

MINUTES
BLUE RIDGE REGIONAL JAIL AUTHORITY
September 1, 2022

Members/Alternates Present:

Mr. Clifton M. Tweedy, Chairman	Campbell County Administrator
Major Brandon Epperson	Campbell County Sheriff's Office
Sheriff Mike Miller	Bedford County Sheriff's Office
Major John Wilkes	Bedford County Sheriff's Office
Mr. Robert Hiss	Bedford County Administrator
Sheriff Donald Simpson	Appomattox County Sheriff's Office
Major Robert Richardson	Appomattox County Sheriff's Office
Mr. Dean Rodgers	Amherst County Administrator
Chief Ryan Zuidema	City of Lynchburg Police Department
Sheriff E. W. Viar	Amherst County Sheriff's Office
Sheriff Donald Sloan, Vice-Chairman	Lynchburg Sheriff's Office

Members Absent:

Ms. Susan Adams	Appomattox County Administrator
Mr. Wynter Benda	City of Lynchburg Manager
Mr. Scott Simpson	Halifax County Administrator
Sheriff Whit Clark	Campbell County Sheriff's Office
Sheriff Fred Clark	Halifax County Sheriff's Office

Legal Counsel / Administration Present:

Mr. Brendan S. Hefty	Legal Counsel
Mr. Timothy E. Trent	Administrator, Interim
Mr. E. Chad Lipscomb	Assistant Administrator – Services
Mr. Bryant “Keith” Lockridge	Assistant Administrator- Security
Ms. Cindy Steele	Director of Administrative Services
Ms. Kristen Borak	Communications Manager

Guest:

Mr. Chris Roman	Project Manager, Moseley Architects
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The regular meeting of the Blue Ridge Regional Jail Authority Board took place on Thursday, September 1, 2022, at Amherst County Adult Detention Center Conference Room. Chairman Clifton Tweedy called the meeting to order at 10:00 a.m. A quorum was present. He welcomed everyone to the meeting.

A. APPROVAL OF MINUTES

The minutes of the July 7, 2022, Authority meeting were presented for approval.

There being no corrections or comments, a motion was made by Chief Zuidema and seconded by Sheriff Viar to approve the July 7, 2022, Authority meeting minutes as presented. Motion carried unanimously on voice vote.

B. LEGAL ADVISOR'S REPORT

Mr. Hefty had nothing else to report at this time.

C. FINANCIAL REPORT

Ms. Steele shared the following financials.

**JUNE
2022**

The enclosed statements represent our financial performance for the twelve months of the fiscal year ending *June 30, 2022*. Total revenues earned for FY-22 equaled **95.70%** of the budgeted amounts. Year to date, Outside Jurisdiction Per Diems is down approximately 38.85% and State Per Diems are down 25.10%. Revenue line items that are tracking well ahead of budget are **Inmate Housing Fees and Inmate Medical Co-Pays**. We held an average of 82 outside inmates per day during June as well as 772 local inmates. The total number of inmates held for this current month was **854**, which is a decrease of 54 inmates from May. Our FY-22 budget is based upon **225** outside and **1,005** local jurisdiction inmates, for a total of **1,230**.

Regarding our local jurisdictions per diem year to date, jail usage by Amherst, Appomattox, Bedford, Halifax, and Campbell Counties exceeded the initial percentage that was used to prepare the FY-22 budget while Lynchburg City experienced a surplus. Each month's financial report includes a percent comparison of usage days for each locality concerning the total number of inmate days overall for that month as well as year-to-date. We will redistribute the per diem payments by issuing an invoice to any locality that utilized a larger percentage of bed space than initially expected and checks or per diem credits to those localities underutilizing their allotted bed space. Checks were processed on April 21st.

The bottom of the Revenue Report contains F-Y-I information on the number of out-of-compliance inmates currently housed in our facilities. The records reflect a decrease in inmates and days from the previous month.

Total expenditures equaled **94.23%** of the budgeted amounts for the twelve months of the fiscal year 2022. Group Health Insurance is 30.12% below budget year to date. For the Inmate Services category, the combined category lines finished June at 101.38% of the budgeted amounts. **Inmate Food** is at 97% for June and we have expended 104% of the amount budgeted for **Inmate Medical**. The Inmate Medical line item can fluctuate each month and is due to the changing number of inmates requiring expensive medications and treatments. **Linen Supplies** expenses equate to 95.41% of the projected budget for FY-22. Expenditures for **Laundry & Janitorial Supplies** finished at 99.81% of the budget through June. However, historically the first several months' expenditures for Linen, Laundry, and Janitorial Supplies have surpassed the revenues as we normally re-stock several commodities early in the new fiscal year. The line items under Administrative Operations reflect expenditures at **100.70%** year to date. Of note, there are a few line items that are trending ahead of budget at this point. Staff Uniforms is above budget year to date at 130.22%. Security is also elevated at 265.66% which is due to several factors that include the purchase of CERT Team equipment, radio accessories, pepper balls, security vests, and replacement metal detectors at Amherst County and Campbell County Adult Detention Centers. Finally, Non-capital Office Equipment percent expended year to date is 248.66%. This is attributed to the much-needed replacement of desks, chairs, and tables throughout the jail.

In total, the Contract Services and Leases category expenditures for FY-22 are **192.68%** of the budgeted amount. For June, 2,553.37% of the total budget was expended for **Purchased Labor Medical** which is due to a continued shortage in nursing staff and having to contract with outside professional nursing services. Professional Services-General is over budget at 189.62% due to the assessment of both Bedford County and Campbell County Adult Detention Centers. All other expense line items under Contract Services and Leases category expenditures are in line with the year-to-date budget.

Finally, the Physical Plant/Vehicle Operations category in total finished year to date at **110.27%**. **Repair & Maintenance Supplies** and **Repair & Maintenance Services** line items are well above ear-mark year to date. This is primarily due to the age of equipment and/or buildings needing repairs. All other line items in this category are within reasonable limits of the budget.

Fieldwork for the FY22 audit begins the week of August 1st.

Mr. Hiss asked what purchase labor cost BRRJA monetarily. Ms. Steele informed the Board that it was \$510,676 in FY 22. Mr. Trent added that with the new comprehensive medical contract with CBH Medical starting October 1, 2022 these costs will decline because it will be the vendors full responsibility to staff, etc. at the Amherst County Adult Detention Center.

Mr. Trent also addressed the outside and state per diem decreases by explaining that all agencies are down. Henry County recently finished their new facility and is no longer housing their inmates within the Authority, but recently BRRJA signed a contract to hold Hampton Roads inmates which will generate revenue. Mr. Trent emphasized that the fiscal year ended with the expenses under the revenue.

Mr. Tweedy spoke of his concern with the ADP being low in comparison to what is budgeted for FY 23. Mr. Trent explained how State inmates were being released steadily due to the raising of good time.

D. OLD BUSINESS

1. CCADC/BADC CBCP Update – Mr. Chris Roman, Moseley Architects

Mr. Lockridge introduced Mr. Chris Roman, Project Manager for Moseley Architects to the Board. Mr. Roman began his presentation to assist with explaining the process of the study that are contracted to complete regarding the Campbell County Adult Detention Center and Bedford Adult Detention Center. He discussed the needs assessment, planning study and other important data collection that is required by the Department of Justice when updating a correctional facility. The needs assessment was started in May by Moseley Architects as well as Thurgood Advisors. This is to decide the number of beds vs. rated capacity. Regarding the planning study that began in August, this is more of the brick-and-mortar type of information such as approved sites, etc. All of these need to be submitted to DOC by December 31, 2022 but should be completed by mid-December. January through April of 2023 meetings will be held to approve the progress and submitted to the Board of Local and Regional Jails in May or June of 2023. Once approval is received in July/August of 2023 it will be submitted to the Department of Corrections before submission to the Governor to include in budget in December 2023. There can be no construction completed prior to June of 2024 for reimbursement reasons, as well as standards. The rest of the timeline will read 2025 will have bids for construction with completion date of 2026.

Mr. Roman began explaining the project goals of either consolidation of BADC/CCADC and renovating the two antiquated facilities with more efficient layouts. Mr. Tweedy asked for clarification regarding the discussion of consolidation. It was the understanding of the Board that consolidation was not the goal – that each jurisdiction would keep a facility near them. Mr. Roman stated that the contract that was signed states a review of consolidation. Mr. Roman also stated that the study can be adjusted to a double facility standard and reuse portions of the study for renovations as opposed to consolidation. However, the cells do not meet ACA Standard so the square footage for a new facility would have a lower rated capacity (BADC would be 55 rated capacities with 70 sq ft an inmate). Mr. Tweedy emphasized that lower capacities is preferred if that means both facilities can remain open. Mr. Roman highlighted that even if square footage works on paper, the physical layout might not work which will lower ADP as a whole for the study.

Mr. Tweedy clarified that if the Authority is down 1/3 of their population, we need to look at buildings to functional standards within the budget, maybe not at rated capacity. Mr. Trent asked what happens with decreasing capacity and overflow goes to other sites? Mr. Roman informed him that a decreased rated capacity will equal a decrease in funding based on the needs assessment that has already been completed. As an option, is it possible to see what it would cost to lower capacity, renovation or replacement of building and consolidation. What are the impacts of construction and functionality?

Mr. Rodgers asked if Moseley could give all three options (renovating, rebuilding two and consolidating) and then let the Board decide before submission. Mr. Roman stated they could explore keeping these two open and meeting standards.

Sheriff Miller explained that BADC works well with intake being open. Sheriff serves a large county and does not want to move the jail. If a decrease is necessary, he would be ok with that. Major Epperson expressed that CCADC would like their jail to operational like BADC.

Mr. Trent expressed the need for something to be done. We've discussed what the Board wants and what Moseley Architects needs to recommend.

Mr. Roman will have to complete a needs assessment and will still have to study consolidation with the focus on renovating two separate facilities in the same locations more than consolidating. A new schedule will be completed and sent to Mr. Lockridge to be disseminated.

Action Item: Mr. Tweedy asked for Moseley Architects to be present at the next Board Meeting on November 3, 2022. He requests to have the information 3 weeks prior to the meeting for review.

F. INFORMATIONAL ITEMS:

1. COVID Update

Mr. Lipscomb explained that there have been outbreaks throughout the Authority since July 1, 2022. Currently there have been 43 total inmates positive at ACADC in 2 separate units with 11 staff members positive. LADC has 72 inmates positive in 4 total housing units with 20 total staff. The Health District has seen a 2 week increase with a current 24.1% positivity and high transmission rate. Inmates and staff are being tested weekly. HADC is not experiencing an outbreak. The medical team has done an exceptional job with containing the spread, getting caught up with vaccines and boosters for those who want them. Programs were initially reopened after the May Board meeting, however, due to these outbreaks were then again shut down in July 2022.

2. Progress of CBH Medical

Ms. Rodgers, DON and Mr. Lipscomb have been on weekly transition calls. October 1, 2022 full comprehensive medical care will begin at ACADC. The staffing levels to begin the transition are good. This should lessen hospital visits. Current BRRJA staff will continue at other sites, leaving medical fully staffed which like previously stated, will decrease the cost in purchase labor. Mr. Trent emphasized that 24 hour coverage is very important with a company that's trustworthy and hopes this partnership is beneficial.

3. Staffing Levels

The goal of Mr. Trent while Interim Administrator was to reopen the CCADC Intake. However, this will take approximately 8 officers. The Authority is currently down 86 officers, which does not include staff that is out with COVID. Since 2019, the Authority has had 391 people leave. With the state raising the starting salary up to \$42,000, we are seeing more people interview, but without addressing the Master Officer and Ranking Officer compression, more people are leaving. Officers are discussing their salaries amongst each other and finding that some with rank are making very little above newer officers. The Authority continues to fall behind the member jurisdictions, so Sheriff's Offices and Police Departments can recruit from the Authority easily. A pay study may need to be conducted. BRRJA does not want to pull from other agencies but wants to be able to retain what is currently employed or can hire people that may not be a good fit for the road, etc. but will work well for the Authority. The low staffing levels need to be addressed, potential to look at a step plan. Mr. Trent had spoken to Sheriff Miller and Mr. Hiss about how a pay study benefitted their employees. Bedford County ended up with a step plan for all public safety agencies with a transition plan for longevity with a percentage credit. Sheriff Miller reminded the Board that it is something that has to be written in every budget though, it's a commitment. Mr. Rodgers expressed that there may not be a need for a pay study, but when salaries increase, it is always important to look at compression because localities will have to absorb that cost.

Mr. Trent explained that he would look at the current salary and get a plan together. Mr. Tweedy stated that whether the pay study is internal or external, it needs to be included in the next FY budget but consider critical positions prior to that. Mr. Trent wants to focus on years of service and rank then expand on that, potentially add on incentives for promotion, etc. Sheriff Miller told the Board that an internal pay study did not work well for his department, however external worked out well. Mr. Tweedy expressed his concern with the Authority being down 86 officers is not safe or sustainable, especially with key people below market.

Chief Zuidema reminded the Board to look at the bigger picture when looking at the cost renovating, consolidating, etc. jails that are not currently in use. With the starting salaries increasing, the staffing levels are still down. People are not wanting to work in public safety anymore. With correcting pay, compression needs to be addressed and the state is not going to fund that. Should we consider leaving the idea of new jails and the money go to current officers instead? Changing the model of the Authority will cut cost, maintenance and oversight.

Mr. Trent stated that moving forward, the focus needs to be on addressing what Chief said, the funding needs to go into staff.

With the discussion of no new jails being built by Moseley, Sheriff Simpson formally requests that the intake at Appomattox be considered in the same option as Bedford/Campbell.

Mr. Trent stated that if intake only is the routes BRRJA is exploring, contacting DOC is a priority due to the funded positions to operate those facilities. There could be the

potential for transferring them. Funding could be affected by these changes, need to look at the comp board for cost savings that would be affected.

Action Item: Mr. Tweedy asked Administration to bring a plan to the November Board Meeting. Also, that there be an update regarding Compression/Salary, change in BRRJA operation, and Moseley Architect (include Appomattox).

4. Death in Custody

Mr. Trent explains the August 12 – ACADC Death in Custody. Individual fell while on detox protocol for Alcohol with no steps and low bunk (no falling risk). The video shows him walking around and then falling. Staff found him during a security round, still had a pulse. Autopsy showed a brain bleed. ACSO investigated the death (thank you). Detox protocol was approved by a physician and the staff acted appropriately. Mr. Trent just wanted the Board to be aware.

5. Employee Recognition: Amy Maxey – Civilian of the Year

Mr. Trent explained that Ms. Maxey was chosen as the Civilian of the Year for the Western Regional Jail Conference recently for her outstanding work within the Authority's records department to assist other sites during staffing vacancies. She was recognized at the Conference as well as in house at a site administrators meeting.

G. CLOSED MEETING:

1. Closed Meeting

On a motion by Sheriff Miller and seconded by Sheriff Viar it was resolved the Blue Ridge Regional Jail Authority Board enter Closed Meetings on this 1st day of September 2022, at 11:20 a.m. for the discussion on the three following matters:

- 1. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter (§2.2-3711(a)(8)).**
- 2. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively (§ 2.2-3711 (a) (1)).**

Motion carried unanimously on voice vote.

The Board entered Closed Meeting.

- 2. **Upon a motion by Sheriff Miller and seconded by Sheriff Viar, it was resolved the meeting return to Open Meeting at 11:30 a.m. and adopt the following Certification of Closed Meeting.** “That the Blue Ridge Regional Jail Authority hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Blue Ridge Regional Jail Authority Board.”

The meeting returned to Open Meeting.

The Roll Call vote was

Chairman Tweedy	Aye
Sheriff Simpson	Aye
Sheriff Viar	Aye
Mr. Dean Rogers	Aye
Major Richardson	Aye
Major Wilks	Aye
Chief Zuidema	Aye
Sheriff Sloan	Aye
Sheriff Miller	Aye
Mr. Robert Hiss	Aye
Major Epperson	Aye

After Closed Meeting ended, matters were discussed that required votes.

A motion was made by Chief Zuidema and Seconded by Sheriff Viar that effective September 1, 2022, Mr. Chad Lipscomb will be named as Administrator of the Blue Ridge Regional Jail Authority at a salary of \$140,000.

A motion was made by Sheriff Miller and seconded by Sheriff Sloan to continue Mr. Tim Trent’s part-time employment, as needed, to help with the transition for 6 months. Motion carried unanimously on voice vote.

H. ADJOURN:

The next Authority meeting will be held on November 3, 2022, at 10:00 a.m. The meeting will be held in the Amherst County Adult Detention Center Conference Room. There being no further business to be brought before the Board, the meeting was adjourned at 11:33 a.m.



Chairman Clifton M. Tweedy