



# MIDDLE RIVER REGIONAL JAIL

Serving Staunton, Waynesboro, Harrisonburg and  
the Counties of Augusta and Rockingham

June 7, 2022 2:00 p.m.

Augusta County Government Center  
18 Government Center Lane  
Verona Virginia 24482

## 1. CALL TO ORDER

Upon determination of a quorum, Mr. Hamp, Chairman, called the June 7, 2022 Middle River Regional Jail Authority Board meeting to order at 2:05 p.m.

### Members Present:

Michael G. Hamp, Waynesboro City Manager (Chairman)  
Stephen King, Rockingham County Administrator (Vice Chairman)  
Timothy Fitzgerald, Augusta County Administrator  
Jennifer Whetzel, Augusta County Assistant Administrator  
Cameron McCormick, Waynesboro City Finance Director  
Larry Propst, Harrisonburg City Finance Director  
Bryan Hutcheson, Rockingham County Sheriff  
Christopher Johnson, Waynesboro City Sheriff  
Chris Hartless, Staunton City Sheriff  
Donald Smith, Augusta County Sheriff  
John Blair (for Leslie Beauregard, Staunton City Manager)

### Members Absent:

Leslie Beauregard, Staunton City Manager  
Ande Banks, Acting Harrisonburg City Manager  
Patricia Davidson, Rockingham County Finance Director  
Kelly Warner, Harrisonburg City Police Chief

### Facility Staff:

Jeffery Newton, CJM, Superintendent, Middle River Regional Jail  
Eric Young, Deputy Superintendent, Middle River Regional Jail  
Lori Nicholson, Director of Support Services, Middle River Regional Jail  
Tony Heflin, Director of Operations, Middle River Regional Jail  
Jeannie Colvin, Finance Director, Middle River Regional Jail  
Phillip Braverman, Finance Director, Middle River Regional Jail  
Jeff Gore, MRRJA Legal Counsel (via video)  
Tina Reed, Recorder, Middle River Regional Jail  
Suzette Anthony, Assistant Recorder, Middle River Regional Jail

**Others Present:**

Pete DeLea, IT, MRRJ  
Misty Cook, Augusta County Finance Director  
Jimmy Wimer, Captain, Rockingham County Sheriff's Department  
Megan Roane, Blue Ridge Court Services

**2. APPROVAL OF MINUTES**

Mr. King made a motion to approve the minutes from the April 5, 2022 meeting. Ms. Whetzel seconded the motion. Approval was **unanimous**.

**3. PUBLIC COMMENTS**

No comments were made.

**4. COMMENTS FROM BOARD MEMBERS OR LEGAL COUNSEL**

- Mr. Hamp introduced John Blair representing the City of Staunton.
- Mr. Hamp stated that Mr. Newton is retiring. He has been a dedicated professional who has improved the running of Middle River Regional Jail. The Board and staff have appreciated the job he has done. The Board offers sincere gratitude for his performance during challenging times for the jail. Mr. Fitzgerald stated he was on the employment board and feels Mr. Newton has accomplished all specified tasks given to him. Mr. Newton appreciated the challenge and all of the staff that assisted him in meeting his goals.
- Ms. Colvin introduced Phillip Braverman. Mr. Braverman will be the Finance director for Middle River Regional Jail.

**5. FINANCE REPORT**

- a. **FY 2022 Budget Review** – Ms. Colvin stated that the FY 22 is in line. Overtime at this time is \$250,000.00 over budget due to vacancies. Vacancy savings is being used to cover extra costs. Augusta County will be sending a cash advance of \$1 million dollars on May 31, 2022.
- b. **Fiscal Agent Transition Memo** – Ms. Colvin reviewed the transition memorandum. First checks were printed this date. MUNIS will go live on June 1, 2022. After a brief discussion Mr. Fitzgerald made a motion to accept the Transition Memo as written. Mr. Propst seconded the motion. Approval was **unanimous**.

**6. REPORTS AND BRIEFING**

- **Population Report** – (Executive Summary #2022-021) Major Heflin reviewed the Executive Summary. As of June 5, 2022, there are a total of 642 offenders being housed by MRRJ in-house. We are housing 12 at RSW Regional Jail, 5 at Southside Regional Jail, and 8 at Western Virginia Regional Jail.
- **Community Corrections Report** – (Executive Summary #2022-022) Major Heflin reviewed the Executive Summary. As of June 5, 2022 there are 16 inmates on Work Release.
- **Staff Vacancy Report** –(Attachment) At this time there are 33 officer and 5 nurse vacancies. There are 3 Officers scheduled to start on June 13, 2022.

- **Programs Report** – (Executive Summary Report #2022-023) Reviewed by Major Nicholson. No notable changes at this time.
- **Superintendent's Report** – (Executive Summary Report #2022-025) Superintendent Newton reviewed the Executive Summary
  - Middle River Regional Jail has not experienced any significant positive cases of COVID-19 in MRRJ in the inmate population in the last couple of weeks. MRRJ staff continue to monitor the situation.
  - MRRJ has not experienced any significant positive cases of COVID-19 in MRRJ staff in the last couple of weeks.
  - CDC guidance is changing and MRRJ will continue to follow guidelines set up by the CDC.

**7. OLD BUSINESS**

There was no new business to discuss.

**8. NEW BUSINESS:**

**By-Laws**-Mr. Gore has updated the Board By-Laws. The notable change is the inclusion of electronic meetings. Mr. King made a motion to adopt the by-laws. Ms. Whetzel seconded the motion. Approval was **unanimous**.

**Appointment of Interim Superintendent**-Mr. Hamp made a recommendation that the Board approve Lt. Colonel Eric Young as the Interim Superintendent. After a brief discussion Mr. Fitzgerald made a motion to name Eric Young as the Interim Superintendent. Sheriff Smith seconded the motion. Approval was **unanimous**.

**9. CLOSED SESSION**

Mr. King made a motion to go into closed session; seconded by Mr. Fitzgerald. The vote of the Authority members to go into closed session was **unanimous**.

Middle River Regional Jail Authority Board entered into closed session pursuant to:

- The legal exemption under Virginia Code §2.2-3711(A)(1) Personnel Exemption.

Mr. King made a motion to go out of closed session; seconded by Sheriff Smith. All ayes certify only discussion of personnel exemption was discussed.

Roll Call vote as Follows:

Timothy Fitzgerald	Aye
Jennifer Whetzel	Aye
Donald Smith	Aye
Stephen King	Aye
Bryan Hutcheson	Aye
John Blair	Aye
Chris Hartless	Aye
Michael Hamp	Aye
Cameron McCormick	Aye
Christopher Johnson	Aye
Larry Propst	Aye

Mr. Hamp will meet with Mr. Young to negotiate a contract.

Sheriff Smith requested information regarding ADA. Major Heflin reviewed the jail's ADA requirements and the personnel who are ADA certified.

With nothing further to discuss the meeting adjourned at 3:40 p.m.

**The next Authority Board meeting is scheduled for August 2, 2022 at 2:00 p.m.  
Location: Augusta County Government Center Smith West Board Room.**

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Michael Hamp, Chairman



# Middle River Regional Jail



## STANDARD OPERATING PROCEDURE

AMENDS <input type="checkbox"/> CANCELS <input type="checkbox"/> NEW <input checked="" type="checkbox"/>	SOP TITLE: <b>Electronic Participation in Authority Board Meeting</b>	EFFECTIVE DATE: REVIEWED: PAGES: 5	SOP NUMBER: <b>11.1</b>
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### **PURPOSE:**

To establish procedures for the electronic participation in Middle River Regional Jail Authority Board meetings by Board members.

### **POLICY:**

The Middle River Regional Jail Authority will allow Board members to participate in meetings, by electronic means, under certain circumstances.

### **REFERENCES:**

#### **Code of Virginia:**

[§ 2.2-3708.2](#) Meetings held through electronic communication means

[§ 2.2-3708.3](#) Meetings held through electronic communication means; situations other than declared states of emergency

### **PROCEDURES:**

Sections 2.2-3708.2 and 2.2-3708.3 of the Virginia Freedom of Information Act allow members of a public body to participate in a meeting electronically providing certain conditions are met. The statute requires that the public body adopt a written policy before members can do so. The electronic meetings and remote meeting participation policy of the Middle River Regional Jail Authority Board (“Board”) shall be as follows:

- I. Individual Member Participation in Board Meetings by Electronic Communication
  - A. Personal Matter – A member of the Board may participate in a meeting through electronic communication from a remote location that is not open the public due to a personal matter if:
    1. On or before the day of the meeting, the member notifies the chair of the Board that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.
    2. A quorum of the Board is physically present at the location of the meeting, and a majority of the quorum votes by motion to approve the electronic

## ELECTRONIC PARTICIPATION IN AUTHORITY BOARD MEETINGS

participation. The motion to approve the participation shall include the specific nature of the personal matter and the remote location from which the member is participating. The motion and the vote shall be included in the minutes of the meeting.

3. If the motion is denied because it would otherwise violate this policy, the motion and vote shall also be included in the minutes of the meeting.
  4. Such participation by any member shall be limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
- B. Disability or Medical Condition – A member may also participate in a meeting through electronic communication due to (i) a temporary or permanent disability or other medical condition that prevents the member from attending the meeting or (ii) a family member's medical condition requires the member to provide care for such family member, thereby preventing the member's attendance if:
1. On or before the day of the meeting, the member notifies the chair of the Board prior to the meeting that the member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance. The specific nature of the disability or medical condition does not have to be disclosed.
  2. A quorum of the Board is physically present at the location of the meeting, and a majority of the quorum votes by motion to approve the electronic participation. The motion to approve the participation shall include the fact that there is a temporary or permanent physical or other medical condition or a family member's medical condition requiring the member's care that prevents the member from attending and the remote location from which the member is participating. The motion and vote shall be recorded in the minutes of the meeting.
  3. If the motion is denied because it would otherwise violate this policy, the motion and vote shall also be recorded in the minutes of the meeting.
  4. Participation under this provision is not limited to a certain number of times per year
- C. Distance from Meeting – A member of the Board may participate in a meeting through electronic communication from a remote location that is not open the public if:
1. On the day of a meeting, a member of a Board notifies the chair of the Board that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.

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2. A quorum of the Board is physically assembled at one primary or central meeting location and a majority of the quorum votes by motion to approve the electronic participation.
3. If participation by a member through electronic communication means is approved pursuant to this section, the Board shall record in its minutes that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location.
4. If the motion is denied because it would otherwise violate this policy, the motion and vote shall also be recorded in the minutes of the meeting.
5. Participation under this provision is not limited to a certain number of times per year

### II. Meetings Without Quorum Physically Assembled

A. Emergency Declarations – The Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency pursuant to Virginia Code § 44-146.17 or Augusta County has declared a local state of emergency pursuant to Virginia Code § 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is provide for the continuity of operations of the Board or the discharge of the Board's lawful purposes, duties, and responsibilities. In so convening a public meeting the Board shall:

1. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;
2. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing; and
3. Provide the public with the opportunity to comment at such meeting when public comment is customarily received by the Board.
4. The nature of the emergency, the fact that the meeting was held by electronic means, and the type of electronic communications means by which the meeting was held shall be stated in the minutes.
5. Upon approval, the Board shall make arrangements for the voice of the remote participant to be heard by all persons present at the meeting location.

B. All-Virtual Meetings – An all-virtual public meeting is a meeting conducted by a public body (the MRRJA Board or an official committee established by the Board to conduct the Board's business), using electronic communication means, during

## ELECTRONIC PARTICIPATION IN AUTHORITY BOARD MEETINGS

which all members participate remotely, and public access is provided through electronic communication means. The Board may hold all-virtual public meetings for any regularly scheduled or special meeting provided the following criteria is met:

1. The meeting notice indicates whether the meeting will be an in-person or all-virtual public meeting. The notice shall also include a statement that notifies the public that the method by which the Board chooses to meet will not be changed unless the Board provides a new meeting notice;
2. Public access shall be provided via electronic communication means;
3. The electronic communication means used shall allow the public to hear all members of the Board participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the Board as well;
4. A phone number or other live contact information shall be provided to alert the Board if the audio or video transmission of the meeting provided by the Board fails. The Board will also monitor the designated means of communication during the meeting and take a recess until public access is restored if the transmission fails for the public;
5. A copy of the proposed agenda and, unless exempt, all materials furnished to members of the Board for a meeting is made available to the public in electronic format at the same time that such materials are provided to the Board;
6. The public shall be afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received by the Board;
7. No more than two members of the Board shall be assembled together in any one remote location unless that remote location is open to the public to physically access it;
8. If a closed session is held during an all-virtual public meeting, the meeting to the public must resume before the Board votes to certify the closed meeting;
9. The Board shall not convene an all-virtual public meeting (i) more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting; and
10. Minutes of all-virtual public meetings held by electronic communication means shall be recorded and shall include that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.



ELECTRONIC PARTICIPATION IN AUTHORITY BOARD MEETINGS

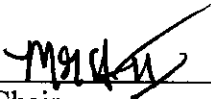
III. Strict Application

- A. This policy governing meetings held through electronic communications and remote participation in meetings shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

IV. Effective Date

- A. This policy replaces in their entirety all electronic meeting and remote participation policies previously adopted by the Board, and it shall be effective upon adoption.

Adopted by affirmative vote of the Middle River Regional Jail Authority Board this 4<sup>th</sup> day of OCTOBER, 2022

  
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MRRJA Chair

Attest:   
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Clerk to the Board