

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

June 16, 2006

BOARD MEMBERS

Present: Jay Keel (arrived at 10:04 a.m.)
George Lindley
Edward Smith
Gary Taylor
Charlie Jackson
Lonelia Simmons

Absent: Linda Ware Toure

PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS

Gary Bolin, Cindy Braun, Don Bray, Dorothy Brown, Rhonda Burgess, Kevin Clagg, Linda Coffman, Ron Copland, Laura Drexler, Jeff Gifford, Donna Glandon, Kim Gray, Wayne Johnson, Tammy Kelly, Charlotte McKey, Linda McLennan, Allen Miller, Robert Morey, Len Morris, Rick Olderbak, Marla Parish, Richard Parish, Mike Phillips, Tom Ray, Kim Sardis, Vicki Seay, Elizabeth Stewart, Mary Jo Sullivan, Shantha Varahan, Rebecca Virtue

OTHERS PRESENT

Richard Barry, Chuck Battle, Shawn Black, Stella Church, Randy Ellis, Ellen Harwell, Walt Hendrick, Barbara Hoberock, Russell Garrett, Myron Mayberry, Susan Morris, Lisa Sells, Linda Shaw, Holly Webb, Lisa Winters, Brent Wolfe

CALL TO ORDER

Chairman Lonelia Simmons called the June 16, 2006 regularly scheduled Board Meeting of the Board of Directors of the Office of Juvenile Affairs to order at 10:00 a.m. at State Office, 3812 N. Santa Fe, Suite 400, Oklahoma City, OK.

STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT

Linda McLennan, Board Secretary, 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.

Gary Bolin, Interim Director introduced new Board Member, Edward L. Smith. Mr. Smith currently serves of Chief of Police for the Clinton Police Department. Immediately before coming to Clinton, Chief Smith served as a Captain for the University of Arkansas Police Department at the University flagship campus at Fayetteville, Arkansas. Chief Smith is a 1971 graduate of Shawnee High School, Shawnee, OK and subsequently received his Associates degree in Police Science from Seminole State College, Bachelor's degree in Professional Law Enforcement and his Mater's Degree in Criminal Justice Administration from Oklahoma City University. He is a graduate of the 182nd session of the FBI National Academy, Quantico, VA., Southwestern Law Enforcement Institute's Advanced Management College and the Senior Management Institute for Police sponsored by the Police Executive Research Forum with faculty provided by the Kennedy School of Government and the Harvard Business School. Chief Smith is a recent graduate of the Rural Executive Management Institute, conducted by the National Center for Rural Law Enforcement. In addition, Chief Smith has extensive training in forensic computer science and is a certified electronic evidence collection specialist.

Chief Smith began his career with the Oklahoma City Police Department where he served as a Police Management Intern, Police Officer and Master Patrolman (Training Officer). He has also served as Assistant Director of the Oklahoma Alcohol Beverage Control Board (now the ABLE Commission) and as Chief of Police in the communities of Nichols Hills, Chickasha, Bethany, Owasso and Blackwell. Upon retiring from the Oklahoma Police Pension System, Mr. Smith served as Leadership Assistant (Chief of Staff) to the Minority Leader of the Oklahoma State Senate. Mr. Smith was also Director of Criminal Justice for Redlands Community College for three years before accepting a position at the University of Arkansas Police Department.

Chief Smith led the first and second police agencies in the State of Oklahoma to National Law Enforcement Accreditation by CALEA (Commission on Accreditation for Law Enforcement Agencies Inc.) Bethany 1991 and Blackwell 1995. He was also instrumental in leading the University of Arkansas to reaccreditation in July 2000.

Mr. Smith received commendations from former governors Frank Keating and David Walters for Law Enforcement Excellence. In 2002, Chief Smith was appointed by Gov. Keating to the OSBI Board of Commissioners. He has authored

numerous articles that have been published in the Oklahoma Municipal League's Cities and Towns and the Oklahoma Police Chief's magazine. He has taught as an adjunct instructor of Criminal Justice at Oklahoma City University, Oklahoma State University, Southern Nazarene University, St. Gregory's University and was recently asked to teach a class at Southwestern Oklahoma State University. He has served on the board of Directors of Youth Services of Oklahoma County and Gary County, as well as having served three terms as President of Chisholm Trail Mental Health. Mr. Smith also served as the Bethany Chamber of Commerce President. He has been selected as member of Leadership Oklahoma, Class XX.

PUBLIC COMMENTS

There were no public comments.

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EXECUTIVE DIRECTOR'S COMMENTS

Gary Bolin, Interim Director presented. Mr. Bolin updated Board Members on activities at OJA since the last Board Meeting. The American Correctional Association conducted a monitoring visit at Southwest Oklahoma Juvenile Facility in Manitou. Manitou received a 100% on mandatory standards and a 99.25% rating on the non-mandatory standards. OCCY Board Meetings have been attended and also the Governor's Transformation Advisory Board meeting, which deals with mental health issues for both juveniles and adults. OJA has done extensive work on the request for proposals for the youth services contracts and thanks to both the Department of Central Services and the Department of Health for assistance in reviewing and evaluating these contracts. Meetings with District Supervisors and executive members of staff have been conducted to consider all the recommendations from House Bill 2999. Executive staff are taking all those recommendations under consideration and working on those changes. Hopefully, the RFP's are ready to be closed out.

REPORTS

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FINANCE COMMITTEE REPORT

Charlie Jackson presented. The Finance Committee met this morning prior to this board Meeting and discussed the financial statement with Shantha Varahan. Ms. Varahan will be presenting the financial report to the board.

FINANCE REPORT

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

FY-06 Budget Projections as of May 31, 2006

Description	Totals
FY-2006 Budget Work Program	\$114,518,456
Year-to-Date Expenditures	(94,714,154)
Encumbrances (Reductions in encumbrances are projected at \$1,054,000.)	(14,500,370)
Balance as of May 31, 2006	5,303,932
Less: Remaining Payroll Costs (Est.)	(3,755,264)
Less: Remaining Travel Budget	(102,479)
Less: OJDP/JAIBG/Other Adjustments	(1,267,284)
Budget Available for Unfunded Mandates	178,905

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

	State Office	Residential Services	JSU	Totals
YTD BWP	5,796,888	22,003,588	13,500,230	41,300,706
YTD Exp	5,283,925	21,703,669	13,373,145	40,360,740
YTD Vary	512,963	299,919	127,085	939,966

Comparison of FY-06 Travel Costs to Budget

FY-2006 Budget	FY-2006 Actual	Total Variance	FY-2005 Actual
511,741	486,958	24,783	439,188

FY-06 Revolving Fund Revenues / Expenditures as of May 31, 2006

	FY-2006 Budget	FY-2006 Receipts	Variance from Budget	FY-2006 Expenditures	FY-2005 Expenditures
Sub-Total	759,745	700,880	(58,865)	716,896	665,366

FY-06 Title IV-E as of May 31, 2006

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
Sub-Total	576,807	680,858	104,051	-

\$166,477 in transit

FY-06 Targeted Case Management as of May 31, 2006

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
Sub-Total	2,750,000	2,743,414	(6,586)	2,988,929

Claims in transit equals \$164,303

FY-2006 Residential Behavior Management Services as of May 31, 2006

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
Sub-Total	4,582,369	4,729,124	146,755	4,605,096

Claims in transit equals \$788

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

	FY-06 Budget	FY-06 Receipts	Variance from Budget	FY-05 Receipts
Sub-Total	293,337	-	(293,337)	97,096

Claims in transit equals= \$348,821.

Emergency Purchases

Date	Location	Description	Repair Cost
5/10/06	LE Rader	Repair fire alarm system circuit boards	\$16,200.00
5/31/06	LE Rader	Repair air conditioning in ITP Unit	\$5,000.00

Sole Source

Control #	Vendor	Date	Cost	Requestor	Division/Purpose

No New Sole Source Contracts Since Last Board Meeting.

LEGISLATIVE REPORT

Marla Parish, Legislative Liaison, presented. Good news this morning in all state government, the Legislators have reached a budget agreement. The Legislative Leadership and the Governor have agreed on the level of tax cuts and other issues under discussion over the last several months. It is their intention to come back next week (Wednesday, Thursday and Friday) and meet in special session. A lot still needs to be decided at the sub-committee level.

This year has seen the largest passage of bills affecting juvenile justice in OJA's history except in 1994 when the agency was set-up.

The Governor has signed all the following bills.

SB 558 (Shurden) Lengthy bill dealing with public construction projects, 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.

Signed by the Governor. Effective 7/1/06.

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.

Signed by the governor. Effective now.

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

Signed by the Governor. Effective 11/1/06.

SB 1597 (Laster, Harrison) Directs schools that provide services to students in out-of-school suspension to notify any student or faculty victim, and ensure that the student will not be allowed in the general vicinity of or contact with the victim. Increases penalties to parents who fail to compel their children to attend school. Authorizes court to impose conditions of sentence to include attending school with the child and undergoing medical or psychological evaluation, and/or evaluation for substance abuse.

- Parents may assert that they made substantial and reasonable efforts to comply with the compulsory attendance requirement but were unable to compel the child to attend school. The court may then dismiss the complaint, and the attendance officer shall refer the child to the district attorney for possible filing of an In-Need-Of Supervision petition.

Signed by the Governor. Effective 7/1/06.

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.

Signed by the Governor. Effective Now.

SB 1760 (Riley, Morgan) Modifies ages/crimes under Youthful Offender Act. Allows persons 13 or 14 years of age who are charged with murder in the first degree to be certified as a Youthful Offender or a juvenile, but provides that any persons 15, 16, or 17 years of age who are charged with murder in the first degree shall be tried as an adult with no further recourse to the juvenile system.

Signed by the Governor. Effective 7/1/06.

SB 1765 (Riley, Morgan) Enacts recommendations of the Youthful Offender Task Force as follows:

- Directs court to commence a preliminary hearing within 90 days of filing of the information in a Youthful Offender case. Provides that the accused waives the right to have the preliminary hearing commenced within 90 days if he/she flees the jurisdiction, purposely avoids apprehension, or fails to cooperate in locating his/her parents.
- 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.
- States legislative intent that Youthful Offenders be held separately from the juvenile delinquent population, insofar as is practicable.
- Requires all persons under age 18 arrested or detained to be identified within 72 hours for educational needs and

afforded educational opportunities by the State Department of Education without delay.

- Defines "next friend" as an individual or executive of an organization who has assumed a parental role without formal legal proceedings.
- Specifies that the rehabilitation plan for the Youthful Offender must identify the specific services and programs to be provided him/her, as well as the measurable objectives to be reached.
- Requires sheriffs and adult or juvenile detention operators to notify the Department of Juvenile Justice of the arrest/detention of a Youthful Offender.
- Directs District Attorneys to notify the Department of Juvenile Justice upon filing of Youthful Offender charges.
- For juveniles 16 or 17 years of age, makes battery or assault/battery of a state employee or contractor a Youthful Offender crime. Also adds this offense to the list of reasons for which a Youthful Offender can be bridged to the adult system.
- Provides for an annual review hearing in open court for every Youthful Offender 30 days prior to his/her birthday to make a determination to discharge the Youthful Offender from OJA custody, change the custody status, transfer jurisdiction to DOC, or extend OJA custody. Provides for extensions to be granted one year at a time, not to exceed the offender's 20th birthday. Provides that at such time as separate Youthful Offender facilities are constructed and operational, the court may consider a motion to extend the individual in OJA custody until his/her 21st birthday.

Signed by the Governor. Effective 7/1/06.

SB 1799 (Riley, Morgan) This bill contains much of the same language as contained in SB 1765 as it relates to extension of custody of a Youthful Offender. Provides that an annual court review thirty days prior to a Youthful Offender's birthday be conducted for the purpose of deciding whether to discharge him/her, transfer him/her to DOC, or extend him/her in OJA's custody or supervision for another year. Specifies Youthful Offenders shall be discharged at age 18 unless extended by the court for another year, but in no event to exceed the date of his/her 20th birthday. If a separate facility for Youthful Offenders has been established, constructed, and is operational, a motion for extension until the Youthful Offender's 21st birthday may be made. Also provides legislative intent that 17 year olds should not be denied eligibility as Youthful Offenders simply because of their age.

Signed by the Governor. Effective 11/01/06.

SB 1800 (Nichols, Morgan) Subject to the availability of funds, establishes within the Oklahoma State Bureau of Investigation the Child Abuse Response Team (CART) to investigate cases of child abuse or neglect. Provides that any person convicted of child sexual abuse (defined as forcible anal or oral sodomy, rape, rape by instrumentation, or lewd molestation of a child under 14) subsequent to a previous conviction for child sexual abuse, shall be punishable by death or by imprisonment for life without parole.

Signed by the Governor. Effective 07/01/06.

HB 1908 (Shumate, Crain) Modifies the age requirement for persons entitled to child support for children under 18 to children under age 20 who are attending high school or attending high school by an alternative method. Such support will continue until the child graduates from high school or attains the age of 20, whichever occurs first. No further court hearing or court order is necessary to effectuate child support as provided herein.

Signed by the Governor. Effective 11/01/06.

HB 2357 (DePue, Nichols) Requires state agencies, boards and commissions to disclose to the 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.

Signed by the Governor. Effective Now.

HB 2366 (Jett, Riley) OJA's agency request bill with many provisions including the following:

- Permits OJA to contract with former employees if they have been in a Reduction in Force.
- Permits facility superintendents to open and read mail addressed to a child or sent by a child.
- Abolishes archaic language describing regimented juvenile training programs and the Military Mentor program. Conforms state law with federal JJDP regulations as they pertain to detention of a child for truancy violation or other status offense. Limits time in a juvenile detention facility to twenty-four hours, and prohibits placement in adult jails.

- Allows OJA to contract directly with ACA for training.
- Repeats language allowing direct placement by the court of a juvenile into a secure institution.
- Provides that OJA may require a copy of paperwork filed by parents with the local school district, giving a child permission not to attend school.
- Prohibits Department of Juvenile Justice from being ordered to provide transportation for juveniles newly committed to agency custody and destined for a secure institution.

Signed by the Governor. Effective 11/01/06.

HB 2424 (Glenn, Garrison) In relation to the Public Competitive Bidding Act, 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.

Signed by the Governor. Effective 11/01/06.

HB 2762 (Perry, Pruitt) Prohibits anyone from knowingly and willingly permitting anyone under 21, who is an invitee in the person's residence or other building, room or property, from consuming alcohol or any controlled dangerous substance. Any person who violates this section, if such violation results in a death, shall be guilty of a felony punishable by not more than five years in prison and/or by a fine of not more than \$5000.

Signed by the Governor. Effective 11/01/06

HB 2840 (Steele, Coates) Creates the Kelsey Smith-Briggs Child Protection Reform Act, as follows:

- Directs the Office of Juvenile System Oversight to establish a voluntary program to mediate complaints concerning the rights of foster parents relating to actions, inactions, or decisions of DHS, Department of Juvenile Justice, or child placing agencies that may adversely affect the safety and well being of children in state custody.
- Requires CASA volunteers to complete specified training in national standards of practice.
- Gives Oklahoma Commission on Children and Youth standing in court, and authorizes them to submit written reports of any investigations conducted by the Office of Juvenile System Oversight.
- Creates the Oklahoma Children and Juvenile Law Reform Committee to study laws governing child protection and recodify the Oklahoma children's code and the Oklahoma Juvenile Code.
- Allows the OSBI to provide assistance in child abuse investigations.

Signed by the Governor. Effective 11/01/06.

HB 2842 (Steele, Crain) Medicaid Reform Act that authorizes the Oklahoma Health Care Authority to seek waivers to establish a Medicaid system with provisions more like private insurance products. Children in foster care are exempted. Such waivers may include provision of Medicaid benefits for children up to age 23.

Signed by the Governor. Effective now.

HB 2865 (Worthen, Cain) Lengthy mental health-related bill that also modifies the Inpatient Mental Health and Substance Abuse Treatment of Minors Act. In the event that a facility for inpatient treatment requests a District Attorney to file a petition alleging a minor is in need of treatment, but the DA refuses to file, the DA must then immediately notify the requesting facility of that decision. Includes other language changes in relation to evaluations conducted during inpatient treatment and the duration of inpatient treatment. Authorizes funding for the treatment of gambling addiction.

Signed by the Governor. Effective 11/01/06.

HB 2999 (Winchester, Johnson, M) Bill dealing with Community Based Youth Services.

Signed by the Governor. Effective now.

OVERVIEW OF HOUSE BILL 2999

Dorothy Brown, Assistant Attorney General presented.

- (1) House Bill 2999 amends certain provisions of the Juvenile code and was signed into law on June 9, 2006.
- (2) House Bill 2999 has two primary purposes:

- (a) REORGANIZES the Office of Juvenile Affairs; and

- (b) Provides for designation of and contracting with YOUTH SERVICES AGENCIES.

REORGANIZATION

- (1) The Legislation eliminates the Department of Juvenile Justice
- (a) Deletes the definition of "Department".
 - (b) Provides for all duties and responsibilities of the Department of Juvenile Justice to be subsumed in the Office of Juvenile Affairs.
 - (c) Effective July 1, 2006 provides for all programs and funding that was transferred to the Department of Juvenile Justice on July 1, 1995 to be transferred to the Office of Juvenile Affairs.
 - (d) Effective July 1, 2006 provides for all records of the Department of Juvenile Justice to be transferred to the Office of Juvenile Affairs.
- (2) The Legislation eliminates the position of Deputy Director of the Department of Juvenile Justice.
- (3) The Legislation creates four divisions within the Office of Juvenile Affairs.
- (a) The Division of Institutional Services, which is responsible for the institutions "operated by or contracted for by the Office of Juvenile Affairs."
 - (b) The Division of Community-Based Youth Services, which is responsible for "contracting with, monitoring, evaluation and support of Community-Based Youth Services Agencies."
 - (c) The Division of Juvenile Services, which is responsible for "intake, probation and parole services, supervision and placement of juveniles."
 - (d) The Division of Residential and Treatment Programs, which is responsible for "contracting for, monitoring and evaluation of residential and treatment programs other than institutions and Community-Based Youth Services Agencies."
 - (e) "Such other divisions specifically established by law."
- (4) The Legislation establishes "OFFICES" within the Office of Juvenile Affairs, effective July 1, 2006.
- The Office of Advocate Defender
 - The Office of the Parole Board
 - Such other offices prescribed by the Executive Director or by law.

DESIGNATION OF YOUTH SERVICES AGENCIES

THEN (Before HB 2999)

- The Department of Juvenile Justice designated youth services agencies.
- The Board of Juvenile Affairs promulgated rules authorizing the Deputy Director of the Department of Juvenile Justice to designate youth services agencies.
- Appeals of denials were to the Executive Director and further administrative review and hearing were before the Board of Juvenile Affairs.

DESIGNATION OF YOUTH SERVICES AGENCIES

NOW (Post HB 2999)

- The Board of Juvenile Affairs designates youth services agencies.
- Applicants for designation as a youth services agency which are denied designation are entitled to an "individual proceeding" under the Administrative Procedures Act.
- Terminations of designations are also by the Board of Juvenile Affairs and the youth services agency is also entitled to an "individual proceeding" under the Administrative Procedures Act.

ADDITIONAL DESIGNATION REQUIREMENTS

- The Board must adopt by rule the "State Plan for Youth Services Agencies," which will identify Community needs for services.

The plan must be adopted in accordance with criteria approved by the Board after full consideration of any recommendations of the Department of Human Services and the Oklahoma Association of Youth Services. The State Plan and criteria adopted by the Board shall designate community-based youth services agency areas that will service as the primary catchment area for "each"

The statutory criteria for designation of a youth services agency now includes a local needs assessment for the service area which must be reviewed and approved or modified by the Board and included in the State Plan.

"FINANCIAL VIABILITY," which is one of the existing criteria for designations, is now defined:

as ". . .the ability of a Youth Services Agency to continue to achieve its operating objectives and fulfill its mission over the long term. When determining the financial viability of a Youth Services Agency, the Office of Juvenile Affairs shall develop an analysis that takes into consideration the three (3) previous fiscal years' financial audits, if

available; the previous fiscal year program audit, if available; the current fiscal year financial position; and one year future revenue and expenditure projection.”

Criteria for designation of a new youth services agency now includes an assessment of any negative impact on the ability to provide services or the financial viability of an existing youth services agency.

NEW DUTIES OF THE BOARD OF JUVENILE AFFAIRS

(A) The amendments now define “core community-based” services which are those services provided by youth services agencies in accordance with 10 O.S., § 7302-3.6a. There are 22 services identified as “core community-based” services.

Additional services may be added to the list of “core community-based services,” by the Board of Juvenile Affairs.

w. “Other community-based facilities, programs or services designated by the Board as core community-based facilities, programs or services;”
See 10 O.S., § 7302-3.(9), as amended.

(B) The Board must approve the Executive Director’s hiring/appointment of four (4) statutorily-created Division Directors.
See 10 O.S., § 7302-2.2(A), as amended.

The Division Directors must have “at least six (6) years of experience in the same programs or facilities as they are to supervise and a baccalaureate or similar degree or higher level of education.”

(C) The Board must adopt a State Plan for youth services agencies by Rule that identify youth services agencies, service areas. must
See 10 O.S., § 7302-3.6a(A), as amended.

(D) The Board must adopt and approve or modify a local needs assessment to be included in the State Plan.
See 10 O.S., § 7302-3.6a(A), as amended.

(E) The Board must designate and terminate designations of youth services agencies and establish administrative procedures by Rule for “individual proceedings.”
See 10 O.S., § 7302-3.6a(D), as amended.

(F) The Board may establish fixed and uniform rates for community-based services.
See 10 O.S., § 7302-3.6a(I), as amended.

Kevin Clagg, Assistant Division Administrator for Financial Services presented the information below.

PROVISIONS POTENTIALLY IMPACTING THE CONTRACTING PROCESSES/MONITORING

- Exempts OJA/youth services agencies and OJA/Oklahoma Association of Youth Services contracts from all provisions of the Central Purchasing Act, EXCEPT 74 O.S. 2001, § 85.39, which requires OJA to have internal purchasing procedures approved by the State Purchasing Director and which are in compliance with the Central Purchasing Act and the Department of Central Services’ Administrative Rules.
(The Grand River Dam Authority and the Oklahoma Energy Resources Board have the same exemption and have provided copies of their internal procedures.)
- Allows for a one-year extension of the current year OJA/YSA contracts.
- Requires CARS/CBYS services to be encompassed in one contract.
- Prohibits new youth services agencies from getting funding if it takes any funding from an existing contractor.
- Authorizes the OJA Board to create rates for non-direct client services.
- Requires proposals for youth services agencies’ contracts to be specific as to objectives, goals, and services

rendered.

- Requires contracts to be negotiated on an individual basis with youth services agencies, unless youth services agencies authorize the Oklahoma Association of Youth Services or a similar organization to participate.
- Requires contracts to be for a 12-month period.
- Authorizes OJA to renew the contracts on the same or different terms for unlimited years.
- Makes the amount of supporting documentation a negotiable contract term.

Mr. Bolin, Interim Director, suggested to the Board Members that a 2-Day Work Retreat be scheduled in the future between OJA Executive Staff and Board Members to work through these re-organization mandates.

RULES COMMITTEE REPORT

Charlie Jackson presented. The Board and OJA may be looking at as many as 194 Rules that will require changes and updates. In the past, 20 to 30 are as many rules as the Board has considered at one time. There will be a lot of work and time required to make these changes. A Work Retreat as Mr. Bolin suggested definitely should be scheduled to move along with the requirements.

DISCUSSION WITH POSSIBLE VOTE TO APPROVE THE BOARD MEETING MINUTES OF APRIL 28, 2006.

MOTION BY JAY KEEL WITH SECOND BY GEORGE LINDLEY TO APPROVE THE BOARD MEETING MINUTES OF APRIL 28, 2006 AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel
 George Lindley
 Edward Smith
 Gary Taylor
 Charlie Jackson
 Lonelia Simmons

DISCUSSION WITH POSSIBLE VOTE TO DECLARE AN EMERGENCY PURSUANT TO TITLE 61 OKLAHOMA STATUTES, SECTION 130, FOR THE REPAIR OR REPLACEMENT OF THE HEAT AND AIR SYSTEM AT THE INTENSIVE TREATMENT BUILDING AT THE RADER TREATMENT CENTER

Elizabeth Stewart, Institutional Services Division Administrator, presented. Ms. Stewart gave the Board Members the definition of Emergency per Oklahoma Statutes, Title 61 Section 130.

PUBLIC BUILDINGS AND PUBLIC WORKS

A. The provisions of the Public Competitive Bidding Act of 1974 with reference to notice and bids shall not apply to an emergency if:

1. The governing body of a public agency declares by a two-thirds (2/3) majority vote of all the members of the governing body that an emergency exists:

E. Emergency as used in this section shall be limited to conditions resulting from a sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered.

On June 6, 2006 the Rader Center was notified by the mechanical contractor that the chiller system supplying air conditioning to the Intensive Treatment Program (ITP) complex would require extensive repair or replacement. The complex has two chillers, with one chiller completely out and the other operating at only 30% to 60% capacity. Both the chillers and ancillary equipment are past their useful life, and there is a high probability that the one working chiller will shut down during the high summer temperature.

The ITP complex houses over 40 juvenile residents and staff. To address the immediate emergency of a complete shut down of the system, Ms. Stewart asked the Board to approve the repair of one chiller at an estimated cost of \$46,000.

DCS has provided the services of a mechanical engineer with engineering Design Associates to assist OJA with an immediate plan for repair and a long-term solution to replace the system incrementally as funds are identified.

MOTION BY CHARLIE JACKSON WITH SECOND BY GEORGE LINDLEY TO APPROVE A DECLARATION OF EMERGENCY AT THE L.E. RADER CENTER FOR REPAIR OF A CHILLER IN THE ITP COMPLEX AT THE COST OF \$46,000.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Edward Smith
Gary Taylor
Charlie Jackson
Lonelia Simmons

VOTE TO CONVENE INTO EXECUTIVE SESSION

MOTION BY GARY TAYLOR WITH SECOND BY GEORGE LINDLEY TO CONVENE INTO EXECUTIVE SESSION
MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Edward Smith
Gary Taylor
Charlie Jackson
Lonelia Simmons

VOTE TO RETURN TO OPEN SESSION

MOTION BY JAY KEEL WITH SECOND BY EDWARD SMITH TO CONVENE INTO OPEN SESSION
MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Edward Smith
Gary Taylor
Charlie Jackson
Lonelia Simmons

VOTE ON ITEMS FROM EXECUTIVE SESSION

No Items requiring a vote.

ADJOURNMENT

Chairman Lonelia Simmons adjourned the meeting at approximately 1:30 p.m.

Minutes approved in regular session on the 18th day of August, 2006

Lonelia Simmons

Lonelia Simmons, Chairman

PREPARED BY:

Linda McLennan

Linda McLennan
Board Secretary