

**OFFICE OF JUVENILE AFFAIRS**  
**JANUARY**  
**MONTHLY BOARD MEETING MINUTES**

**January 25, 2008**

**BOARD MEMBERS**

Present: Jay Keel  
Lonelia Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

**PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS**

Gary Bolin, Dorothy Brown, Gene Christian, Paula Christiansen, Kevin Clagg, Jeff Gifford, Dennis Gober, JLynn Hartman, Wayne Johnson, Linda McLennan, Robert Morey, Len Morris, Cathy Olberding, Kim Sardis, Elizabeth Stewart, Shantha Varahan, Teresa Wakolee.

**OTHERS PRESENT**

Richard Barry, Shawn Black, Stella Church, Ellen Harwell, Gary Jones, Kindy Jones, Michael Hall, Richard Mann, Myron Mayberry, Nancy Morin, Angela Riggs, Josh Robe, James Sapple, Joanne Verity, Bruce Walker, Ronnie Ward, David Wright

**CALL TO ORDER**

Chairman Charlie Jackson called the January Meeting of the Board of Directors of the Office of Juvenile Affairs to order at 10:05 a.m. at the Office of Juvenile Affairs State Office, 3812 N. Santa Fe, Suite 400, Oklahoma City, OK 73118

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

Ms. Linda McLennan, Board Secretary, confirmed the Board of Juvenile Affairs is in compliance with the Open Meeting Act.

**INTRODUCTION OF GUESTS**

Mr. Gene Christian, Executive Director, introduced guests attending the meeting: Gary Jones and Myron Mayberry representing ETI, Shawn Black, Executive Director of OAYS, Michael Hall and David Wright from GH2 Architects, Nancy Morin and Richard Barry from ROCMND Group Home, Angela Riggs of the *Tulsa World*, Josh Robe of *The Oklahoman*, Bruce Walker from Department of Public Services, Ronnie Ward and James Sapple from Avalon, Ellen Harwell and Joanne Verity from OCCY and Stella Church representing Secretary Howard Hendrick. It is noted that this is Ms. Church's last OJA Board Meeting before her retirement.

**PUBLIC COMMENTS**

There were no Public Comments.

**GANG INTERVENTION AND PREVENTION FUNDING**

Mr. Myron Mayberry, Executive Director of Effective Transitions, Inc. (ETI), presented the need for additional funding for Comprehensive Youth Gang Prevention and Intervention. Mr. Mayberry explained that the consequences of gang crime are substantial, including injury, death, property damage, the arrest

and often-lengthy incarceration of gang members, and extensive costs to victims, defendants, communities, and taxpayers. ETI is an Oklahoma City non-profit company that provides gang intervention services. For almost two years, ETI has been working in six Oklahoma City communities. Mayberry said he hopes his company's efforts have helped. Mayberry proposed increasing funding for Effective Transitions Inc. for the next fiscal year. Mayberry asked for the support of the Board Members noting that moderate appropriation increases in youth and gang violence would make a tremendous difference.

#### **YOUTHFUL OFFENDER FACILITY STUDY**

Michael Wright and David Wright from GH2 Architects presented the Board Members with the Youthful Offender Facility Study. GH2 Architects was engaged by the Office of Juvenile Affairs to develop a conceptual design study for a facility to house and rehabilitate youthful offenders. The goal of the study was to define the appropriate land and facility requirements, establish the desired facility organization and develop an overall project design and construction cost model.

Working with representatives from OJA, GH2 researched similar facilities, conducted preliminary reviews of building codes and detention facility requirements and conducted a series of programming and design work-sessions. The final study and conceptual design for the facility incorporates the valuable input garnered from these work sessions. The document presented today summarizes the results of the conceptual design and planning activities.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Christian presented and directed the Board Members to the prepared text for last month's activities. The Director advised that OJA would be meeting with the Senate the following week for the budget hearing. OJA's performance review will also be at the end of next week before the full House of Representatives. Obviously, the major issue faced is the lawsuit involving the L.E. Rader Facility. This presentation of the new Youthful Offender Facility will be presented during the Performance Review Hearing. There are discussions amongst the House and Senate Leadership as to whether it is advisable to put large sums of money into Rader for repairs, or is it time to look at a new facility. The driving force of this decision will be the long-term savings in operational expenses if a new facility is built. The new facility will allow fewer employees to work more efficiently and effectively therefore, reducing the long-term expenses. This issue will be discussed whether the facility is private, state or otherwise.

#### **REPORTS**

##### **FINANCE COMMITTEE REPORT**

Mr. Jackson verified that the Finance Committee met at 9:30 a.m. this morning with Ms. Shantha Varahan, Financial Services Administrator and asked Ms. Varahan to present the finance report.

##### **FINANCE REPORT**

Ms. Shantha Varahan, Financial Services Division Administrator, presented the Finance Report for the Month ended December 31, 2007.

#### FY-08 Budget Projections as of December 31, 2007

<b>Description</b>	<b>Totals</b>
FY-2008 Budget Work Program	\$124,227,863
Year-to-Date Expenditures	(52,504,323)
Encumbrances	(43,202,526)
Balance as of December 31, 2007	28,521,014
Less: Pending Remaining Payroll Costs (Estimated)	(27,709,929)
Less: Remaining Travel Budget	(181,964)

Less: Restricted Funds	(515,669)
Less: Pending Encumbrances/Transfers	(1,356,781)
Projected Operational Deficit	(1,697,311)
<b>Balance Available (Deficit)</b>	<b>(2,940,640)</b>

FY-08 Budget to Actual for Payroll as of December 31, 2007

	State Office	Residential Services	JSU	Totals
YTD BWP	3,060,341	13,160,752	8,652,218	24,873,311
YTD Exp	3,047,382	12,990,982	8,589,396	24,627,760
YTD Vary	12,959	169,770	62,822	245,551

State Office includes OJJDP, JAIBG, and MIS

Travel Costs Comparison to Budget as of December 31, 2007

- Agency Year-to-Date Budget \$ 223,147
- Year-to-Date Expenditures \$ 187,878
- Year-to-Date Variance **\$ 35,269**

General Revolving Fund Revenue Status – December 31, 2007

General Revolving Fund	Budget to Date	Receipts	In Transit	Variance
SSI and SSA Support	92,500	102,447	0	9,947
Income from Rent	5,604	3,505	400	(1,699)
School Lunch Program	261,467	243,255	23,825	5,613
Inter-Agency Reimbursements	3,900	2,271	6,448	4,819
Reimbursements – Non-Federal	17,295	18,781	0	1,486
Sales of Documents & Merchandise	5,646	7,865	7,574	9,793
Other Receipts	46,049	26,119	16,100	(3,830)
Parental Responsibility-Child Support	116,820	119,474	19,191	21,845
<b>Total Revolving Fund</b>	<b>\$549,281</b>	<b>\$523,717</b>	<b>\$73,538</b>	<b>\$47,974</b>

Agency Special Funds as of December 31, 2007

- 701 Trust Fund \$ 430,351
- 702 Canteen Fund 18,613
- 703 Donation Fund 1,455
- 706 Dedicated Fund (1176)

Title XIX and Title IV-E Revenue as of December 31, 2007

Type	Projections for FY-08		Actual FY-08		
	Annual Revenue	YTD Revenue	Receipts	In Transit	Variance
TCM	3,000,000	1,560,000	1,327,839	215,218	(16,943)
RBMS	5,177,817	2,692,465	2,464,745	- - -	(227,720)
Admin	175,000	91,000	49,059	127,455	85,514
Total IV-E	280,000	140,000	135,680	149,368	145,047
<b>Total</b>	<b>\$8,632,817</b>	<b>\$4,483,465</b>	<b>\$3,977,323</b>	<b>\$492,041</b>	<b>(\$14,102)</b>

November billings are in transit for RBMS

Emergency Purchases

Date	Location	Description	Repair Cost
12/03/07	EDC	Boiler System Repair	\$2,000.00
12/11/07	COJC	Replace 7.5 Ton Heat & AC Lodiska Roof	\$6,875.00
12/03/07	DISTRICT B	Fire Restoration of Files	\$10,732.00

Sole Source

Vendor	Date	Cost	Requestor	Division/Purpose
No Sole Source Contracts since the last Board Meeting				

**LEGISLATIVE REPORT**

Ms. JLynn Hartman, Legislative Liaison, presented.

HB 2663 – Representative Randy McDaniel

Expands list of acquisitions to include certain pharmaceuticals.

- Allow acquisitions of pharmaceuticals not covered by Medicaid for juveniles in the custody of the Office of Juvenile Affairs.

Status: Introduced

SB 1402 – Senator Don Barrington

Modified list of public entities which may perform random or routine drug or alcohol testing.

- Allow OJA to request or require drug or alcohol testing (random selection or scheduled, periodic) of employees who work in the direct contact with juveniles that are in the custody of OJA.

Status: Introduced

SB1403 – Senator Patrick Anderson

Relates to juvenile offenders; modifying procedures of the Youthful Offender Act.

- Modifies:
  - (1) the authority for the court;
  - (2) the age limit in sentencing of Youthful Offender;
  - (3) the procedures relating to the sentencing of a Youthful Offender;

- (4) the transfer of Youthful Offenders; and
- (5) the ability to review a hearing.

Status: Introduced

SB 1419 – Senator Henry Coates

Authorizes the Office of Juvenile Affairs to employ a licensed architect or engineer.

- Allows OJA to hire a licensed architect or engineer as an employee, either temporary or full time.

Status: Introduced

SB 1822 – Senator Judy Eason McIntyre

Allows OJA to enter into Interlocal Agreements relating to the Delinquency and Youth Gang Intervention and Prevention Act.

- Allows OJA to contract with municipalities, county, agencies, neighborhood or organizations for delinquency and gang intervention and prevention programs for children and their family members who live in at-risk neighborhoods and communities.

Status: Introduced

Copies of the legislative bills were located in the Board Members binders.

**ACTION ITEMS**

**DISCUSSION AND/OR POSSIBLE ACTION TO ELECT A NEW CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2008.**

MOTION BY LONNIE SIMMONS WITH SECOND BY GARY TAYLOR TO ELECT GEORGE LINDLEY AS CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2008.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
Charlie Jackson

Abstain: George Lindley

New Chair George Lindley took the gavel and conducted the remainder of the meeting.

**DISCUSSION AND/OR POSSIBLE ACTION TO ELECT A NEW VICE CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2008.**

MOTION BY CHARLIE JACKSON WITH SECOND BY LINDA WARE TOURE TO ELECT GARY TAYLOR AS VICE CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2008.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Linda Ware Toure  
George Lindley  
Charlie Jackson

Abstain: Gary Taylor

**DISCUSSION AND/OR POSSIBLE ACTION TO SELECT MEMBERS FOR THE BOARD RULES AND FINANCE COMMITTEES.**

No action was required. The members were appointed by the New Chairperson George Lindley. The Finance Committee Members will remain the same.

Charlie Jackson, chairperson  
George Lindley  
Linda Ware Toure

The Rules Committee Members are:

Gary Taylor  
Edward Smith  
Jay Keel

**DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE DECEMBER 7, 2007 BOARD MEETING MINUTES.**

MOTION BY LONELIA SIMMONS WITH SECOND BY EDWARD SMITH TO APPROVE THE DECEMBER 7, 2007 BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
George Lindley

Abstain: Linda Ware Toure  
Charlie Jackson

**DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE JANUARY 15, 2008 SPECIAL BOARD MEETING MINUTES.**

MOTION BY LONELIA SIMMONS WITH SECOND BY CHARLIE JACKSON TO APPROVE THE JANUARY 15, 2008 SPECIAL BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Lonnie Simmons  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

Abstain: Jay Keel  
Edward Smith

**DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE UPDATES AND REVISIONS TO RULES TITLE 377, OFFICE OF JUVENILE AFFAIRS.**

Robert Morey, Operations Administrator, presented the updates and revisions of Rules, Title 377 to the Board Members for review, discussion and vote.

**Chapter 3. Administrative Services**  
*Subchapter 11. Risk Management*  
377:3-11-5 Substance screening [Amended]

*Subchapter 13. Office of Public Integrity*

- 377:3-13-1 ~~Purpose, legal basis and authority~~ General Provisions [Amended]  
377:3-13-2 ~~Office of Public Integrity's independent function~~ Internal Affairs Investigations  
[Amended]  
377:3-13-3 ~~Monitoring reports~~ Affirmative Action Officer Duties [Amended]  
377:3-13-4 Information sharing with other monitoring entities [Revoked]  
377:3-13-5 Access to and collection of information [Revoked]  
377:3-13-6 Certification of Secure Juvenile Detention facilities, Municipal Juvenile Facilities, and  
Community Intervention Centers [Amended]

MOTION BY EDWARD SMITH WITH SECOND BY JAY KEEL TO APPROVE THE UPDATES AND  
REVISIONS TO RULES, TITLE 377, CHAPTER 3 ADMINISTRATIVE SERVICES AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

**Chapter 10. Office of Juvenile Affairs**

*Subchapter 7. Contract Programs and Services*

*Part 3. Contract-based Residential Care*

- 377:10-7-15 Purpose {Amended]  
377:10-7-16 Level of care system [Amended]  
377:10-7-17 Specialized Residential Care ("Level C") [Amended]  
377:10-7-18 Moderate Intensity Specialized Residential care ("Level D") [Amended]  
377:10-7-19 Moderate to High Intensity Specialized Residential Care ("Level D Plus") [Amended]  
377:10-7-20 Specialized Residential High Intensity Treatment Programs ("Level E")  
[Amended]  
377:10-7-21 Wilderness camp {Revoked]  
*Part 7 Independent and Transitional Living*  
377:10-7-41 Independent Living Programs [Amended]

MOTION BY JAY KEEL WITH SECOND BY LINDA WARE TOURE TO APPROVE THE UPDATES AND  
REVISIONS TO RULES, TITLE 377, CHAPTER 10, OFFICE OF JUVENILE AFFAIRS AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

**Chapter 25. Juvenile Services Unit**

*Subchapter 11. Case Records and Reports*

- 377:25-11-1 Case Records [Amended]

MOTION BY GARY TAYLOR WITH SECOND BY CHARLIE JACKSON TO APPROVE THE UPDATES  
AND REVISIONS TO RULES, TITLE 377, CHAPTER 25, JUVENILE SERVICES UNIT AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

**Chapter 35. Institutional Services**

*Subchapter 7. Medical and Health Care*

377:35-7-2 Surgery [Amended]  
377:35-7-4 Sanctions/Discipline [Amended]  
377:35-7-5 Refusal of non-necessary medical care [amended]  
377:35-7-5 Response to Refusal of Necessary Medical Services [Amended]  
377:35-7-8 Medical Isolation [Amended]  
377:35-7-41 Second Medical Opinions [amended]

MOTION BY CHARLIE JACKSON WITH SECOND BY LINDA WARE TOURE TO APPROVE THE UPDATES AND REVISIONS TO RULES, TITLE 377, CHAPTER 35, INSTITUTIONAL SERVICES AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

Ms. Dorothy Brown, Assistant Attorney General, gave advice to the Board Members before voting to convene into Executive Session.

Items XI. (A) and (B) will be discussed in Executive Session due to confidential nature of communications between the Board and its attorneys concerning pending investigations and litigation. To discuss such in open session would seriously impair the ability of the Board to handle the pending litigations in the public's best interest.

**VOTE TO CONVENE INTO EXECUTIVE SESSION**

MOTION BY EDWARD SMITH WITH SECOND BY GARY TAYLOR TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

**VOTE TO RETURN TO OPEN SESSION**

MOTION BY GARY TAYLOR WITH SECOND BY JAY KEEL TO RETURN TO OPEN SESSION

MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

**POSSIBLE VOTE ON ITEMS FROM EXECUTIVE SESSION.**

There were no items for vote.

**NEW BUSINESS**

There was no new business.

**ADJOURN**

MOTION BY EDWARD SMITH WITH SECOND BY GARY TAYLOR TO ADJOURN THE MEETING.  
MOTION PASSED

Voting Aye: Jay Keel  
Lonnie Simmons  
Edward Smith  
Gary Taylor  
Linda Ware Toure  
George Lindley  
Charlie Jackson

The meeting was adjourned at 1:05 p.m.

Minutes approved in regular session on the 22nd day of February, 2008

Gary A. Taylor  
Gary A. Taylor, Vice-Chairman

PREPARED BY:

Linda McLennan  
Linda McLennan  
Board Secretary