

**SIXTH JUDICIAL DISTRICT
DEPARTMENT OF CORRECTIONAL SERVICES**

BOARD OF DIRECTORS MEETING

Date: May 16, 2014

Location: 951 29th Avenue SW, Cedar Rapids, Iowa

Board members present: Allan Thoms, Ken Popenhagen, Jennifer Germaine, Lu Barron, John Stratton, Jessica Peckover, Shelby Humbles Jr., Harry Daugherty, Jan Kazimour, Dwayne Daniels, Joe Oswald, Monica Challenger

Staff members present: Greg Wright, Bruce Vander Sanden, Angela Brubaker, Malinda Lamb, Greg Fitzpatrick, Julie Schultz

Guests: Virjean Dotson, Candace Acord, Mark Achey, Michelle Azevedo, Wendy Fowler, Vickie Kindl, Julie Burke, Shari Miller, Laura Strait, Arlene Anderson, Jerri Allen

INTRODUCTIONS

Everyone present introduced themselves.

REVIEW OF MINUTES

Shelby Humbles Jr. moved to approve minutes of the Board of Directors meeting held on April 4th, 2014 as presented. Dwayne Daniels second. Motion carried.

DIRECTORS REPORT –

Bruce Vander Sanden reported:

Bruce Vander Sanden addressed comments from last meeting:

Question: Were mistakes made in regards to how much vacation was accrued? His response was yes and we will address this today.

Question: Why are we spending money on a basketball court at ANCHOR Center? His response we provide recreational activities for each of the residential facilities in our district. Recreation will be a necessary programming component for the populations we serve at ANCHOR.

CONTRACT REVIEW –

Malinda Lamb reviewed the following contracts:

1. Contract between University of IA and the 6JD for Admission GPRA baseline and discharge data effective 7/1/14-6/30/15.
2. Contract between University of Iowa Hospital and Clinics, Carver College of Medicine, University of Iowa Physicians and the University of Iowa College of Dentistry and the 6JD for arranging medication assisted treatment for substance abuse disorders effective 7/1/14 – 6/30/15.
3. Contract between MECCA and the 6JD for treatment services for the ANCHOR Center outpatient programming for Drug Treatment Court effective 7/1/14 – 6/30/15.

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4. Contract between ASAC and the 6JD for Drug Treatment Court programming effective 7/1/14 – 6/30/15(\$55,000).
5. Contract between ASAC and the 6JD for Drug Treatment Court programming effective 7/1/14 – 6/30/15(\$30,000).
6. Contract between State Public Defender and the 6JD for Drug Treatment Court programming effective 7/1/14 – 6/30/15.

John Stratton moved to approve the contracts above, as presented. Shelby Humbles Jr. second. Motion carried.

FISCAL REPORT

Greg Wright reported that on May 12th, 2014 the annual audit exit review for FY13 was held. Allan Thoms said the items are not finalized yet, but stated the auditor was very professional and there were no new issues.

March FY14 – Greg Wright went over the data in the Board packet. He noted that year to date, the Sixth Judicial District (6JD) is on target. He stated that he continues to make adjustments and reports this to the administrative team regularly.

Greg Wright said the 6JD is currently replacing roofs, as well as the ANCHOR Center kitchen remodel and the walk in cooler replacement.

There was a question about the contract between the 6JD and CCIA for a peer support person. It was explained that this is a contract for a measurable service, not a pass through

Forfeiture funds – It was asked what this fund can be used for; what eligible expenses are. This fund has to be used for certain items related to the HRU unit, no personnel costs though. The Sixth Judicial District bought equipment, academy training, clothing, HRU vehicle accessories, and other non-6th DCS budgeted items applicable for this fund. Harry Daugherty talked about how sporadic drug forfeiture funds are.

Jan Kazimour moved to approve the fiscal budget report for March FY14 including the drug forfeiture fund document as presented by Mr. Wright. Ken Popenhagen seconded. Motion carried.

FY 15 budget

Mr. Wright presented the proposed 2015 budget for both the District and for Drug Forfeiture Funds. He went into great detail explaining the budget and answered numerous questions. He noted that the 6JD will eliminate from our current table of organization 6.8fte's which are currently vacant. The District does not have the resources to refill these positions in the 2015 budget.

John Stratton moved to approve the proposed FY15 fiscal budget as presented by Mr. Wright. Jennifer Germaine seconded. Motion carried.

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ADVISORY COMMITTEE REPORTS

Southern – John Stratton reported that this committee held the election of officers. Tracey Mulcahey will be the chairperson and he will continue to be the vice chairperson. Some of the topics discussed at this committee meeting were: EBP, need for low-cost housing, and summer programming. The new high school equivalency program is called HiSET and is less expensive and can be done online. Bruce Vander Sanden said DMAC presented on this at another meeting he attended and said they feel the new program will be better respected than the previous GED program. Bruce Vander Sanden talked about Valerie Kemp's AmeriCorps members and how valuable she said they are. John Stratton noted that the AmeriCorps members assist 6JD staff to expand what they are doing. KPACE consists of special classes for people to take for college or a specialized program. Similar to a career specialist.

Northern – No meeting since the last report.

Client Services – Jessica Peckover reported that this meeting mainly consisted of a tour of IMCC. She said ACA was discussed and how people in prison are not eligible for Medicaid. The remodeling project for ANCHOR Center was discussed and how the residential officer positions are on hold at the moment.

Law Enforcement – No meeting since the last report.

Victim – Meeting TBD

Cultural Competency – No meeting since last report.

Rural – Meeting TBD

OLD BUSINESS – N/A

NEW BUSINESS –

Vacation Caps Presentation:

Bruce Vander Sanden said that they were asked to look at management team member's vacation and in the process it was discovered that vacation cap levels were not calculated correctly for everyone. Sick leave conversion increases the vacation caps but some staff was given the vacation cap increase even though they never converted. A work team was put together to review and make recommendations on this. He noted that the attorney general's office, DOC Central office, the auditor's office and AFSCME were notified of this discrepancy. Tuesday, May 13th, the 6JD gave a presentation and a letter with their individual benefit information to the staff members that are affected by this and presented the recommendations and answered questions.

Wendy Fowler and Greg Wright went over the presentation on vacation accrual caps.

The affected staff was presented with three recommended options. There are staff members that are close to reaching the "new" cap and we will need to notify them soon also. The options were discussed:

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Option #1 would allow you to continue to accrue vacation hours with the existing cap while giving you time to use your vacation hours to get below your appropriate cap before October 9, 2014. If you still have an overage on October 10, 2014 you will stop accruing vacation and your vacation hours on October 10, 2014 will be red circled. You would then need to use vacation hours to get below your adjusted vacation accrual cap or forfeit those hours by the end of the pay period on January 1, 2015. During the period of October 10, 2014 and January 1, 2015 if your vacation hours are at or exceed the adjusted accrual ceiling you will not accrue any additional vacation hours. Only after you are below the appropriate cap would you again accrue vacation hours.

Option #2 will allow you to retro-actively convert your sick leave hours to increase your vacation cap. This would be a **one-time adjustment** that would decrease the hours in your sick leave balance and increase your vacation accrual cap by the number of hours needed to eliminate the overage in your vacation balance. This will not result in the addition of vacation hours to your vacation balance.

Option #3 would be a combination of Option #1 and Option #2. This option will allow you to specify the number of hours that exceed your vacation accrual and make a one-time adjustment by retro-actively converting sick leave for that overage. The remaining excess of vacation accrual hours would then need to be used by October 9, 2014 (you will continue to accrue vacation during this time). If an overage remains on October 10, 2014 those hours will be red circled and you will have until January 1, 2015 to use the excess hours. If not used by January 1, 2015 any remaining hours will then be forfeited. During the period of red circling (October 10, 2014-January 1, 2015) while your actual vacation hours are at or exceed the appropriate accrual ceiling you will not accrue any additional vacation hours. Only until you are below the appropriate cap would you again accrue vacation hours.

The overall feedback from affected staff was they felt the recommendations were reasonable and had the minimal amount of impact while get the 6th DCS in compliance with policy and contract by January 2, 2015. If the board approves the options they will be forwarded to DOC Central office and the Iowa AG's office for review and input.

Shelby Humbles made a motion to approve the options presented to the 6JD Board to rectify the vacation cap discrepancy. John Stratton seconded. Motion carried.

Bruce Vander Sanden talked about a 26 year old 6JD policy that gives the management team an additional 40 hours of vacation yearly. He noted that these hours affect management team vacation caps.

Allan Thoms noted that non-contract management employees get an additional 40 hours of vacation a year and this is 26 year old policy established by the 6JD Board.

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Allan Thoms made the recommendation to the Board to remove the additional 40 hours of vacation that non-contract management staff receives. He said he is not forgetting that this is long standing and board approved policy. He noted that two other districts have similar practices in place for the earning of additional vacation. . John Stratton asked if the Board, or the State, have power to change employee benefits. Allan Thoms said he feels this is a Board propagative. Bruce Vander Sanden stated that John Baldwin has affirmed that the 6JD Board has the authority to set policy and non-contract compensation packages.

Jessica Peckover asked if management team has talked about justification for keeping or removing the extra hours. Bruce Vander Sanden noted that he is pro-employee and then listed the difference in benefits between contract and non-contract which include:

- All non-contract staff started paying 20% of the health insurance premiums a year ago. Effective July 1, 2013, through December 19, 2013 the non-contract staff's bi-weekly base pay was increased by 1%. On December 20th, 2013 their pay was increased by another 1% of the base salary effective July 1, 2013. In total, the employee's percent increase is 2%. At the end of FY14 the current 1% increase will cease. Effective June 20, 2014 through December 18, 2014 an employee's bi-weekly pay will be increased by 1% of their base salary effective July 1, 2014. Effective December 19, 2014 the non-contract staff's pay will increase another 1%, for a total of 2%. At the end of FY15, the current 1% increase will cease and the employee's base salary will remain unaffected by the 1% pay.
- Staff that are non-contract lose the right to bump back into their old position if reductions occur
- They quit accruing seniority for collective bargaining purposes
- They become at will employees
- Same level pay grades for contract and non-contract are not equal as a result of the 18 month pay freeze for non-contract several years ago. (Example-if two staff were hired at pay grade 24, the contract positions starting salary would be higher than the non-contract.

Bruce said the last time we hired a management position, some contract staff inquired about the position/s and they chose not to apply because they would see a reduction in their take home pay/compensation package. Bruce stated that a reduction in the compensation package for management will impact internal candidate's consideration for promotion and succession planning. Although he does not feel there need to be a major compensation incentive he does not want a de-incentive to exist.

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Allan Thoms said the reason he is making the recommendation it because it was an issue in the audit and it is an issue that staff have brought up in a previous meeting. He feels he needs to look at these issues. He would like Bruce Vander Sanden to talk to staff and make a recommendation at a future meeting.

Harry Daugherty agrees that they should take the extra 40 hours away. He feels salaries need to be looked at and adjusted. Dwayne Daniels brought up that we are looking at a budget that has been reduced and recommending increasing salaries isn't feasible and maybe the extra 40 hours makes better sense.

Lu Barron mentioned tabling this for 30 to 60 days. Allan Thoms said he feels that the 6JD is a very liberal district and this was a topic in the audit review. John Stratton noted that probably a lot of non-contract staff doesn't use the extra vacation. Jessica Peckover said there needs to be extra benefits to non-contract staff, but doesn't feel the extra 40 hours is the way to do this.

John Stratton moved to rescind the additional 40 hours of vacation for non-contract employees effective the beginning of the next pay period and that the director review this action and make any further recommendations to mitigate this at a future board meeting, if required. Harry Daugherty seconded. Motion carried unanimously.

POLICY REVIEW – N/A

OUT OF STATE TRAVEL

Cynthia Dennis , 6/9-13/14, Kansas City, MO for PREA Auditor Training - 6JD Training budget; and, ratify:

Brant Beauregard, 5/3-7/14, Minneapolis, MN for Midwest Gang Assoc. Conf. – Brant received a scholarship for this.

Lu Barron moved to approve the new and ratified out of state travel. Jennifer Germaine seconded. Motion carried.

PUBLIC COMMENT

Julie Schultz – Thanked the Board for working on the extra 40 hours of vacation that non-contract staff received. She wanted to add that when talking about the health insurance, the Governor ordered non-contract staff to pay 20%. Contract staff gave up raises to keep their health insurance the same. She noted that contract staff will have to start paying for insurance probably next year. She pointed out that non-contract staff gets a pay increase when they take a non-contract position. She then thanked the Board again.

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Candace Acord – She said she appreciates the Board member's attendance today. She said she has a difficult time thinking that management needs some incentive to go into management. She

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pointed out that overtime is rare and has to be pre-approved. She feels that more people would move into management if people had more faith in our current management team. And she noted that this is changing and she is glad for that. She feels changing this policy was the “good” thing to do. She would like to present counter information if Bruce Vander Sanden presents information for extra incentives for MT.

NEXT MEETING

The next meeting of the Board of Directors is set for Friday, June 13th, 2014 at 1:00 pm at the Correctional Services Complex, 951 29th Avenue SW, Cedar Rapids, Iowa. The presentation will be the determined.

Submitted by Angela Brubaker, Board Secretary

Approved by _____