O.P., Sick Certification

- 1) It is a Supervisor's responsibility to monitor Sick Leave in order to determine whether an employee is using an excessive amount, thus causing a hardship to the Shift or other Departments, due to lack of dependability. The employee's supervisor may require a statement signed by a licensed medical provider describing the employee's illness or medical condition and verifying the necessity of the employee's absence from work; this documentation may also be required when annual leave is used in lieu of sick leave. Ordinarily, this type of request will not be made for sick leave use for periods of two days or less, but in cases of suspected leave abuse, a physician's statement may be required in order to grant sick leave credit for each day of leave used.
- 2) After reviewing medical documentation on an employee's condition, the facility reserves the right to initiate medical leave of absence if the employee's attendance and quality and quantity of work are adversely affected by a medical condition. Leave without pay may be considered if the employee is otherwise eligible.

H. WORKER'S COMPENSATION

The Jail Authority carries, at its expense, workers' compensation insurance coverage to protect employees injured on the job. This insurance provides medical, surgical, and hospital treatment in addition to payment for loss of earnings resulting from work - related injuries. This program has a waiting period during which income benefits are not payable. This waiting period affects only compensation; medical and hospital cost are provided immediately.

Worker's Compensation Leave Policy

Workers' Compensation will be paid in accordance with law (i.e., at two-thirds salary after the first seven consecutive calendar days from the date of injury). These days must be covered by the employee's own leave. In the event that an employee has no sick leave to cover the first seven calendar days, holiday, annual leave, or leave without pay will be used. The Jail Authority will, however, pay the additional one-third of a day with no charge to the employee's sick leave for one year from the date of incident assuming the claim is compensable under worker's compensation. If the claim is deemed not compensable, the employee will reimburse the Jail Authority for the one-third of a day (i.e. through leave or leave without pay).

WORKERS' COMPENSATION LEAVE REPORTING GUIDELINES for time lost injuries)

Day 1 through 7:

Employee uses sick leave first (code 71)**, then any annual (code 72)**, or compensatory time (code 73)**. If an employee is not eligible for leave, then leave without pay (code 40)** will be used.

Days 8 through 21:

The Jail Authority will pay for one third of each day. The worker's compensation company will reimburse the employee for two thirds of each day. Leave reports should show for each day out, one third as worker's comp. No leave deducted (code 70)** and two thirds as leave without pay (Code 40)**.

****NOTE: Codes are for HR/Finance purposes only**

Day 22 and Above:

After the 21st day of injury, workers' compensation will go back and reimburse the employee for two-thirds of the first seven (7) days, if the injury is found compensable. The Benefits Office will delete the leave records for those days, giving the employee back that leave. However, since the employee has already been paid by the Jail Authority for those first seven day (if they were eligible for leave), the employee will be docked for two thirds of those first seven days.

I. OTHER LEAVE

1. **Military leave of absence:** will be granted by the Authority in accordance with existing state and federal statutes. Refer to S.O.P. 1.30.
2. **Breaks:** There is no formal break time provided by the facility, however reasonable time shall be provided for personal care and refreshments during the work day. Due to the nature of the job, employees must get permission from their supervisor prior to taking any breaks.
3. **Meal Break:** a 30 minute "Meal Break" period shall be provided to each employee. Supervisors will schedule and notify each employee under their supervision the time of their individual break. Employees may not forego the lunch period in order to shorten the work day. Employees must sign out and in for their "Meal Break." Meal Break sheets will be turned into the Captain of Security for review and filing. Supervisors are to submit their Meal Break sheets at the Time Due listed:
 - a. Custody – at completion of the shift
 - b. Inmate Services - Weekly

III. FORMS

Family and Medical Leave Act request form
Family Medical Request Health Provider form
Sick Leave Bank Withdrawal request form
Sick Leave Bank Physician Statement
Leave Sharing Donor form

IV. REVISION

Amends S.O.P., Absences, dated June 20, 2002

V. STAFF REVIEWER'S SIGNATURE

Staff Reviewer's Signature

Date

VI. SUPERINTENDENT'S SIGNATURE

Superintendent's Signature

Date

Amended 8/21/2006

**ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY
EXECUTIVE SUMMARY**

<p><u>AGENDA TITLE:</u> Praeses Contract</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Matters from Superintendent Kumer</p> <p><u>STAFF CONTACTS:</u> Superintendent: Kumer & Brill</p>	<p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> July 11, 2019</p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> Yes <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> Yes</p>
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Praeses is a company that provides independent and objective consulting, contract compliance and negotiations, management, oversight and reconciliation services for the Jail’s inmate communications environment. They also provides proactive customer service to the general public and facility, including assistance in call completion, account creation, identification and resolution of repair issues and research of inmate requests.

Praeses contract ends January 31, 2020 and has two (two) year extension available on the contract. The prior contract included inmate phones and the extension contract will also include video visitation and tablets. The attached Praeses contract extension proposes three options for commission as seen on the Praeses attached contract.

ACRJ is recommending Option 1 which is a flat monthly management fee of \$3,849.43 and 12.43% of any true-ups, signing/renewal bonuses, technology grants and MAG true-up which is a conservative option totaling \$46,193.

ACRJ’s current Praeses contract was for \$28,243 not to exceed \$40,600 and was a **flat monthly fee contract**.

Please see attached Praeses contract and pricing proposal.

Recommendations:

ACRJ recommends extending Praeses’ contract for the two year extension to Option 1 on the attached contract.



Praeses, LLC

PROFESSIONAL SERVICES:

MANAGEMENT, CONSULTING, COMPLIANCE, AND RECONCILIATION SERVICES

This document is intended to serve as a confidential summary of Praeses' enhanced service offering sought by the Albemarle-Charlottesville Regional Jail Authority for several service areas including inmate telephones, video visitation, and ancillary communication including tablets. The material transmitted herein is not intended for the public domain, as the services contemplated are unique and for the protection of the Albemarle-Charlottesville Regional Jail Authority, its inmates and staff.

Prepared for: Albemarle-Charlottesville Regional Jail
160 Peregory Lane
Charlottesville, VA 22902

Submitted by: Praeses, LLC
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The information contained herein is for use only by authorized employees of the parties hereto and is not for general distribution within or outside their respective companies. Unauthorized disclosure is prohibited.



DESCRIPTION OF SERVICES

Praeses has provided Albemarle-Charlottesville Regional Jail Authority (“ACRJ”) with independent and objective consulting, management, oversight and reconciliation services for its inmate telephone environment since May 2005. Since the inception of Praeses’ relationship with ACRJ, Praeses has assisted ACRJ with completing 4 Requests for Proposals (RFP), subsequent contract negotiations as a result of the RFPs, and equipment and hardware installations with the awarded vendors, with the most recent contract extension negotiation resulting in a 30% or \$8,100.00 average monthly increase in revenue share. Lastly, Praeses’ experience in contractual compliance has resulted in true-ups and bonuses for ACRJ while also allowing Praeses to provide proactive customer service to the general public and facility, including assistance in call completion, account creation, identification and resolution of repair issues and research of inmate requests.

MANAGEMENT, CONSULTING, & VALIDATION

ACRJ is working with Praeses to release an upcoming RFP for advanced inmate communications, including video visitation and correctional grade tablets, in addition to the ITS. ACRJ has expressed interest in continuing to leverage Praeses’ market knowledge and experience across the additional service areas. As ACRJ continues with the procurement and eventual installation of these additional technologies, Praeses’ experience in contract management as well as vendor procurement and oversight can provide ACRJ with an enhanced ongoing oversight, management and consulting services for these different areas to advance ACRJ operationally, as well as economically. Praeses proposes its services for inmate telephones, video visitation, and tablet solutions (collectively, inmate communications) in the following multi-faceted approach:

- Praeses will continue to act as ACRJ’s designated agent for ACRJ’s inmate communications services.
- Coordinate all installation(s), user application and interface provisions as well as ensure contract compliance for each of the services provided by the inmate communications contract.
- Assist ACRJ with vendor development and implementation of online commissary ordering via the tablets to streamline future commissary ordering processes.
- Work with ACRJ and the vendor to ensure that all attorney numbers are properly transferred to new systems during installations and/or after major system upgrades to prevent the recording of privileged calls.
- Assist in advancing each of the service environments by identifying and advising on new approaches and progressive strategies relative to that specific industry.
- Provide ACRJ with a single point of contact for all needs and/or issues inclusive of proactively managing and coordinating a variety of day-to-day processes (equipment repairs, implementation of the systems, updating tablet content, assisting with video visitation scheduling, verification and reconciliation, etc.). These proactive management services will allow Praeses to make recommendations on how to maximize revenue share and improve performance processes for ACRJ.
- Maintain an accurate inventory of the inmate telephone, video visitation and tablet equipment to ensure vendor maintains contractual compliance.

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- Praeses' independent and objective consulting services will keep ACRJ well informed of related processes and industry trends so it is aware of any available revenue generating opportunities and service enhancement options.
- Develop and implement notifications/communications to the inmates.
- Implement efficient processes to streamline the management of the day-to-day activities associated with each of the services. Praeses will coordinate with ACRJ and the vendors on all activities.
- Utilizing state of the art, internally developed, proprietary software and proven methods, Praeses will:
 - Continue to provide an efficient reporting and reconciliation processes for each of the inmate communications services implemented at ACRJ.
 - Evaluate the accuracy of invoices, revenue and revenue share by reconciling daily and monthly data for each of the services as well as validate for accuracy.
 - Detect mathematical errors, billing changes, cost variances, trends and anomalies and provide customized monthly reporting to ACRJ. Any inconsistencies detected will be presented to ACRJ with recommendations.
- Praeses will ensure the inmate communications vendor maintains contractual compliance throughout the term of each contract.

In addition to the above services, Praeses closely monitors the developments of all regulatory activities in the inmate telecommunication industry inclusive of the FCC. Praeses utilizes its experience and involvement with the FCC to assist ACRJ in completing a comprehensive analysis of its current inmate communications services while advancing ACRJ's inmate communications to continue generating the necessary funding for its inmate programs and investigative and security technologies. As financial and political pressures, along with technology improvements, constantly reshape the inmate communications environment, Praeses continues to monitor the market to ensure new innovative concepts and regulations are communicated to ACRJ regularly.

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ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Heating Ventilation and Air Conditioning, HVAC, Repair/Replacement</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Proposal</p> <p><u>STAFF CONTACTS:</u> Martin Kumer, Superintendent Jeff Brill, Business Manager Captain Thomas, Chief of Facilities</p>	<p><u>AGENDA DATE:</u> September 12, 2019</p> <p><u>ITEM NUMBER:</u></p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> Will seek action at the November 14, 2019, Board Meeting</p> <p><u>INFORMATION:</u> YES</p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u></p>
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In FY 19 the jail budgeted \$30,000 for a project to refurbish and repair 20 existing HVAC units in the inmate housing areas of the original section of the jail. These units were installed in 1974 when the jail was built. They were designed to accommodate a significantly smaller population than the jails current occupancy level.

The purpose of the project was to ensure the units were operating at their peak efficiency and attempt to add additional cooling capacity and reduce humidity levels in the units.

However, once the HVAC technicians completed the project in late July they informed us that the units were now operating at peak efficiency and that even with the repairs and new control modules they would never be able to keep up with the demand.

We have sought the advice of several local HVAC companies and a consultant who is contracted with Albemarle County to design a system that will meet the demands of the current population. All have recommended replacing the current units and replacing them with units design for the areas and population.

As of this morning, we have been unable to secure an accurate cost to replace the units.

RECOMMENDATION:

We will request at November's meeting that the jail be allowed to transfer the FY 19 remaining positive variance to the capital fund to cover the replacement cost of the individual HVAC systems in the original housing areas of the jail.

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

<p><u>AGENDA TITLE:</u> Uninterruptable Power System Replacement</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p><u>STAFF CONTACTS:</u> Martin Kumer, Superintendent Jeff Brill, Business Manager Basil Istwany, IT Specialist</p>	<p><u>AGENDA DATE:</u> September 12, 2019</p> <p><u>ITEM NUMBER:</u></p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> Will seek action at the November 14, 2019, Board Meeting</p> <p><u>INFORMATION:</u> YES</p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u></p> <p><u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u></p> <p><u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u></p>
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Uninterruptable Power System, UPS, Replacement

We are requesting to use \$45,300 of the estimated FY 19 positive variance of \$593,000 to replace the jail's UPS.

Since June of 2008 the Jail has been protecting our computer room with a used Liebert UPS S3 20KVa unit that was acquired at no cost by the jail from Albemarle County when they upgraded their system at the County Office Building. It has been in continuous operation since that time until a failure toward the end of FY 19. This is an unbudgeted and unforeseen item since it was still within its expected lifespan. We have attempted to repair the system however the parts are no longer available for the unit.

The approximate cost to replace the unit is as follows:

1. UPS system with bypass and distribution panel:	\$ 21,000
2. UPS Battery Module:	\$ 3,000
3. UPS Startup services:	\$ 1,300
4. Electrician UPS install and removal	\$15,000
5. Repair or replace 480/208 VAC transformer	\$5,000
Total	\$45,300

This new UPS will protect the existing computer room and give us the room to grow for approximately the next 20 years (the projected lifespan of the UPS unit).

The Install and removal of the unit will be completed by the Electrician under contract with the County of Albemarle.

RECOMMENDATION:

This is for informational purposes only but will be an action item on the November Board agenda and I will be asking for approval at that time.