

September 15, 2023

The regular meeting of the Appalachian Juvenile Commission was held on Friday, September 15, 2023 at 10:00 A.M. at the Washington County Administration Building located at 1 Government Place, Abingdon, Virginia.

**Commission members present:**

James Lane (Chairman, Norton)  
Dawn Gilbert – Wise County  
Shawn Utt – Smyth County  
April Collins – Dickenson County  
Sonny Brooks -- Lee County  
Arlene Matney -- Tazewell County  
Vicki Porter – Russell County  
Brad Johnson, Buchanan County  
Mark Thompson – Scott County

**Commission members absent:**

Jason Berry – Washington County  
Anthony Farnum – City of Bristol

Staff present included Tim Dotson – Executive Director, Danny Johnson – Finance Director, Trey Murray, Brad Stallard, Attorney, Mary Cross and Jeremy Hurley.

Call to Order

James Lane, Chairman, called the meeting to order at 10:00 A.M.

Financial Audit

Judy Olinger of Blackley, Olinger and Associates presented the annual Audit Report for FY2023. Ms. Olinger reported the Audit Report was conducted according to the yellow book audit, and must also be submitted to the State. The audit was found to be a fair clean audit with no material weaknesses or deficiencies in internal control. Shawn Utt moved to accept the Audit with correction to be made on Page 53 of Financial Audit Report to reflect Drug Court money received from Scott County instead of Smyth County. Arlene Matney seconded the motion.

After consideration, the motion passed by the following roll call vote:

**AYES:** *James Lane, Shawn Utt, Dawn Gilbert, April Collins, Sonny Brooks, Vickie Porter, Brad Johnson, Mark Thompson and Arlene Matney.*

*NAYS: None.*  
*ABSTAINERS: None.*  
*ABSENT: Jason Berry and Anthony Farnum*

Approval of Minutes

Sonny Brook moved to approve the minutes of June 2, 2023. April Collins seconded the motion.

*Aye: James Lane, Dawn Gilbert, Shawn Utt, April Collins, Sonny Brooks, Arlene Matney and Vicki Porter.*

*Nay: None*

*Abstain: Mark Thompson and Brad Johnson*

Sonny Brook moved to approve the minutes of June 16, 2023. April Collins seconded the motion.

*Aye: James Lane, Dawn Gilbert, Shawn Utt, April Collins, Sonny Brooks, Arlene Matney and Vicki Porter.*

*Nay: None*

*Abstain: Mark Thompson and Brad Johnson*

Sonny Brook moved to approve the minutes of July 14, 2023. April Collins seconded the motion.

*Aye: James Lane, Dawn Gilbert, Shawn Utt, April Collins, Sonny Brooks, Arlene Matney and Vicki Porter.*

*Nay: None*

*Abstain: Mark Thompson and Brad Johnson*

Sonny Brook moved to approve the minutes of August 11, 2023. April Collins seconded the motion.

*Aye: James Lane, Dawn Gilbert, Shawn Utt, April Collins, Sonny Brooks, Arlene Matney, Vicki Porter and Mary Thompson.*

*Nay: None*

*Abstain: Brad Johnson*

Financial Report

Vicki Porter moved to approved the Financial Report as presented by Daniel Johnson. Shawn Utt Seconded the motion. All members approved the motion.

Closed Session

*Mark Thompson made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)(1) Personnel and Grievance Matters; Arlene Matney seconded the motion.*

*After consideration, the motion PASSED by the following roll call vote:*

*AYES: James Lane, Shawn Utt, Dawn Gilbert, April Collins, Sonny Brooks, Vickie Porter, Brad Thompson, Mark Thompson and Arlene Matney.*

*NAYS: None.*  
*ABSTAINERS: None*  
*ABSENT: Jason Berry and Anthony Farnum*

**RESOLUTION  
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Appalachian Juvenile Commission has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Appalachian Juvenile Commission that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appalachian Juvenile Commission 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 closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Appalachian Juvenile Commission.

*After consideration, the motion PASSED by the following roll call vote:*

*AYES: James Lane, Shawn Utt, Dawn Gilbert, April Collins, Sonny Brooks, Vickie Porter, Brad Johnson, Mark Thompson and Arlene Matney.*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Jason Berry and Anthony Farnum*

April Collins moved that all smart devices are prohibited around the residents at the Highlands Juvenile Detention Center and no recording devices are allowed in the Center and this to be posted at the center. Shawn Utt seconded the motion. All members voted in favor.

Shawn Utt moved the Trey Murray be appointed as Acting and Interim Executive Director of the Appalachian Juvenile Commission effective September 16, 2023 and salary will be finalized by James Lane, Chairman as discussed in closed session. Vickie Porter seconded the motion.

After consideration, the motion passed by the following roll call vote:

*AYES: James Lane, Shawn Utt, Dawn Gilbert, April Collins, Sonny Brooks, Vickie Porter, Brad Johnson, Mark Thompson and Arlene Matney.*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Jason Berry and Anthoney Farnum*

April Collins moved the Executive Director move forward with the Personnel Committee to implement the investigation as discussed in closed session. Mark Thompson seconded the motion.

After consideration, the motion passed by the following roll call vote:

*AYES: James Lane, Shawn Utt, Dawn Gilbert, April Collins, Sonny Brooks, Vickie Porter, Brad Johnson, Mark Thompson and Arlene Matney.*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Jason Berry and Anthoney Farnum*

Shawn Utt moved to direct Mary Cross to advise for the Executive Director position with local newspaper, VML, VEC, and the Sheriff's Association. The motion was seconded by Vickie Porter.

After consideration, the motion passed by the following roll call vote:

*AYES: James Lane, Shawn Utt, Dawn Gilbert, April Collins, Sonny Brooks, Vickie Porter, Brad Johnson, Mark Thompson and Arlene Matney.*

*NAYS: None.*

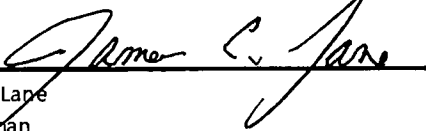
*ABSTAINERS: None.*


*ABSENT: Jason Berry and Anthoney Farnum*

The next meeting will be October 13, 2023 at 11:00 A.M.

Adjourn

With no further business to discuss, the meeting was adjourned.

X   
James Lape  
Chairman

X   
Fred R. Murray III  
Acting and Interim Executive Director