

FINAL MINUTES
Board of Directors
Virginia Office for Protection and Advocacy
Richmond, Virginia
July 20, 2006

Call to Order and Welcome	Brent Brown, Board Chair, called the meeting to order at 9:10 a.m. Mr. Brown welcomed Board member, guests, and staff.
Members Present	Brent Brown, Ray Burmester, Bill Fuller, Waja Grimm, Chris Harrison, Maureen Hollowell, Susan Kalanges, Rita Kidd, Pat Meyer, Irene Rebholz, Dave Wilber
Members Absent	Elizabeth Priaulx, Dink Shackelford
Guests	Lisa Ritchie
Staff	Sherry Confer, Colleen Miller, Lisa Shehi For portions: Heather Brunner, Paul Buckley, Annette Sannuti, Dana Traynham
Legal Rights Training <ul style="list-style-type: none">• Alternatives to Guardianship	Dana Traynham, VOPA Staff Attorney, discussed alternatives to guardianship including advanced directives, conservatorships, and various powers of attorney. Ms. Traynham shared descriptions of each tool and gave examples of when each may be considered.
Mission Statement	Irene Rebholz read the Mission Statement.
Adopt Agenda	Mr. Brown suggested that the report from the PAIMI Advisory Council be heard earlier in the meeting and recommended that the report be moved to immediately following the Legal Developments presentation. Chris Harrison made a MOTION to adopt the agenda as amended. Waja Grimm SECONDED the MOTION and it was approved by unanimous vote.
Approval of April 25, 2006 Minutes	After review of the April 25, 2006 minutes with no changes noted from the Board, Bill Fuller made a MOTION to approve the minutes as presented. Chris Harrison SECONDED the MOTION and it carried unanimously.
Public Comment	No public comment was offered.

Legal Developments

Paul Buckley, Acting Managing Attorney, discussed legal developments in the area of access by Protection and Advocacy (P&A) systems to Peer Review Records. Mr. Buckley noted that two cases were decided in May, 2006, that supported the authority of the P&A access.

Finance and Resource Development Committee

Bill Fuller noted that the Finance and Resource Development Committee met on July 17 to review the Auditor of Public Accounts and the proposed budget.

- **Report from Auditor of Public Accounts**

Dr. Fuller noted that the audit revealed no specific exceptions, rather it contained several recommendations. As a result, the financial reports the Board has historically received will be discontinued and replaced with a report that shows how expenditures compare to the budget adopted by the Board. After entertaining questions from Board members and reviewing key points of the audit report, Dr. Fuller assured the Board of VOPA's strong fiscal security.

On behalf of the Finance and Resource Development Committee, Dr. Fuller brought forth the following MOTIONS:

MOTION #1 – The Finance and Resource Development Committee recommends that the Executive Committee develop a process for monitoring and reviewing the financial operations of the Office. No SECOND to the MOTION was required. After discussion, it carried unanimously.

MOTION #2: The Finance and Resource Development Committee recommends that the staff develop a financial operations policy and procedures manual in draft form for Board consideration within six months with final manual due in nine months. No SECOND to the MOTION was required. The MOTION carried unanimously.

MOTION #3: The Finance and Resource Development Committee requests that the Executive Committee instruct staff to research the need for independent legal counsel to assist the Board and make a recommendation within 90 days. After discussion, with no SECOND to the MOTION required, the MOTION carried unanimously.

MOTION #4: The Finance and Resource Development Committee recommends that the staff pursue an independent consultant to review VOPA's financial

procedures. There was no discussion to this MOTION. No SECOND to this MOTION was required, and it carried unanimously.

Dr. Fuller shared that he had discussed the need for a standing audit committee with Brent Brown, Board Chair. This committee would be the first point of contact for future audits. Mr. Brown suggested that this committee be added as a special committee at this time and requested recommendations for committee members be presented to him from the Finance and Resource Development Committee for appointment.

- **Budget – FY07**

Dr. Fuller distributed copies of the proposed State FY2007 budget, noting that this recommended budget is an amendment to that which was provided on page 3-3R of the Board packet. After discussion, Dr. Fuller made a MOTION to accept the amendment on page 3-3R as noted and approve the SFY07 budget in the amount of \$3,533,204. Pat Meyers SECONDED the MOTION and it carried unanimously.

Lunch

Mr. Brown adjourned the meeting at 1:10 p.m. to lunch. The meeting reconvened at 1:45 p.m.

Internal Policy Committee

- **Policies Proposed at April Board Meeting**
 - **Advisory Council Members' Public Policy Statements**

Susan Kalanges, Committee Chair, distributed a draft policy regarding Advisory Council Public Position Statements. Ms. Kalanges noted a change from "Public Policy" to "Public Position" as presented at the April Board meeting. She asked for consideration and made a MOTION on behalf of the Committee that this policy be considered for adoption at this meeting of the Board. Mr. Brown recommended that the policy be amended to move the third paragraph to become the second paragraph. The Board asked for clarification of the term "2/3 of the Board." After discussion, the reference was amended to read "2/3 of the entire Board." Ms. Kalanges agreed and amended her MOTION to reflect the noted changes. There being no further discussion, and with no SECOND required, the Board voted unanimously to approve this policy.

- **Discussion Memos and Board Public Policy Statements**

Ms. Kalanges presented a draft policy for Board Discussion Memos and noted changes from the draft presented the April Board meeting.

On behalf of the Committee, Ms. Kalanges made MOTION to adopt this policy. No SECOND was required

and the MOTION carried unanimously.

Additionally, Ms. Kalanges offered the “Board Public Policy Statements” policy for Board consideration. Ms. Kalanges noted the change from “Public Policy Statements” to “Public Position Statements” from the previously-distributed draft. Further, Ms. Kalanges asked that the policy be amended to reflect a change from “2/3 of the Board” to “2/3 of the entire Board.” Ms. Kalanges made a MOTION from the Committee to adopt the policy. Through discussion, it was clarified that the Public Policy Committee will examine how they propose to process Public Position Statements. There being no further discussion, and with no SECOND required, the MOTION was passed unanimously.

- **Council Travel**

Ms. Kalanges presented Guidelines for Travel Reimbursement for VOPA Advisory Council Members for consideration and possible adoption. Ms. Kalanges made a MOTION on behalf of the Committee for adoption of this policy. Mr. Brown asked for clarification regarding the requirement of approval by both the Board Chair and Executive Director prior to travel. Ms. Kalanges amended her motion to remove the requirement of Board Chair approval throughout. After discussion, with no SECOND required, the Board voted unanimously in favor of this policy.

- **Employee Accommodations**

Ms. Kalanges shared feedback regarding previously-adopted Policy 4.21 – Employee Accommodations. Sherry Confer informally interviewed staff covered under this policy and each individual believes it is a good policy. Ms. Confer explained that there have been some difficulties in the implementation of some stages.

- **New Policies**

In addition, the Committee has continued to work on development of a Freedom of Information Act policy. Ms. Kalanges requested that this be taken up by the Executive Committee, to which Mr. Brown agreed.

Finally, Ms. Kalanges shared that post-audit, staff have been reviewing historical minutes to identify operations policies which may have been adopted by the Board in the past. Ms. Kalanges noted that once finalized, this information will be given to the Executive Committee for review.

Priorities and Public Awareness Committee

- **Goals and Focus Areas – FY07**

On behalf of Committee chair Elizabeth Prialux, Ms. Miller shared that the Priorities and Public Awareness Committee met by teleconference on July 12, 2006. The Committee is beginning the review of the status of current objectives and staff recommendations for the coming year. Additionally, the Committee is beginning the process of reviewing the results of the Public Input Survey which has been posted on the VOPA website. The Committee will next meet on September 8, 2006. Mr. Brown noted that, in previous action, the VOPA Board voted to adopt Goals and Focus Areas for a two-year period. Objectives are developed on an annual basis.

Public Policy Committee

Ray Burmester, Committee Chair, noted that the Public Policy Committee met on July 19, 2006. Mr. Burmester noted that the Committee is working on developing a procedure for submission of public statements which would include the pros and cons of supporting the statement.

Executive Committee

- **Director's Salary – Executive Session**

Ray Burmester made a MOTION to adjourn to closed session for the purpose of discussing the Executive Director's evaluation and compensation. Chris Harrison SECONDED the MOTION and it carried by unanimous vote. This meeting is specifically authorized to be conducted in closed session pursuant to section 2.2-3711 (A) (1) of the Code of Virginia.

After discussion in closed session, Mr. Burmester made a MOTION to certify that only such public business as that identified in the MOTION to close the meeting was heard or considered. Each Board member affirmed this certification.

Mr. Burmester made a MOTION to approve an increase in salary for the Executive Director by 4% effective next pay period. Waja Grimm SECONDED the MOTION. With no further discussion offered, the MOTION carried unanimously.

- **2007 Meeting Schedule** Mr. Brown asked for recommendations for 2007 meeting dates. After discussion, the following dates and locations were selected:

January – date open, to be held in Richmond
April 24, 2007 – to be held in Williamsburg or Roanoke
July 24, 2007 – to be held in Richmond
September 25, 2007 – to be held in Richmond

Reports

- **PAIMI Council** Irene Rebholz, PAIMI Council Vice Chair, shared that the Council has not met since February. Ms. Rebholz explained that a spring PAIMI meeting was canceled in order to hold a joint training with the Disabilities Advisory Council. The joint training was subsequently cancelled due to a lack of a quorum for either Council. Ms. Rebholz noted that Council members are actively working towards recruiting new members.
- **Disability Advisory Council** Dave Wilber, Council Chair, shared that the Disabilities Advisory Council met in Richmond on July 12. Mr. Wilber noted that the Council had received training on the paratransit system and had begun providing feedback on the Priority planning process. Additionally, new member recruitment is ongoing. Mr. Wilber further noted that the Council looks forward to the opportunity for joint leadership training with the PAIMI Advisory Council. Mr. Wilber invited Board members to attend Council meetings.
- **Progress on Priorities** Colleen Miller referred the Board members to the Progress on Priorities Report, provided in the Board package. Ms. Miller provided an update to an objective in which VOPA would identify a downtown area to survey for accessibility. Staff selected downtown Roanoke and surveyed approximately 75 businesses. A significant number of access issues were identified within the central business district. The next step VOPA staff will take will be to offer technical assistance to businesses identified to be non-compliant.
- **Litigation** Ms. Miller shared updates to several cases described in the Litigation Report.
- **Executive Director's** Ms. Miller distributed a Resource Manual to Board members not in attendance at the previous day's Board Training. Ms. Miller summarized the contents and asked Board members to utilize this as a reference tool, and that the intent is that this manual will be updated

annually. Board members attending the Training shared their comments regarding the program. Ms. Miller stated that the training had been video taped and would be provided to all Board members to view.

Ms. Miller noted that VOPA had been selected to participate in a national review of the PAIMI system.

- **Mileage Reimbursement Rates**

Ms. Miller shared that the Commonwealth of Virginia increased the amount of reimbursement for personal vehicle usage. Ms. Miller requested that the Board approve an amendment in VOPA's policy to reflect the reimbursement rate increase to 44.5 cents per mile (when no state car is available) and 24.6 (when an employee chooses to use personal vehicles when a state car is available). Chris Harrison made a MOTION to approve the increase as requested. Susan Kalanges SECONDED the MOTION and it carried with unanimous approval.

There being no further business, Chris Harrison made a MOTION to adjourn the meeting. The MOTION was SECONDED by Susan Kalanges and was carried unanimously. The Virginia Office for Protection and Advocacy Board of Directors' next meeting will be held September 26, 2006 in Richmond.

FINAL MINUTES:

_____ September 26, 2006