

Corrections Foundation Board of Director's Meeting

February 18, 2021
Conference Call

Attendees:
Mr. Tom Rush
Mr. Dave Mecusker
Ms. Jenny Nimer
Mr. Brian Riedl
Ms. Lisa Miller
Ms. Justine Patterson
Mr. Brian Wynns

Absent:
Mr. Louie Wainwright
Mr. Mark Redd
Mr. Jim Williams

Staff:
Mr. Chris Akins
Ms. Sheri Logue
Ms. Sheila Logue

Call to Order

Mr. Rush called the meeting to order at 10 a.m. and established a quorum. Mr. Mecusker gave the invocation.

Consent Agenda

The following housekeeping items were presented before the meeting for review. They were presented in the meeting for discussion or approval under the Consent Agenda below. Ms. Logue noted that the Employee Assistance Program has assisted 249 employees with \$264,100 since July 1st, \$21,000 of this amount was Disaster Relief.

- Approval of Minutes - November 19, 2020
- Budget Update/Finance Reports
- Giving Tuesday Fundraising Results
- Holiday Week Casual Week Results

Motion made by Mr. Mecusker and seconded by Mr. Riedl to approve all consent agenda items. Motion passed unanimously.

Proposed changes to EAP Criteria

Employee Assistance Increase for Officer, Employee or Contractors Fallen in the Line of Duty

Board Member Jim Williams has proposed to provide \$5000 to members and \$1,000 to non-members who fall in the line of duty.

This is follow-up from the previous board meeting where staff were directed to discuss with the Office of General Counsel how line of duty deaths are determined to determine if and how the Corrections Foundation can provide assistance to those who fall in the line of duty.

Line of Duty death is basically defined as performing your legal duties while on the clock, e.g., not a suicide. Chris Akins spoke with an attorney in the Office of General Counsel, who said that the while-on-duty deaths that have occurred have not been subject to debate and has been easily determined: were they on the clock performing their legal duties.

Chris did inquire how COVID deaths among staff have been treated, especially since Seminole County Sheriff's Office recently deemed a COVID death as an in the line of duty death, though the Seminole SO doesn't believe he contracted it on the job. For FDC's purpose, the question has not come up and so has not been addressed.

Also, as discussed in the previous board meeting, there is a separate process for putting the name and picture on the memorial of fallen officers and employees.

To be included on the memorial of fallen officers and employees must meet the following eligibility:

(a) An employee who was on duty at the time of a natural death. On duty is interpreted to include the time physically on duty, time involved in training activities, time involved in being called back to duty on an emergency event, and time involved in route to an assigned location.

(b) An employee who died as a result of injuries sustained at the hands of an inmate/offender or who died as a result of a confrontation with an inmate/offender.

Regions and bureau chiefs (in the case of central office) submit the names of the individual to be nominated to a committee comprised of:

1. Deputy Secretary (chairperson),
2. General Counsel or designee,
3. Director of Human Resources or designee,
4. Deputy Secretary of Institutions or designee (designee must be Bureau Chief or higher),

5. Assistant Secretary of Community Corrections or designee (designee must be Bureau Chief or higher), and

6. Inspector General.

This committee makes a recommendation to the Secretary, who makes the final determination.

The key difference between the two is that the immediate determination if a death is considered on-duty is a quicker process, determined by if a person is fulfilling their legal duties while on the clock.

To be included on the wall, is a longer and more deliberative process that can take months, though to be eligible one's death must be on-duty which does exclude time driving to work.

Option 1 – Immediate Method of Assistance

The Corrections Foundation can work with the Office of Human Resources to determine if a duty is line of death and provide the survivor either \$5,000 for members or \$1,000 for non-members.

Proposed Language: The Corrections Foundation shall provide for financial assistance to the survivor(s) of an officer, employee, or contractor for the Florida Department of Corrections who is determined to have fallen in the line of duty. The amounts shall be \$5,000 for members and \$1,000 for non-members. Corrections Foundation staff shall communicate with the Office of Human Resources to determine if a death is in the line-of-duty.

Pros: quicker time frame

Cons: none

Option 2 – Wait Until the Committee Determine if a Name is to Be Added to the Fallen Officer Memorial at Wakulla CI

The Corrections Foundation will wait until the committee makes a determination if a name is to be added to the Fallen Officer Memorial at Wakulla CI and then provide assistance to the survivor(s) in the amount of either \$5,000 for members or \$1,000 for non-members.

Proposed Language: The Corrections Foundation shall provide for financial assistance to the survivor(s) of an officer, employee, or contractor for the Florida Department of Corrections who has fallen in the line of duty and who has been added to the Fallen Officer Memorial at Wakulla CI. The amounts shall be \$5,000 for members and \$1,000 for non-members. Corrections Foundation staff shall defer to the decision of the committee that determines if an individual is placed on the wall.

Pros: More deliberative process

Mr. Rush noted that our general mission is to provide immediate assistance whenever possible. He recommended option 1. Mr. Mecusker agreed that we assist as quickly as possible and not wait on an employees name to be announced for the Fallen Officers Memorial. Motion made by Mr. Mecusker to accept option 1, motion seconded by Mr. Riedl and unanimously approved the following criteria.

The Corrections Foundation shall provide financial assistance to the survivor(s) of an officer, employee, or contractor for the Florida Department of Corrections who is determined to have fallen in the line of duty. The amounts shall be \$5,000 for members and \$1,000 for non-members. Corrections Foundation staff shall communicate with the Office of Human Resources to determine if a death is in the line-of-duty.

Change Employee Retirement Options

Chris Akins presented options for changing employee's retirement plan. 401K and SIMPLE IRA options were offered for comparison. A 401K has a higher annual cost but offers better investment options for staff. A SIMPLE IRA has less expense for the organization but fees for staff are higher and investment options are fewer. Ultimately staff want to change from American Funds and have a local advisor regardless if a 401K or SIMPLE plan are chosen.

Recommended Actions – Two Possible Courses of Action

OPTION 1

401(K) – Either T. Rowe Price or John Hancock with Cypress Capital or John Hancock with Luminosity Financial.

Justification: Provides access to a plethora of options for investing, lower fees for employees. While there's an added expense to Corrections Foundation, Inc., these three (really two as the differences in proposals for John Hancock are slight), these are the lowest costs, keeping costs to the organization under \$2,495 + .64% annually (which can grow to a significant number as indicated on the chart on the following page). We'd also like the board to consider increasing employee match from the current maximum of 3% to a higher percentage as determined by the board.

OPTION 2

SIMPLE IRA – Vanguard through Cypress Capital

Justification: Vanguard offers a plethora of options suitable for employees. Though we'll be locked into a single family of funds, the options should be able to suit all employees with fees far, far cheaper and that also outperform than our current American Funds. American Funds are routinely pushed by financial advisors because the high fees are paid to the advisors and they are, ultimately, suitable for investors, but not necessarily in our best interests.

The \$1,200 billed to the Corrections Foundation annually plus the initial \$500 would provide employees access to competent financial advisors who can recommend and execute trades.

Ms. Patterson asked if this proposal would include additional staff. Mr. Akins confirmed that it would apply to our current 3 person staff. Changes agreed to this year would not take effect until January 2021.

After discussion, the board is amenable to changing plans but Mr. Mecusker requested that we create a side by side comparison of long-term cost to the organization and benefits to staff so that the board can make an informed decision.

Ms. Miller noted that we are lucky to have a dedicated staff and that whatever we can do to support them that makes economic sense it is a good investment in the team even if there is a cost to the Foundation.

It was recommended to table this item until the Board is able to meet in person and have a presentation instead of a conference call. Plan a meeting for March. Motion made by Mr. Mecusker, seconded by Justine Patterson, motion passed. Mr. Riedl offered to host the meeting at FWRC in Ocala.

2021 Membership Campaign

Ms. Logue presented that the annual membership campaign will take place in March and April this year. Even with Covid creating challenges this year most locations are holding steady with their membership. All wardens and circuit administrators will receive preprinted forms for their non-members and will be asked to let their staff know about us and the services we provide staff.

Golf Tournament

Ms. Logue asked if we should move forward with planning the golf tournament for October or if large gatherings were being discouraged? Mr. Riedl said it's too early to make a call on the golf tournament but to move forward with intentions of having it in October. Mr. Wynns agreed, the event is good for morale and staff really enjoy it. The Board agreed to move forward and have a back up plan in case the event had to be cancelled.

Gun Tower Coffee Partnership Proposal

Mr. Akins presented a letter received from Gun Tower Coffee proposing a partnership for us to sell their coffee with a % of the proceeds being donated to the Corrections Foundation. This coffee company is owned by a retired Corrections Officer in Michigan.

Mr. Mecusker said even though there is no cost to the Corrections Foundation, is this the direction we want to go? Once we start promoting products what is to keep us from being bombarded to promote other products? How much do we want to be involved in promoting other companies and what criteria should be there if we do?

Mr. Wynns mentioned that we already have sponsors for our golf tournament and we offer them certain things for the different levels of sponsorship. Top donors are promoted on our website. He noted that any partnership should mirror our sponsorship levels.

Mr. Rush asked if we have ever gotten an opinion from Legal on sponsorships. Mr. Akins said yes we have in the past and it was not an issue. Mr. Wynns asked if current sponsors do business with FDC. Yes, most of them do except the Animal Welfare Foundation. Ms. Nimer suggested that we be consistent and whatever we offer one company we should be open to offering to all. She suggested that we run it by Legal just for a second opinion on whether we can promote another companies product to staff.

It was recommended that we come up with guidelines for those who we will partner with and accept sponsorship from and be consistent so that when we are approached with offers like this we know how to proceed based on established guidelines.

[EAP and COVID – Flexibility to Provide Assistance to those LWOP and/or No Health Insurance](#)

Mr. Akins asked for clarification on whether or not we could provide assistance to those who are on leave without pay due to COVID. In November COVID federal leave was provided but that now has ceased. Recently we had an OPS employee out of work for 3 weeks due to Covid but was not hospitalized, recuperated at home but was on leave without pay for this time.

Mr. Mecusker suggested that we not assist staff if they are only on leave without pay but that our Employee Assistance Program is for emergency, critical health situations. If we evaluated on a case by case basis and helped some on LWOP but not others we would not be applying our criteria consistently. By making sure that an emergency or critical health situation, medical bills, etc. applies we are consistent with all employees.

Ms. Miller agreed saying we need to stick to our well defined criteria and not make changes on a case by case basis, otherwise we could face a lawsuit. Ms. Nimer agreed noting we need to be consistent in our dealing with all employees. She added that educating supervisors on what we assist with will help them submit requests that fit our criteria.

Mr. Rush made a motion that we stick with our current criteria and guidelines and not do a case by case for Covid cases or those on Leave Without Pay. Seconded by Mr. Mecusker and unanimously approved.

[Next Board Meeting – Thursday, May 20, 2021, 10 a.m. Conference Call](#)

Motion to adjourn by Mr. Rush, seconded by Ms. Patterson, meeting adjourned at 11:12 a.m.

Minutes submitted on April 28, 2021 by Sheri Logue.