

**MINUTES  
OFFICE OF JUVENILE AFFAIRS  
BOARD OF DIRECTORS**

**April 28, 2006**

**BOARD MEMBERS**

Present: Ray Don Jackson  
Jay Keel  
George Lindley  
Charlie Nobles  
Gary Taylor  
Lonelia Simmons  
Charlie Jackson

**PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS**

Gary Bolin, Dorothy Brown, Jeff Gifford, Donna Glandon, Anna Kelly, Tammy Kelly, Robert Morey, Marla Parish, Richard Parish, Tom Ray, Kim Sardis, Elizabeth Stewart, Shantha Varahan, Rhonda Burgess, Mary Jo Sullivan, Tony Sardis, Kevin Clagg, Don Bray, Dennis Luman, Aric Holloway, Rick Olderbak, Wayne Johnson

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**OTHERS PRESENT**

Jason Benskin, Maggie Jewell, Aimee Costlow, Stella K. Church, Gary Jones, Kelly Chambers, Angel Riggs, Sarah Vincent-Spain, Irene Bowman, Susan Morris, Gerald Nickles, Randy Goff, Brent Wolfe, LeRoy Smith, Brandy Manek, Shawn Black, Larry Hicks, Clyde Kirk, Lee Johnson

**CALL TO ORDER**

Chairman Lonelia Simmons called the April 28, 2006 regularly scheduled Board Meeting of the Board of Directors of the Office of Juvenile Affairs to order at 10:07 a.m. at State Office, 3812 N. Santa Fe, Suite 400, Oklahoma City, OK.

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**STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT**

Tammy Kelly confirmed the Board of Juvenile Affairs is in compliance with the Open Meeting Act.

Chairman Lonelia Simmons read the Office of Juvenile Affairs Mission Statement.

Ms. Simmons recognized special attendees Angel Riggs of the *Tulsa World* and Kelly Chambers of the *OKC Journal Record*.

**EXECUTIVE DIRECTOR'S COMMENTS**

Gary Bolin, Interim Director presented. Mr. Bolin gave an update of events since the last regularly scheduled Board Meeting of March 17, 2006. Staff attended American Correctional Association (ACA) Executive Development Training. An ACA Audit was conducted at the Lawton JSU offices and an overall rating of 97.9% was achieved. Mr. Bolin commended the staff for an excellent job. During this past month, executive staff has had meetings with the Human Services cabinet, OCCY, and the Oklahoma Military Department regarding Thunderbird and STARS contracts. Numerous meetings have been attended at the Capitol regarding OJA Pay Parity and budget issues. A Volunteer Recognition Ceremony was held at the Capitol and 13 OJA Volunteers were recognized. Gary Taylor asked if the Board Members could assist in communicating with legislators regarding OJA's funding. Mr. Bolin recommended that legislators be contacted regarding OJA's number one issue of Pay Parity. Marla Parish agreed to furnish the Board Members with a Legislator contact list.

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**PUBLIC COMMENTS**

Gerald Nickles - Youth Services of Bryan County presented. Mr. Nickles expressed his concern with moving from a cost reimbursement contract to a contract with a mixture of cost reimbursement and rates. Our providers generally have to be very flexible in what they do. Our providers and counselors operate in rural schools, they never know exactly what their schedule will hold that day. The principal may meet with them first thing in the morning with a kid who is threatening suicide. How to I project, budget, track and monitor that? I can't figure it out. It is so confusing - I can't charge cost reimbursement to First Offender because administrative costs are already figured in. So I have to allocate my costs and I

am working 100% plus. I think we are rushing things and would like some time to work into this slowly over the course of the next year. I don't think I can even figure out the budget for July 1, 2006.

Susan Morris – Youth Services of Shawnee presented. We are in the same boat Mr. Nickles is in. My concern is that we are rushing into rates and people need time to get used to new forms, claims, etc. The RFP allows for some rate based and some cost reimbursement. I would like the opportunity to remain all cost reimbursement for another year. OPI can monitor us during this time. My staff needs time to work on rates. All Youth Services agencies are as alike as they are different. We want to be able to continue to serve our community in the best way possible.

Randy Goff – Counseling, Inc. – We rely strictly on what we call outreach services. My concern is that the rates you will be looking at today and voting on do not even touch what we do in Tishomingo. We are very limited in personnel. The rates coming before you today do not accurately portray what we do. I feel that a rates based contract will probably cripple our agency. Gave handout to the board members on a section of Title IX which outlines community based programs and the services we are provided.

## REPORTS

### LEGISLATIVE REPORT

Marla Parish, Legislative Liaison, presented. Ms. Parish conveyed to the Board who they need to contact to help OJA efforts. Ms. Parish stated that any communication with Legislators would be valuable. Ms. Parish gave an update on bills of interest to OJA. Important upcoming deadlines are: May 4 – Bills have to be sent to a conference committee, May 19<sup>th</sup> – final conference committee reports have to be issued, May 26 – Sine die at 5:00 p.m. Friday.

**SB 558** (Shurden) Lengthy bill dealing with public construction projects and powers and duties of the Department of Central Services. Exempts projects of less than \$50,000 from most requirements of law on public construction/renovation projects; specifies that DCS has oversight of lease of buildings or building space by public agencies.

04-17-06 H Reported from Committee – As substituted House Appropriations and Budget.

**SB 1088** (Bass, Coody) Increases from 20 to 30 days the number of days state agencies must pay the salary of employees called up to active military duty.

04-17-06 H Emergency Passed

Vote: Y: 98/N: 0

**SB 1186** (Crutchfield, Bengé) Shell Appropriations Bill for OJA.

04-04-06 Senate refused to concur in House amendments.

**SB 1187** (Crutchfield, Bengé) Shell appropriations bill for OJA.

04/12/06 H Passed/Adopted

Vote: Y: 94/N: 2

**SB 1260** (Crutchfield, Bengé) Relating to the general appropriations for the expenses of various agencies of the executive, legislative, and judicial departments of the state.

04-11-06 H Passed/Adopted

Vote: Y: 75/N: 13

**SB 1261** (Crutchfield, Bengé) Relating to the appropriations for the expenses of various agencies of the executive, legislative, and judicial departments of the state.

04-04-06 Senate refused to concur in House amendments

**SB 1262** (Crutchfield, Bengé) General Appropriations bill that gives agencies of state government for FY07 basically the FY06 funding level, in order to ensure functioning of state government in the event of a disagreement on the budget extending beyond July 1, 2006. Appropriates \$98,323,348 to OJA.

04-04-06 S Senate refused to concur in House amendments

**SB 1359** (Myers, Kern) Effective Nov. 1, requires all state agencies to display the flag of the State of Oklahoma.

04-17-06 Reported from Committee – As Substituted House Rules

**SB 1497** (Coffee, Perry) Senate version makes minor changes to law requiring agencies that purchase computer software to require vendors to also provide the source code.

04-20-06 H Passed/Adopted

Vote: Y: 94/N: 0

**SB 1597** (Laster, Harrison) Specifies that parents facing prosecution for failing to compel a child to attend school may assert the defense that they made substantial and reasonable efforts but were unable to compel the child to attend school. The judge may then dismiss the case, and the school attendance officer shall refer the case to the district attorney for filing of an INS petition. Also increases fines for failure to compel the child to attend school, and requires schools to make reasonable efforts to keep student victims separate at school from those who have victimized them, at the request of the victim.

04-05-06 H Reported from Committee – As Substituted House Common Education

**SB 1756** (Riley, Morgan) Requires that the judgment and sentence relating to a Youthful Offender upon whom an adult sentence is conferred clearly identifies that the person is a Youthful Offender. Requires also that the sentence detail the history of the application of the Youthful Offender Act to the person.

03-30-06 H Reported from Committee – As Amended House Corrections

**SB 1760** (Riley, Morgan) Modifies ages/crimes under Youthful Offender Act. Allows persons 13 or 14 charged with murder to be certified as a youthful offender or a juvenile, but provides that any person 15, 16, or 17 charged with murder in the first degree shall be tried as an adult.

04-17-06 Reported from Committee – As Substituted House Corrections

**SB 1765** (Riley, Morgan) Enacts recommendations of the Youthful Offender Task Force: Directs court to commence a preliminary hearing within 90 days of filing, or show cause why not. Directs court, when ruling on a motion for certification as a youthful offender or juvenile delinquent, to place greater weight on level of violence, degree of personal injury, and past history. Removes 10-year cap on sentencing. States intent that youthful offenders be held separate from the juvenile delinquent population, insofar as practical.

04-19-06 H Emergency Passed

Vote: Y: 94/N: 0

**SB 1799** (Riley, Morgan) Provides for OJA to retain custody of a youthful offender through age 21, if ordered by the court. Provides that at such time as separate youthful offender facilities are constructed and operational, OJA shall be authorized to retain a youthful offender until age 21 without a court order.

04-17-06 H Reported from Committee – As Amended House Corrections

**SB 1800** (Nichols, Morgan) Established a Child Abuse Response Team at the OSBI that can investigate any case of alleged child abuse at the request of any one of a number of agencies, including OJA.

04-14-06 Reported from Committee – Do Pass House Appropriations and Budget

**HB 2357** (DePue, Nichols) Requires state agencies to disclose to person affected, in an expedient manner, any computer security breach involving inadvertent release of personal information such as social security, drivers' license, account, debit, or credit card numbers.

04-05-06 S Voted from Committee – Do Pass Senate Appropriations

**HB 2366** (Jett, Riley) Permits OJA to contract with former employees. Permits facilities to open and read mail addressed to a child or sent by a child. Abolishes regimented training programs. Prohibits child taken into custody for truancy violation from being placed in a jail, lockup or detention facility.

04-05-06 Voted from committee – Do Pass as substituted Senate Appropriations

**HB 2387** (Benge, Crutchfield) Establishes the Fiscal Analysis Investigation and Review (FAIR) Committee to direct the performance review and oversight of budgetary expenditures within selected state agencies or selected state agency programs for the purpose of determining whether there exists continued need for such programs and whether the agency is the most appropriate provider of them.

04-04-06 S Voted from committee – Do Pass Senate Appropriations

**HB 2424** (Glenn, Garrison) This bill has been sent to the Governor. It provides that no contract involving sums in excess of \$25,000 shall be split into partial contracts involving sums not exceeding \$25,000 for the purpose of avoiding the requirement of the act. All such partial contracts shall be void. Creates misdemeanor penalties for violation. Eff. 11/1/06

04-18-06 G Sent to the Governor

**HB 2552** (DePue, Bass) Authorizes a state bond issue for the purpose of funding projects aimed at deferred maintenance of state buildings, including some under the purview of OJA.

04-19-06 Emergency Passed

Vote: Y 44/N: 0

**HB 2634** (Balkman, Lamb) Paperwork Reduction Act of 2006; requiring each agency to determine specific areas in which to reduce paperwork burden.

04-20-06 S Set on the Senate Floor Agenda

**HB 2762** (Perry, Pruitt) Establishes felony penalties for persons who knowingly provide alcoholic beverages in their homes to individuals under the age of 21, if such act results in the minor's death.

04-04-06 S Voted from committee – Do Pass as substituted Senate Judiciary.

**HB 2840** (Steele, Coates) Kelsey Smith-Briggs Child Protection Reform Act that also creates a 16-member Children and Juvenile Law Reform Committee to study and recommend revision and recodification of the laws and procedures concerning children and juveniles in Title10 and to develop a recommended Children's Code in that title. OJA would appoint two members, including an attorney. A draft of the recommended Children's Code would be due to the Legislative Leadership by November 1, 2007, and the final version would be due by March 1, 2008. The committee would cease to function June 30, 2008.

03-28-06 S Voted from committee – Do Pass as amended Senate Judiciary

**HB 2842** (Steele, Crain) Medicaid Reform Act that authorizes the Oklahoma Health Care Authority to seek waivers to establish a Medicaid system more like private insurance products. Children in foster care will likely be exempted.

04-05-06 S Voted from committee - Do Pass substituted Senate Appropriations

**HB 2999** (Winchester, Johnson, M) Senate version of the bill requires OJA to establish a state plan for Youth Services, designate applicable catchment areas, and provide funds to Youth Services agencies only thru performance contracts or fee for service.

04-20-06 S Emergency Passed

Vote: Y: 45/N: 0)

**HB 3037** (Cargill, Fisher) Creates a Restorative Justice Task Force with numerous state agency representatives including the Director of OJA until July 1, 2009. Purpose is to identify and implement interagency work products aimed at successfully reintegrating offenders into society. Appointments to be made by August 1, 2006.

04-05-06 S Voted from committee – Do Pass as substituted Senate Appropriations

Ms. Parish told the board members she would get the requested addresses and phone numbers for the Board to contact the legislature.

**FINANCE COMMITTEE REPORT**

Charlie Nobles presented. The Finance Committee met this morning prior to this Board Meeting and discussed the financial statement with Shantha Varahan. She will be giving the financial report to the Board.

**FINANCE REPORT**

Shantha Varahan, Financial Services Division Administrator, presented the Finance Report for the Month Ended March 31, 2006.

FY-06 Budget Projections as of March 31, 2006

Description	Totals
FY-2006 Budget Work Program	\$114,518,456
Year-to-Date Expenditures	(76,430,327)
Encumbrances	(24,503,638)
Balance as of February 28, 2006	13,584,491
Less: Remaining Payroll Costs (Est.)	(11,238,214)
Less: Remaining Travel Budget	(204,743)
Less: OJJDP/JAIBG/Other Adjustments	(995,809)
Budget Available for Unfunded Mandates	1,145,725

FY-06 Budget to Actual for Payroll as of April 10, 2006

	State Office	Residential Services	JSU	Totals
YTD BWP	4,748,732	18,009,249	11,059,775	33,817,756

YTD Exp	4,261,996	17,791,238	10,949,840	33,003,074
YTD Vary	486,736	218,011	109,935	814,682

## Comparison of FY-06 Travel Costs to Budget

FY-2006 Budget	FY-2006 Actual	Total Variance	FY-2005 Actual
409,477	400,946	8,531	352,498

## FY-06 Revolving Fund Revenues as of March 31, 2006

	FY-2006 Budget	FY-2006 Receipts	Variance from Budget	FY-2006 Expenditures	FY-2005 Receipts
<b>Sub-Total</b>	621,610	580,361	(41,249)	664,818	559,036

## FY-06 Title IV-E as of March 31, 2006

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
<b>Sub-Total</b>	471,933	-	(471,933)	-

Claims submitted = \$847,335.59

Amount received = \$680,858.18 (April)

Claims in transit = \$166,477.41

## FY-06 Targeted Case Management as of March 31, 2006

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
<b>Sub-Total</b>	2,250,000	2,209,504	(40,496)	2,494,038

Total claims in transit = \$111,189.

## Residential Behavior Management Services as of March 31, 2006 for FY-06

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
<b>Sub-Total</b>	3,749,211	3,813,089	(63,878)	3,787,310

Total claims in transit = \$6,015.

## FY-06 Title XIX – Admin as of March 31, 2006

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
<b>Sub-Total</b>	240,003	-	(240,003)	97,096

Total claims in transit = \$348,821.

Sole Source

Control #	Vendor	Date	Cost	Requestor	Division/Purpose
No New Sole Source Contracts Since Last Board Meeting.					

Emergency Purchases

Date	Location	Description	Repair Cost
No Emergency Purchases Since Last Board Meeting.			

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**BLUEPRINTS CONFERENCE REPORT**

Kevin Clagg presented. Mr. Clagg gave a report of the Blueprints Conference that was attended in Denver, Colorado on March 13 – 15, 2006. The conference was sponsored by the University of Colorado – Center for Study and Prevention of Violence (Headed by Dr. Delbert Elliott). The goal of the conference was to:

- Disseminate science-based information on youth violence, delinquency, and drug prevention programs that are effective.
- Motivate the prevention field to adopt evidence-based programs and provide support, guidance, and tools by program experts to help practitioners implement these programs successfully in their own communities.

Staff from OJA that attended the conference were:

- Kevin Clagg – Finance/Contracts
- Sebastian Davis – Planning and Research/Community Services Division
- Aric Holloway – OPI/Federal Grants
- Carol Marsh – Community Services Division
- Rick Olderbak – Legal Counsel/Contracts
- Tom Ray –Community Services Division

**DISCUSSION WITH POSSIBLE VOTE TO APPROVE THE BOARD MEETING MINUTES OF MARCH 17, 2006.**

MOTION BY JAY KEEL WITH SECOND BY GARY TAYLOR TO APPROVE THE BOARD MEETING MINUTES OF FEBRUARY 17, 2006 AS PRESENTED.

MOTION PASSED

- Voting Aye:
- Ray Don Jackson
  - Jay Keel
  - George Lindley
  - Charlie Nobles
  - Gary Taylor
  - Lonelia Simmons

Abstain: Charlie Jackson

**DISCUSSION WITH POSSIBLE VOTE TO APPROVE SAG GRANT RECOMMENDATIONS**

MOTION BY CHARLIE JACKSON WITH SECOND BY GARY TAYLOR TO APPROVE THE SAG GRANT RECOMMENDATIONS FOR FY07 OJDP CONTINUATION PROGRAMS WITH THE EXCEPTION OF MID-DEL YOUTH AND FAMILY

MOTION PASSED

- Voting Aye:
- Ray Don Jackson
  - Jay Keel
  - Charlie Nobles

Charlie Jackson  
 Gary Taylor  
 Lonelia Simmons  
 George Lindley

**DISCUSSION WITH POSSIBLE VOTE TO APPROVE SAG GRANT RECOMMENDATIONS**

MOTION BY RAY DON JACKSON WITH SECOND BY GEORGE LINDLEY TO APPROVE THE SAG GRANT RECOMMENDATIONS FOR FY07 OJJDP PREVENTION PROGRAMS

MOTION PASSED

Voting Aye: Ray Don Jackson  
 Jay Keel  
 George Lindley  
 Charlie Nobles  
 Gary Taylor  
 Charlie Jackson  
 Lonelia Simmons

**DISCUSSION WITH POSSIBLE VOTE TO APPROVE SAG GRANT RECOMMENDATIONS**

MOTION BY CHARLIE JACKSON WITH SECOND BY GEORGE LINDLEY TO APPROVE THE SAG GRANT RECOMMENDATIONS FOR FY07 OJJDP NATIVE AMERICAN PROGRAMS

MOTION PASSED

Voting Aye: Ray Don Jackson  
 George Lindley  
 Charlie Nobles  
 Gary Taylor  
 Charlie Jackson  
 Lonelia Simmons

Abstain: Jay Keel

**VOTE TO CONVENE INTO EXECUTIVE SESSION**

MOTION BY CHARLIE NOBLES WITH SECOND BY RAY DON JACKSON TO CONVENE INTO EXECUTIVE SESSION  
 MOTION PASSED

Voting Aye: Ray Don Jackson  
 Jay Keel  
 George Lindley  
 Charlie Nobles  
 Gary Taylor  
 Charlie Jackson  
 Lonelia Simmons

**VOTE TO RETURN TO OPEN SESSION**

MOTION BY CHARLIE NOBLES WITH SECOND BY CHARLIE JACKSON TO CONVENE INTO OPEN SESSION  
 MOTION PASSED

Voting Aye: Ray Don Jackson  
 Jay Keel  
 George Lindley  
 Charlie Nobles  
 Gary Taylor  
 Charlie Jackson

Lonelia Simmons

**VOTE ON ITEMS FROM EXECUTIVE SESSION**

No Items requiring a vote.

**DISCUSSION WITH POSSIBLE VOTE TO APPROVE FIXED SERVICES AND STANDARDS FOR COMMUNITY BASED SERVICES**

MOTION BY GEORGE LINDLEY WITH SECOND BY CHARLIE NOBLES TO APPROVE PROPOSED RATES PRESENTED

MOTION PASSED

Voting Aye:        Ray Don Jackson  
                      Jay Keel  
                      George Lindley  
                      Charlie Nobles  
                      Gary Taylor  
                      Charlie Jackson  
                      Lonelia Simmons

Ms. Simmons announced that the board is extending the deadline for applications for the position of Executive Director to June 9, 2006. We are doing this to broaden our search with a preference on administrative experience. Nobody needs to reapply, all applications will still be considered.

**ADJOURNMENT**

Chairman Lonelia Simmons adjourned the meeting at approximately 3:00 p.m.

Minutes approved in regular session on the 16<sup>th</sup> day of June, 2006

*Lonelia Simmons*

Lonelia Simmons, Chairman

PREPARED BY:

*Tammy Kelly*

Tammy Kelly