

FINAL MINUTES
Virginia Office for Protection and Advocacy
Richmond, Virginia
July 22, 2008

Members Present: Susan Kalanges, Chair, Brent Brown, Charles Cooper, Bill Fuller, Waja Grimm, Chris Harrison, Maureen Hollowell, Rita Kidd, Pat Meyer, Elizabeth Prialux, Daaiyah Rashid, C W Tillman

Members Absent: Shirley McInnis

Guests Present: None

Staff Present: Sherry Confer, Colleen Miller, Lisa Shehi, Jonathan Martinis (for portions)

Welcome and Introductions: Susan Kalanges, Chair, called the meeting to order at 9:05 a.m. She welcomed Board members and asked for introductions.

Training:
Jonathan Martinis, VOPA Managing Attorney, responded to questions from Board members regarding the Americans with Disabilities Act and its applicability in various situations. The Board was provided with a Frequently Asked Questions document regarding Title II of the Americans with Disabilities Act.

- **The ADA and Government Agencies**

Mission Statement: Charles Cooper read the mission statement.

Adopt Agenda: Ms. Kalanges noted that the Legal Developments category should be deleted from the agenda. Chris Harrison made a MOTION to adopt the agenda as amended. Elizabeth Prialux SECONDED the MOTION and it was adopted by unanimous vote.

Approval of April 25, 2008 Minutes: No corrections or changes were noted to the April 25, 2008 minutes. Mr. Cooper made a MOTION to approve the minutes as presented. Mr. Harrison SECONDED the MOTION and they were approved by unanimous vote.

Public Comment: No public comment was offered.

Executive Director's Report: Colleen Miller referred the Board to the Executive Director's report and highlighted several VOPA activities including the conversion to the Disability Advocacy Database (DAD), public comment offered regarding special education reform, and the summer intern program.

Recognition of Service: Ms. Miller recognized Mr. Brown for his leadership of the Board, recently completing two terms as Chair.

Nominations Committee:
Subsequent to the April Board meeting, the election of Vice Chair was ruled invalid. The Nominating Committee re-presented the nomination of Patricia Meyer for Vice Chair.

- **Presentation of Nominating Slate and Nominations from the Floor – Vice Chair**

No nomination was made from the floor. Mr. Cooper made a MOTION to accept the nomination. Ms. Priaulx SECONDED the MOTION. Dr. Meyer was elected Vice Chair by unanimous vote.

Executive Committee:

Ms. Kalanges read a Resolution in Memory of Dink Shackleford, a former Board member. After discussion Dr. Meyer made a MOTION to adopt the resolution with revisions. Mr. Harrison SECONDED the MOTION and it carried unanimously. After finalization, the Resolution will be forwarded to the family of Mr. Shackleford, and posted on the VOPA website.

- **Executive Director's Leave Policy**

On behalf of the Executive Committee, Ms. Kalanges brought forward the Executive Director's Leave Policy for approval. No SECOND was needed and the policy was adopted with unanimous approval.

- **Evaluation Process**

Ms. Kalanges brought forth the Evaluation Process Policy for approval. Ms. Kalanges explained that the policy was presented to the Board for first review in April. Since that review, the Executive Committee made two changes as noted by italicized text. After discussion, Dr. Meyer requested that approval of these changes and adoption of this policy be deferred to September to concur with existing procedures.

- **Recruitment of Board Members**

Board members discussed proposed changes to the Recruitment of Board Members policy. In response to the discussion, Mr. Brown suggested that the Executive Committee further review the policy and present to the Board in September if necessary.

- **Committee Membership**

Ms. Kalanges shared the committee list. Mr. Brown acknowledged Maureen Hollowell for starting the VOPA Governing Board committee structure during her term as Chair.

- **Meeting Schedule for FY09**

Board members selected dates for 2009 meetings:
January 30 – Richmond
April 28 – TBD
July 28 – Richmond
September 29 – Richmond

Ms. Kalanges reminded Board members that the Board should be represented at all Advisory Council meetings. Dr. Fuller will attend the PAIMI Council Meeting on August 14, 2008 and Ms. Grimm will attend the DAC Meeting on September 18.

**Finance and Resource
Development Committee:**

- **Financial Report**

Dr. Fuller explained that the Continuous Charges category was overspent by \$23,807.16 in FY2008. The Committee made a recommendation to adopt an amended budget, transferring \$25,000 from the Transfer Payments line item, reflecting a balance in Transfer Payments of \$35,478, to accommodate this deficit. Brent Brown made a MOTION to adopt the amended budget. Dr. Meyer SECONDED the MOTION and it was adopted with unanimous vote of the Board.

Dr. Fuller provided a review of the year-end financial report and distributed a certification of financial status to Board members. Mr. Brown made a MOTION to accept the financial report as presented. Dr. Meyer SECONDED the MOTION and it carried by unanimous vote.

- **Budget Proposal**

On behalf of the Committee, Dr. Fuller presented the proposed State Fiscal Year 2009 budget with the Committee's recommendation for adoption. No SECOND was required and the budget was adopted by unanimous vote.

Expenditures	<u>FY2009</u> (projected)
salaries, wages, fringe	2,568,948
services, memberships, subscriptions, travel	370,750
supplies, gas	15,079
unemployment, indirect costs	169,631
rent, rentals, service charges	208,875
equipment, furniture	<u>57,599</u>
	3,390,882
Cash Transfer Out	<u>0</u>
	3,390,882

- **Mileage Rates**

Dr. Fuller noted that the Internal Revenue Service amended its mileage reimbursement rate to .585 cents effective July 1, 2008. Dr. Fuller shared that the current policy requires that mileage reimbursement rates be approved by the Board prior to being made effective. On behalf of the Committee, he recommended that the policy be amended to state that VOPA adopt appropriate mileage reimbursement rate changes, mirroring the state changes, and seek ratification by the Board. Dr. Meyer made a MOTION to adopt the mileage reimbursement rate change to .585 per mile for VOPA effective immediately. Mr. Harrison SECONDED the MOTION and it was adopted by unanimous vote. The

Board requested that the Finance and Resource Development Committee draft a policy concerning future rate changes and present to the Board in September.

Internal Policy Committee:

- **Policy 2.3 - Confidentiality**

Mr. Harrison read the Policy 2.3 – Confidentiality statement and brought it forward for adoption on behalf of the Internal Policy Committee. No SECOND was required. Board members discussed the policy and adopted it with unanimous vote.

- **New Policies**

Mr. Harrison presented Policy 4.5 – Hours of Operation and 4.13 – Educational Aid for the Board's first review.

Policy 4.5 – Hours of Operation: After Board members discussed the policy statement, Ms. Kalanges returned the policy to the Committee for additional development.

4.13 – Educational Aid: Board members asked questions about the development and definition of the policy. Ms. Kalanges returned the policy to the Committee for clarification.

Paul Buckley, VOPA Managing Attorney, discussed the General Assembly's requirement that all agencies adopt public participation guidelines that govern interface between state agencies and the public in relation to regulatory actions. With a consensus of the Board agreeing that review of this requirement is needed, Ms. Kalanges assigned an *ad hoc* committee to work with Mr. Buckley to review this process and make recommendations to the Board at the September meeting. Members of this committee are Mr. Brown and Dr. Fuller.

Goals and Public Awareness Committee:

- **GFAs Carryover from FY 08**

Elizabeth Priaulx reported that the Goals and Public Awareness met on July 22, 2008. On behalf of the Committee, Ms. Priaulx recommended that the 2008 Goals and Focus Areas be continued for 2009 and that staff begin development of 2009 Objectives. Ms. Priaulx also discussed methods of obtaining public feedback and comments surrounding the development of future Goals and Focus Areas.

Council Development and Public Policy Committee:

Ms. Kalanges reported that based on input received during the April 2008 retreat, a Committee on Council Development and Public Policy will be created. Dr. Meyer will lead the Committee.

Reports:

- **PAIMI Council**

C W Tillman, PAIMI Council Chair, reported that the Council last met in May at Central State Hospital (CSH) in Petersburg. Mr. Buckley provided an overview to the Council of the mental health system in Virginia. The Medical Director of CSH provided a tour of the facility and treatment area. The Council also concentrated on recruitment of

members and the obstacles experienced. Ms. Kalanges asked Dr. Meyer to begin working with the Council Development and Public Policy Committee bring forth a recommendation to identify and lessen obstacles to membership.

- **Disabilities Advisory Council**

Sherry Confer, VOPA Deputy Director, noted that the terms of many of the long-time members of the Disabilities Advisory Council have ended. She expressed regret from Shirley McInnis, DAC Member, that she was unable to attend to represent the DAC today and shared that the DAC is very appreciative of the new Council Development and Public Policy Committee and its charge to strengthen board-council relations. Larry Friedrichsen has accepted the role of Vice Chair of the Council. No Chair has been elected and members have chosen to rotate the position among members for the time being.

- **Progress on Objectives**

Ms. Miller stated that staff have been doing cross-unit work with Communities Unit joining forces with the Institutions Unit to educate individuals who are ready for discharge about their rights in the community, particularly their rights to working and maintaining benefits.

- **Litigation**

Ms. Miller updated the Board on recent litigation developments and advised the Board of a decision concerning the Freedom of Information Act in Gloucester County, Virginia, and the fact that individuals had been criminally indicted.

There being no further business, Dr. Meyer made a MOTION to adjourn. Ms. Grimm SECONDED the MOTION and it was approved by unanimous vote. Ms. Kalanges adjourned the meeting at 2:30 p.m. The next meeting of the Governing Board will be held on Tuesday, September 23, 2008 in Richmond.

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