



OFFICE OF JUVENILE AFFAIRS

August

**BOARD OF DIRECTORS
MEETING MINUTES**

August 6, 2010

BOARD MEMBERS

Present: George W. Lindley
Donnie Nero
Janice Smith
Gary A. Taylor
Edward Smith

Absent: Deanna Hartley-Kelso
T. Hastings Siegfried

PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS

Gary Bolin, Don Bray, Dorothy Brown, Gene Christian, Paula Christiansen, Kevin Clagg, Jeff Gifford, Donna Glandon, Dennis Gober, Elana Grissom, Stephen Grissom, JLynn Hartman, Wayne Johnson, Linda McLennan, Len Morris, Kim Sardis, Elizabeth Stewart, Shantha Varahan

OTHERS PRESENT

Jerry Adamek, Perry Adams, Cheryl Bates, Melissa Bates, Darrell Black, Grayson Bottom, Jack Campbell, Stella Church, J. Brent Clarke, Barbara Huberock, Anthony Kibble, Luke Martin, Anthony Ray, Bryan Smith, Michael Southard

CALL TO ORDER

Chairman Edward Smith called the August 6, 2010 Board Meeting of the OJA Board of Directors to order at 10:04 a.m. at the Office of Juvenile Affairs Employee Development Center, 3815 N. Santa Fe, Suite 170, Oklahoma City, OK 73118.

STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT

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

INTRODUCTION OF NEW BOARD MEMBER

Executive Director Robert E. "Gene" Christian introduced OJA's newest Board Member. Ms. Janice E. Smith was appointed by Governor Brad Henry to represent Congressional District 3 and is representing the area of education. Ms. Smith has been in education for 20 years. She has served as a classroom teacher school counselor (both elementary and secondary), elementary principal, and as the director of alternative education. Ms. Smith graduated from Southwestern Oklahoma State University in Weatherford with a master in education.

Janice has been married to Dennis for 35 years. He is the District Attorney for District 2. Together they have four grown children; Christy, Lonnie, Lance and Cylie, and five grandchildren.

Ms. Smith is a member of Xi Alpha Beta sorority where she has served as president and vice-president. She is also a member of PEO FR chapter. She and Dennis are members of the First Christian Church in Clinton. Ms. Smith is a member of the OJA Board of Directors until her term expires in March 2014.

INTRODUCTION OF GUESTS

Ms. Stella Church representing Secretary Howard Hendrick, Barbara Huberock from the *Tulsa World*, Anthony Kibble from OCCY, Luke Martin from Capitol Group, Jerry Adamek from the Rite of Passage Program, Brian Smith from eCapitol, Perry Adams and Grayson Bottom both representing the town of Clinton; J. Brent Clark, representing Clinton Industrial Authority. Jack Campbell represented Avalon Corrections and Michael Southard from Ada Jobs. Additional guests will be introduced as special presentations are given.

SPECIAL PRESENTATION BY JUVENIE RESIDENT FROM THE CENTRAL OKLAHOMA JUVENILE CENTER.

Juvenile resident Daryl Black sang the song "World's Greatest". The Director asked for a recording of the song to be used for upcoming legislative business. It was noted that the resident is on pass and the presentation was made possible because Mr. Black's family took the time to bring him to the Board Meeting. Introduced was Melissa Bates, mother; Cheryl Bates, grandmother and Daryl Ray, father.

EXECUTIVE DIRECTOR'S REPORT

Director Christian told the Board Members he would like to explain where OJA is in relation to our secure facilities.

Rader has 64 beds available	currently using 47
COJC has 116 beds available	currently using 92
Manitou has 78 beds available	currently using 57

Maximum of 258 secured beds
196 beds in use
62 bed vacancies

There is a greater need for medium secure beds than for maximum secure beds. Butler will be opening in August with 16 additional Level E beds. OJA has seen a 22% decrease in overall referrals. Part of which is driven by a reduction in funding. Today there is a list of 22 juveniles waiting for Level E beds. OJA is looking a making a lot of difficult and different decisions within this next year.

PUBLIC COMMENTS

There were no Public Comments.

DISCUSSION AND UPDATE ON THE REQUEST FOR PROPOSAL; DCS SOLICITATION #400000172, JUVENILE TREATMENT FACILITY.

Director Christian stated first and foremost let me say that I will not be announcing the recipient of the RFP. The announcement of the recipient must be a news release from the Department of Central Services. The Board of Directors members will not have any input into the choosing of a vendor. The decision will be made solely by the Director. This is not what was anticipated when the RFP's were announced, however, this is the procedure that will be followed. The Legislation put into State Statue SB 1486 stating that is a state agency enters into a contract with another government entity; the RFP process

is not necessary. OJA wanted the government entities and also private entities to complete equally so the RFP was issued.

DISCUSSION OF LEGISLATION HJR1065, WHICH CREATES A JUVENILE JUSTICE REFORM COMMITTEE TO REVIEW AND SUGGEST CHANGES PERTAINING TO JUVENILE JUSTICE.

Executive Director Christian reported to the Board Members explaining Joint Resolution No. 1065. This is a Joint Resolution relating to juvenile justice; creating the Oklahoma Juvenile Justice Reform Committee; directing notification of membership; permitting Committee to divide into subcommittees; authorizing the Committee to enter into certain contracts; providing or vacancies on the Committee; specifying duties of Committee; directing the Committee to prepare and submit certain report; providing for termination of Committee; directing appointment of co-chairs and other officers; permitting certain travel reimbursement; providing for staff support; providing for noncodification; and declaring an emergency.

Mr. Christian has appointed Ms. Dorothy Brown, Assistant Attorney General and Ms. Janelle Bretten, JSU District Supervisor to represent OJA on the Committee.

HJR1065 – By Peters et al of the House and Anderson et al of the Senate.

Establishes the OK Juvenile Justice Reform Committee to undertake a full, good-faith and thorough study of Oklahoma's juvenile justice system and to make recommended revisions to the OK Juvenile Code and any other statutes necessary to accomplish its purpose. Emergency. Effective date at signing – April 19, 2010.

The Committee shall conduct a systematic review and study of:

- (1.) Oklahoma's juvenile justice system, including its efficiency and effectiveness in protecting the public and habilitating and rehabilitating juveniles; and
- (2.) All laws and procedures in Title 10A or other laws affecting the juvenile justice system including the laws relating to YOs, certification and reverse certification of juveniles;

Duties of the Committee shall be to prepare a report of its recommendations and a recommended draft to reclassify, update, reform and recodify the statutes pertaining to juveniles. The duties of the Committee in preparing recommendations shall be to study, report and recommend the most efficient organization and effective programs to accomplish:

- (1.) the public safety, treatment and prevention goals;
- (2.) transitioning persons aging out;
- (3.) organizing the OK Juvenile Code to effectively implement the goals of the juvenile justice system, including persons aging out of the juvenile justice system;
- (4.) incorporating into the OK Juvenile Code as many existing statutes relating to the juvenile law and procedure found throughout the OK Statutes as is practicable;
- (5.) clarification and updating existing statutory language; and
- (6.) performing any other act(s) necessary to complete the purposes of the Committee.

The final draft of the Committee report and recommendations together with its recommended changes in the OK Juvenile Code, plus a summary, shall be submitted to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by Dec. 1, 2011.

Each member serves until Dec. 31, 2011. The Committee shall cease to function Dec. 31, 2011.

The Committee shall consist of 20 members:

- Two (2) members who are presiding judges of a court having juvenile law jurisdiction, appointed by the President of the OK Judicial Conference. One of the judges shall be in a county having a juvenile bureau and one judge shall be from a county without a juvenile bureau;
- Two (2) members who are district attorneys or assistant district attorneys having experience in cases involving juveniles to be appointed by the President of the DAs Council;
- One (1) member who is an attorney appointed by the Indigent Defense System to represent juveniles charged with crimes or delinquent acts to be appointed by the Dir. of the OK Indigent Defense System;
- One (1) member who is a practicing attorney who regularly represents juveniles charged with crimes or delinquent acts to be appointed by the President of the OK Bar Association;
- Two (2) members who are employees of OJA to be appointed by the OJA Executive Director;
- One (1) member to be appointed by the Director of OCCY;

- Three (3) members to be appointed by the Speaker of the House
- Three (3) members to be appointed by the President Pro Tempore of the Senate;
- One (1) member who is an Executive Director of a Youth Services Agency to be appointed by the Speaker of the House of Representatives;
- One (1) member representing an OK nonprofit organization whose membership consists solely of youth services agencies and of whom at least a majority of youth services agencies are members to be appointed by the President Pro Tempore of the Senate;
- One (1) member from a publicly operated local workforce investment area to be appointed by the President Pro Tempore of the Senate;
- One (1) member who is an Executive Director of an alcohol and drug abuse treatment facility that serves juveniles to be appointed by the Speaker of the House of Representatives; and
- One (1) member appointed by the State Superintendent of Public Instruction with experience in alternative education.

The Committee has not had their first meeting as of today.

REPORTS

FINANCE COMMITTEE

The Finance Committee met this morning prior to the regular Board Meeting. Judge Lindley turned the financial report over to Ms. Shantha Varahan.

FINANCIAL REPORT

Ms. Shantha Varahan presented the Financial Reports for the Month ending July 31, 2010.

FY-10 Budget Projections – As of July 31, 2010

Description	Totals
FY-2010 Budget Work Program as of 07/31/10	\$118,845,073
Year-to-Date Expenditures	(111,949,641)
Encumbrances	(3,177,118)
Balance as of 07/31/10	3,718,314
Less: Remaining Payroll Costs (Estimated)	-
Less: Remaining Travel Budget	-
Less: Restricted Funds	(1,114,087)
Less: Adjustments	(2,209,030)
Balance Available	395,197

FY-11 Budget Projections – As of July 31, 2010

Description	Totals
FY-2011 Budget Work Program as of 07/31/10	\$111,407,516
Year-to-Date Expenditures	(4,793,591)
Encumbrances	(38,323,032)
Balance as of 07/31/10	68,290,893
Less: Remaining Payroll Costs (Estimated)	(41,147,243)
Less: Remaining Travel Budget	(404,686)
Less: Restricted Funds	(1,446,929)

Less: Pending Encumbrances	(17,118,429)
Balance Available	8,173,606

FY-10 Budget to Actual for Payroll as of July 31, 2010

	State Office	Residential Services	JSU	Totals
YTD BWP	460,223	3,020,398	1,388,741	4,869,362
YTD Exp	463,728	2,692,726	1,255,872	4,412,326
YTD Vary	-3,505	327,672	132,869	457,036
% Var	-0.76%	10.85%	9.57%	9.39%

State Office includes OJJDP, JABG, IT, Field Office, Carl Albert Interns and High Risk Transportation.

General Revolving Fund Status – as of July 31, 2010

General Revolving Fund	Budget to Date	Receipts	In Transit	Variance
SSI and SSA	32,333	29,731	0	(2,602)
Income from Rent	600	715	1,115	1,230
School Lunch Program	42,380	41,530	11,411	10,561
Inter-Agency Reimbursements	650	654	1,329	1,333
Reimbursements – Non-Federal	4,417	-	0	(4,417)
Sales of Documents & Merchandise	1,000	936	818	754
Other Receipts	4,595	23,732	27,692	46,829
Parental Responsibility-Child Support	18,699	16,749	15,528	13,579
Total Revolving Funds	\$104,674	\$114,047	\$57,893	\$67,267

Title XIX and Title IV-E Revenue as of July 31, 2010

FFP Revolving Fund	Projected Annual Revenue	Projected YTD Revenue	Actual Revenue	In Transit	Variance
TCM	3,000,000	300,000	232,369	82,989	15,358
RBMS	5,171,763	517,176	429,779	4,153	(83,244)
Admin	200,000	20,000	—	—	(20,000)
Total IV-E	46,905	4,510	—	46,905	42,395
Total	\$8,418,668	\$841,686	\$662,148	\$134,047	(\$45,491)

Agency Special Funds

As of July 31, 2010

<u>701 Trust Fund</u> -	\$451,694
<u>702 Canteen Funds</u> -	24,760
<u>703 Donation Funds</u> -	569
<u>704 Victim Restitution Fund</u> -	11,296

Sole Source

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

Emergency Purchases

Date	Location	Description	Repair Cost
6/23/10	COJC	Repair Generators	\$10,425

ACTION ITEMS

DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE MINUTES OF THE JUNE 18, 2010 BOARD OF DIRECTORS MEETING.

MOTION BY DONNIE NERO WITH SECOND BY GEORGE W. LINDLEY TO APPROVE THE MINUTES OF THE JUNE 18, 2010 BOARD OF DIRECTORS MEETING AS PRESENTED.

MOTION PASSED

Voting Aye: George Lindley
 Donnie Nero
 Janice Smith
 Gary A. Taylor

Abstain: Edward Smith

DISCUSSION AND/OR POSSIBLE ACTION TO CONFIRM THE DATE AND LOCATION OF THE 2-DAY OJA BOARD OF DIRECTORS RETREAT.

MOTION BY GEORGE W. LINDLEY WITH SECOND BY DONNIE NERO TO HOLD THE BOARD OF DIRECTORS 2-DAY RETREAT ON THURSDAY, OCTOBER 14 AND FRIDAY, OCTOBER 15, 2010 IN DUNCAN, OKLAHOMA.

MOTION PASSED

Voting Aye: George Lindley
Donnie Nero
Janice Smith
Gary A. Taylor
Edward Smith

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

Item XIII. (B) is to be discussed in Executive Session due to the confidential nature of communications between the Board and its attorneys concerning pending investigation and litigation. To discuss such in open session would seriously impair the ability of the Board to handle the pending litigation in the public's best interest.

VOTE TO CONVENE INTO EXECUTIVE SESSION

MOTION BY GEORGE LINDLEY WITH SECOND BY DONNIE NERO TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: George Lindley
Donnie Nero
Janice Smith
Gary A. Taylor
Edward Smith

Judge George Lindley left the meeting at 11:30 a.m.

VOTE TO RETURN TO OPEN SESSION

MOTION BY GARY TAYLOR WITH SECOND BY DONNIE NERO TO RETURN TO OPEN SESSION.

MOTION PASSED

Voting Aye: Donnie Nero
Janice Smith
Gary A. Taylor
Edward Smith

POSSIBLE VOTE ON ITEMS FROM EXECUTIVE SESSION.

There were no items requiring a vote.

NEW BUSINESS

Janice Smith was appointed to the Finance Committee by Chairman Edward Smith.

ADJOURN

MOTION BY DONNIE NERO WITH SECOND BY GARY TAYLOR TO ADJOURN THE BOARD OF DIRECTORS MEETING.

MOTION PASSED

Voting Aye: Donnie Nero
Janice Smith
Gary A. Taylor
Edward Smith

The meeting was adjourned at 12:10 p.m.

Minutes approved in regular session on the 17th day of September 17, 2010.

Edward W. Smith

Edward L. Smith, Chairman

PREPARED BY:

Linda M. McLennan

Linda McLennan
Board of the Directors Secretary