

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

October 20, 2006

BOARD MEMBERS

Present: Jay Keel arrived at 10:10 a.m.
George Lindley
Gary Taylor arrived at 10:10 a.m.
Linda Ware Toure
Charlie Jackson
Lonelia Simmons

Absent: Edward Smith

PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS

Gary Bolin, Cindy Braun, Don Bray, Dorothy Brown, Rhonda Burgess, Kevin Clagg, Gene Christian, Linda Coffman, Jeff Gifford, Donna Glandon, Everett Gomez, Kim Gray, Wayne Johnson, Linda McLennan, Renae Neal, Marla Parish, Richard Parish, Mike Phillips, Tony Jones, Tom Ray, Jerry Skinner, Elizabeth Stewart, Kinny Thomas, Shantha Varahan

OTHERS PRESENT

Bill Alexander, Shawn Black, Dee Blose, Erin Brook, Doug Denley, Farris Downing, Dennis Gober, Toni Godwin, Linda Hancock, Ellen Harwell, Lawrence Hicks, Timothy Hicks, Walt Hedrick, John Herdt, Brian Newman, Nancy Morin, Susan Morris, Jeff Packham, Jackie Powell, Josh Rahe, Angel Riggs, Lisa Sells, Linda Shaw, LeRoy Smith, Jim Walker, Holly Webb, Lisa Winters, Brent Wolfe

CALL TO ORDER

Chairman Lonelia Simmons called the October 20, 2006 Meeting of the Board of Directors of the Office of Juvenile Affairs to order at 10:00 a.m. at the Centennial Building Conference Room, Suite 116, 3815 N. Santa Fe, Oklahoma City, OK 73118

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.

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

INTRODUCTION OF GUESTS

Mr. Gene Christian, Executive Director introduced 2 guests attending the meeting: Ms. Angela Riggs from the *Tulsa World* and Mr. Jeff Packham from the *Journal Record*. The Director welcomed the large number of attendees representing the Detention Centers and also Youth Services Agencies.

EXECUTIVE DIRECTOR'S REPORT

Mr. Christian prepared a report as to advise the Board Members of his activities during the past month. Rather than spend time to verbally review the activities, he gave each member a written copy of the information.

The majority of time has been spent on the reorganization of OJA. There were two incidents called to the attention of the Board. There was a small fire at one of the institutions that was quickly covered and quickly handled. The problem involving an employee that was hurt has been addressed and the employee is doing very well.

The Director is anticipating that next month a forum or summit will take place involving both staff of OJA and also staff of Youth Services Agencies. It is his idea to bring Youth Services to the table to actually outline how to designate youth services agencies and their proposals for the next year. Mr. Christian's hope is to present a joint united effort to the 2007 Legislature. During the December meeting these proposals will be presented to the Board Members.

REPORTS

FINANCE COMMITTEE REPORT

Charlie Jackson presented. The Finance Committee met prior to the Board Meeting this morning. Mr. Jackson referred to Ms. Varahan for her report.

FINANCE REPORT

Shantha Varahan, Financial Services Division Administrator, presented the Finance Report for the Month ended September 30, 2006.

FY-06 Budget Status as of September 30, 2006

Description	Totals
FY-2006 Budget Work Program	\$114,518,456
Year-to-Date Expenditures	(111,022,995)
Encumbrances	(1,069,617)
Balance as of September 30, 2006	2,425,844
Less: Remaining Payroll Costs (Est.)	----
Less: Remaining Travel Budget	----
Less: OJJDP/JAIBG/Other Adjustments	(1,100,035)
Budget Available for Unfunded Mandates	1,325,809

FY-07 Budget Projections as of September 30, 2006

Description	Totals
FY-2007 Budget Work Program	\$118,875,461
Year-to-Date Expenditures	(21,176,759)
Encumbrances	(56,286,886)
Balance as of September 30, 2006	41,411,816
Less: Remaining Payroll Costs (Est.)	(37,774,188)
Less: Remaining Travel Budget	(581,064)
Less: OJJDP/JAIBG/Other Adjustments	(1,196,843)
Budget Available for Unfunded Mandates	1,859,721

FY-07 Budget to Actual for Payroll as of October 10, 2006

	State Office	Residential Services	JSU	Totals
YTD BWP	1,703,008	6,321,310	3,908,826	11,933,144
YTD Exp	1,509,604	6,308,254	3,825,169	11,643,027
YTD Vary	193,404	13,056	83,657	290,117

Travel Costs Comparison to Budget as of September 30, 2006

- Agency Year-to-Date Budget \$ 116,214
- Year-to-Date Expenditures \$ 115,270
- Year-to-Date Variance \$ 944

- Prior FY YTD Expenditure \$ 94,763
- Current FY increase in Exp. \$ 20,507

Analysis: Travel expense is showing a 21.64% increase over the same period in FY-06. We believe that this is an indication that travel related plans should be more closely examined before being approved.

Revolving Fund Revenue Status as of September 30, 2006

- School Lunch \$ 100,832
- SSI & SSA Support \$ 32,281
- Rent \$ 2,514
- Miscellaneous \$ 28,899

- YTD Actual Revenue \$ 167,526
- YTD Budgeted Revenue \$ 238,659
- Budget Variance \$ (71,133)

Analysis: Revenues for the School Lunch Program and Miscellaneous Reimbursements have been much less year-to-date than anticipated. We will monitor these areas closely the next couple of months to determine if this is only a timing issue or if other adjustments will be needed.

Revolving Fund Status as of September 30, 2006

- Beginning Fund Balance \$ 428,723
- Estimated Income to Fund \$ 954,636
- Funds included in BWP \$ 1,383,359
- Year-to-Date Expenditure \$ 416,520
- Remaining Funds in Budget \$ 966,839

Title XIX and Title IV-E Revenue as of September 30, 2006

Type	Projections for FY-07		Actual FY-07		
	Annual Revenue	YTD Revenue	Receipts	In Transit	Variance
TCM	3,000,000	780,000	710,677	85,755	16,433

RBMS	5,177,817	1,346,232	928,782	458,687	41,237
Admin	175,000	45,500	---	---	(45,500)
Total	8,352,817	2,171,732	1,639,459	544,443	12,170
Title IV-E	400,000	100,000	166,477	143,800	210,278

Analysis: Title XIX and Title IV-E revenue collections are on target to meet budget. Title XIX Admin claim is in process of being prepared and will include three quarters – January 06 through September 06.

Emergency Purchases

Date	Location	Description	Repair Cost
No emergency purchases since last board meeting.			

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. Since the Board Retreat in September, the Legislative Liaison has undertaken a number of activities related to the legislative process as follows:

- Ms. Parish met with other state agency legislative liaisons in the Health and Human Services area for the purpose of reviewing proposed rules of the Department of Central Services that deal with fixed rates for services. The Finance Division is drafting an agency response to these rules.
- OJA is involved in two interim studies at the State Capitol. One involves the Oklahoma Task Force to Stop Sexual Violence, and the other is Interim Study 618, "Juvenile Sex Offender Assessment", requested by Representative Thad Balkman and heard by the House Corrections and Criminal Justice Committee. Youthful Offender related issues are still an important topic of discussion.
- OJA staff participated in the Fall Legislative Forum hosted by the Institute for Child Advocacy, a two-day event that is held for the purpose of determining the Institute's annual legislative agenda. One of OJA's requested items, increased substance abuse services for juvenile justice youth, was accepted for the agenda.

The deadline for bill introduction in the House will be determined by the new Speaker of the House, but is usually the first Thursday in December. The 2007 Legislative Session begins, pursuant to the provisions of the Oklahoma Constitution, on the first Monday in February. The Legislature will convene in a one-day organizational session in early January, but no business concerning state agencies will be conducted at this session.

DISCUSSION OF PROPOSED REORGANIZATION OF OJA AS TO COMPLY WITH THE REQUIREMENTS OF HB 2999.

Mr. Christian, Executive Director, presented. The Director presented new organizational charts with the designated new Divisions and the movement of personnel positions within state office administration. The reorganization as mandated in HB 2999 is effective November 1, 2006.

ACTION ITEMS

DISCUSSION WITH POSSIBLE ACTION TO APPROVE THE SEPTEMBER 19, 2006 BOARD RETREAT MINUTES.

MOTION BY CHARLIE JACKSON WITH SECOND BY LINDA TOURE TO APPROVE THE BOARD RETREAT MINUTES OF SEPTEMBER 19, 2006 AS PRESENTED.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

DISCUSSION WITH POSSIBLE ACTION ON PROPOSED ATION ON FIREARMS ACCESSIBLE TO A CHILD.

Mr. Christian presented.

Oklahoma Statutes Citationized

Title 21. Crimes and Punishments

Chapter 53 - Manufacture, Sale, and Wearing of Weapons

Section 1273 - Allowing Minors to Possess Firearms

Cite as: O.S. §, __ __

ALLOWING MINORS TO POSSESS FIREARMS

A. It shall be unlawful for any person within this state to sell or give to any child any of the arms or weapons designated in Section [1272](#) of this title; provided, the provisions of this section shall not prohibit a parent from giving his or her child a rifle or shotgun for participation in hunting animals or fowl, hunter safety classes, target shooting, skeet, trap or other recognized sporting events, except as provided in subsection B of this section.

B. It shall be unlawful for any parent or guardian to intentionally, knowingly, or recklessly permit his or her child to possess any of the arms or weapons designated in Section [1272](#) of this title, including any rifle or shotgun, if such parent is aware of a substantial risk that the child will use the weapon to commit a criminal offense or if the child has either been adjudicated a delinquent or has been convicted as an adult for any criminal offense.

C. It shall be unlawful for any child to possess any of the arms or weapons designated in Section [1272](#) of this title, except rifles or shotguns used for participation in hunting animals or fowl, hunter safety classes, target shooting, skeet, trap or other recognized sporting event. Provided, the possession of rifles or shotguns authorized by this section shall not authorize the possession of such weapons by any person who is subject to the provisions of Section [1283](#) of this title.

[D. It shall be unlawful for any person to negligently fail to secure a readily dischargeable firearm, including any rifle or shotgun, in such a manner that a child gains access to said firearm and endangers the life of any person.

E. As used in paragraph D of this section:

- (1) "readily dischargeable firearm" means a firearm that is loaded with ammunition, whether or not a round is in the chamber.
- (2) "Secure" means to take steps that a reasonable person would take to prevent the access to a readily dischargeable firearm by a child, including but not limited to placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means.]

F. Any person violating the provisions of this section shall, upon conviction, be punished as provided in Section [1276](#) of this title, and, any child violating the provisions of this section shall be subject to adjudication as a delinquent. In addition, any person violating the provisions of this section shall be liable for civil damages for any injury or death to any person and for any damage to property resulting from any discharge of a firearm or use of any other weapon as provided in [Section 10 of Title 23](#) of the Oklahoma Statutes. Any person convicted of violating the provisions of this section after having been issued a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, may be liable for an administrative violation as provided in Section [1276](#) of this title.

G. As used in this section, "child" means a person under eighteen (18) years of age.

Historical Data

R.L. 1910, § 2547; Amended by Laws 1993, HB 1131, c. 264, § 2, eff. September 1, 1991 (repealed by Laws 1994, HB 2299, c. 2, § 34, emerg. eff. March 2, 1994); Amended by Laws 1993, SB 27, c. 309, § 2, emerg. eff. June 7, 1993; Amended by Laws 1994, HB 2640, c. 290, § 52, eff. July 1, 1994; Amended by Laws 1995, SB 3, c. 272, § 29, eff. September 1, 1995; Amended by Laws 2000, SB 1496, c. 382, § 13, emerg. eff. July 1, 2000 ([superseded document available](#)).

MOTION BY GARY TAYLOR WITH SECOND BY GEORGE LINDLEY TO APPROVE THE LANGUAGE OF THE FIREARMS LEGISLATION AND FOR THE EXECUTIVE DIRECTOR TO SEEK A LEGISLATIVE SPONSOR.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

DISCUSSION WITH POSSIBLE ACTION ON PROPOSED FIXED RATES FOR SECURE DETENTION FACILITIES.

Kevin Clagg, Assistant Division Director for Financial Services, presented. The OJA Rates and Standards Committee voted to recommend the following proposed rates for Detention Centers for approval.

As required by statute, this rate proposal was submitted to DCS for review and approval. Approval was granted by the Director of the Department of Central Services, Col. John S. Richard.

Proposed Detention Rate Summary
FY07 Summary

Facility Size	Current Rate	Increase	Proposed Rate
6 – 7 Beds	\$ 160.12	\$ 6.24	\$ 166.36
8 – 9 Beds	\$ 153.27	\$ 5.45	\$ 158.72
10 – 11 Beds	\$ 127.59	\$ 4.25	\$ 131.84
12 – 13 Beds	\$ 115.74	\$ 3.89	\$ 119.63
14 – 17 Beds	\$ 112.05	\$ 3.52	\$ 115.57
18 – 19 Beds	\$ 109.91	\$ 3.62	\$ 113.53
20 – 25 Beds	\$ 108.32	\$ 4.20	\$ 112.52
26 – 29 Beds	\$ 105.40	\$ 4.05	\$ 109.42
30 – 54 Beds	\$ 90.27	\$ 14.00	\$ 104.27
55 – 78 Beds	\$ 85.90	\$ 15.80	\$ 101.70
79 + Beds	\$ 83.89	\$ 6.63	\$ 90.52

MOTION BY CHARLIE JACKSON WITH SECOND BY GEORGE LINDLEY TO APPROVE THE PROPOSED FIXED RATES FOR SECURE DETENTION FACILITIES AS PRESENTED IN ITEMS C THROUGH M.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

VOTE TO CONVENE INTO EXECUTIVE SESSION

MOTION BY CHARLIE JACKSON WITH SECOND BY JAY KEEL TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

VOTE TO RETURN TO OPEN SESSION

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

Voting Aye: Jay Keel
George Lindley
Gary Taylor

Linda Toure
Charlie Jackson
Lonelia Simmons

VOTE ON ITEMS FROM EXECUTIVE SESSION

MOTION BY CHARLIE JACKSON WITH SECOND BY LINDA TOURE TO RETAIN THE SERVICES OF MS. KIM SARDIS AS THE DIVISION DIRECTOR OF THE JUVENILE SERVICES DIVISION.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

MOTION BY JAY KEEL WITH SECOND BY CHARLIE JACKSON TO RETAIN THE SERVICES OF MS. ELIZABETH STEWART AS THE DIVISION DIRECTOR OF THE INSTITUTIONAL SERVICES DIVISION.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

MOTION BY GARY TAYLOR WITH SECOND BY GEORGE LINDLEY TO APPROVE THE APPOINTMENT OF MR. DENNIS GOBER AS THE DIVISION DIRECTOR OF THE COMMUNITY-BASED YOUTH SERVICES DIVISION AND TO LEAVE THE DIVISION DIRECTOR FOR THE RESIDENTIAL AND TREATMENT PROGRAMS VACANT AT THIS TIME.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

ANNOUNCEMENTS

The November and December Board Meetings will be combined into one meeting to be held on Friday, December 8, 2006. The Meeting will be held in the 4th floor Conference Rooms at State Office.

Mr. Christian will be a guest on the KSWO Channel 7 show "Texhoma". The show will air on Sunday, October 29. He will also be live on Channel 6 in Tulsa on the morning show on Wednesday, November 15.

NEW BUSINESS

There was no new business to discuss.

ADJOURN

MOTION BY GEORGE LINDLEY WITH SECOND BY LINDA TOURE TO ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Jay Keel
George Lindley
Gary Taylor
Linda Toure
Charlie Jackson
Lonelia Simmons

The meeting was adjourned at 12:20 p.m.

Minutes approved in regular session on the 8th day of *December, 2006*

Lonelia Simmons

Lonelia Simmons, Chairman

PREPARED BY:

Linda McLennan

Linda McLennan
Board Secretary