

**OKLAHOMA VETERANS COMMISSION  
MEETING NOTICE AND AGENDA  
May 15th, 2020 10AM  
Vezev Veterans Complex  
2132 NE 36th Street  
Oklahoma City, OK 73111**

**NOTICE OF SPECIAL MEETING:**

The Oklahoma Veterans Commission held a special meeting on **Friday, May 15th, 2020**, at 10:00 AM. This meeting was held in accordance with SB 661 at the Vezev Veterans Complex, 2132 NE 36<sup>th</sup> Street, Oklahoma City. A Notice of this meeting was filed with the Secretary of State's Office on May 8<sup>th</sup>, 2020.

Pursuant to 25 O.S. §307.1(C), this meeting will include videoconferencing and teleconferencing but there will be parties present at the Vezev Veterans Complex.

Commissioners physically present will be:

- Commissioner Larry Van Schuyver, Chair
- Commissioner Paul Costilow, Vice-Chair
- Commissioner Gary Secor
- Commissioner Jerry Ball
- Commissioner Dr. Andrew Lasser
- Commissioner Mike Jackson
- Commissioner Merline LeDay-Mauney

Commissioners present at remote locations will be:

- Commissioner Lloyd Smithson, via Zoom videoconference
- Commissioner Tom Richey, via Zoom videoconference

Public view and access via Zoom:

<https://zoom.us/j/8578251365?pwd=SHVTTnJ3NStQc1pkc3Z6aFZPS2g0QT09>

MEETING ID: [857 825 1365](#) PASSWORD: [ODVA051520](#)

Pursuant to 25 O.S. §307.1(D) Teleconferencing will be used for executive session but there will be parties present at the Vezev Veterans Complex.

Commissioners physically present for executive session will be:

- Commissioner Larry Van Schuyver, Chair
- Commissioner Paul Costilow, Vice-Chair
- Commissioner Gary Secor
- Commissioner Jerry Ball
- Commissioner Dr. Andrew Lasser
- Commissioner Mike Jackson
- Commissioner Merline LeDay-Mauney

Commissioners present at remote locations for executive session will be:  
Commissioner Lloyd Smithson, via teleconference  
Commissioner Tom Richey, via teleconference

**AGENDA:**

**Friday, May 15th, 2020 10:00 AM**

**I. CALL TO ORDER**

The Chairman called the meeting to order at 10:00 AM

**II. DETERMINATION OF QUORUM**

**a. ROLL CALL AND INTRODUCTION OF COMMISSIONERS**

The clerk called the roll and the roll is as follows:

Ball - Present

Costilow - Present

Jackson - Present

Lasser - Present

LeDay – Late (*Arrived at 10:36am*)

Richey - Absent

Secor - Present

Smithson – Present via video conference

Van Schuyver – Present

Commissioners Physically Present: 6

Commissioners Attending vi Video Conference: 1

Commissioners Late/Absent: 2

**b. DECLARATION OF QUORUM**

The clerk notified the Chairman that there was a quorum

The Chairman declared a quorum

**III. INVOCATION**

Commissioner Ball led the Invocation

**IV. PLEDGE OF ALLEGIANCE**

Commissioner Jackson led the Pledge of Allegiance

**V. INTRODUCTION AND WELCOME TO VISITORS AND GUESTS**

The Chairman welcomed the visitors and guests to the meeting.

**VI. ANNOUNCEMENT REGARDING SIGN-IN FOR OPEN PUBLIC COMMENTS**

Individuals requesting to speak are required to sign-in onsite at the meeting prior to the commencement of the meeting or to email [jennifer.bloomfield@odva.ok.gov](mailto:jennifer.bloomfield@odva.ok.gov) no later than 10:30 a.m. on May 15, 2020, advising of their intent to provide public comment to the Commission. Individuals must provide their name, contact information, as well as the topic on the posted Agenda of which they would like to comment.

The Chairman notified the gallery, as well as those attending via Zoom that any individual who wished to speak during Public Comment would need to sign in.

**VII. OKLAHOMA VETERANS COMMISSION**

**a. DISCUSSION OF AND POSSIBLE ACTION REGARDING APPROVAL OF MEETING MINUTES OF THE FEBRUARY 28th, 2020 OKLAHOMA VETERANS COMMISSION MEETING.**

**i. Action**

Commissioner Secor made the motion to approve the February 28th meeting minutes.

Commissioner Lasser provided the second.

The clerk called the vote and the vote is as follows:

Ball – Abstain

Costilow - Aye

Jackson - Aye

Lasser - Aye

LeDay - Absent

Richey - Absent

Secor - Aye

Smithson - Aye

Van Schuyver – Aye

Aye: 6

Nay: 0

Absent: 2

Abstain: 1

Motion carries

**b. DISCUSSION AND POSSIBLE ACTION REGARDING TRAVEL OF COMMISSIONERS SINCE PRIOR REGULAR MEETING ON FEBRUARY 28<sup>th</sup>, 2020**

**i. Written Travel Reports Filed by Commissioners**

The Chairman requested that the Commissioners submit their written travel claims to the clerk.

**ii. Presentation of Summary Travel Reports by Commissioners in Lieu of Written Reports**

The following Commissioners verbally provided travel information to the Commission:

Jackson – Reported visiting the Sulphur and Ardmore facilities to assist in placing the “Heroes Work Here” signs for the staff. He did not go into the buildings.

Secor – Reported visiting the Lawton, Sulphur, and Ardmore facilities to assist in placing the “Heroes Work Here” signs for the staff. He did not go into the buildings.

Van Schuyver – Reported visiting the Sulphur, Ardmore, and Talihina facilities to assist in placing the “Heroes Work Here” signs for the staff. He did not go into the buildings.

## VIII. OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS

### a. JOEL KINTSEL, EXECUTIVE DIRECTOR, AGENCY REPORT WITH POSSIBLE DISCUSSION AND ACTION ON THE FOLLOWING:

#### i. Legislative Update & FY21 Appropriation

The Director stated that FY2021 Appropriation (SB1922) caused a decrease of 7.27%. ODVA FY21 \$31,816,393 vs ODVA FY20 \$34,311,832 (adjusted, excl. \$2M special appr) Effective Decrease of 7.27% or \$2,495,439

#### ii. Overview COVID-19 Expenses & Reimbursements

The Director stated that COVID-19 related expenses through 4/30/2020 was \$682,512.87. He stated that labor costs were \$1,855,850.33. He stated that reimbursement requested through 4/30/2020 was \$299,827.01. The amount for labor reimbursement was still in progress.

#### iii. Agency Telework Utilization & Open Up Recover Safely Plan

The Director stated that the Open Up Recover Safely Plan would be divided into two phases. Tier I individuals from Claims & Benefits, Veterans Outreach, Finance, Fleet Management, and Human Resources personnel stationed at Central Office will resume full-time schedules onsite as of May 26<sup>th</sup>, 2020. Tier II individuals from SAA, Safety, Construction, Education, Compliance, PIO, and Veterans Services would be returning to the office as of June 1<sup>st</sup>, 2020.

#### iv. Joint Task Force Representation

The Director stated that he was the Judge Advocate assigned to support the Joint Task Force.

### b. SARAH LANE, DEPUTY DIRECTOR, REPORT WITH POSSIBLE DISCUSSION AND ACTION ON THE FOLLOWING:

#### i. Community Support and Donations during COVID-19 operations

The Deputy Director stated that an estimated \$36,200 in support had been received to date. Support has been provided in the form of food, masks, medical equipment, disinfectant supplies, and electronics.

#### ii. Oklahoma Veterans Centers Facility-wide Testing of Residents and Staff

The Deputy Director stated that both Resident and Staff testing had been completed at the Norman, Claremore, Talihina, and Ardmore Veterans Centers. She stated that the Clinton and Lawton facilities were scheduled to complete testing May 19-May 21<sup>st</sup>, and that Lawton testing would be announced as soon as possible.

#### iii. Communication with Centers

The Deputy Director stated that strong communication with the Centers has been a key factor in the success of operations in response to COVID-19. In an environment where much is uncertain and what is known changes from day to day, a decision was made to host daily calls with the agency leadership, to include the Compliance Director, State Homes Director, Deputy Director, and Director (when available) with the Center Administrators. Calls are held every weekday except for Wednesday when all join an Oklahoma State Department of Health industry call, there is discussion of updates and operational considerations. The dialogue is very open and all have the

opportunity to ask questions and share concerns and often creative approaches or solutions. It has been a great way to facilitate discussion and uniformity of information disseminated, and the plan is to continue it for as long as needed in support of the agency's COVID efforts.

iv. Awards Discussion

The Deputy Director proposed a concept of developing a new recognition program for donors to the Agency and requested volunteers of the Commission, either informally or by a committee, to provide input on the terms of such a program. The idea would be to provide recognition to donors of the Centers or the agency or any of its programs on a tiered structure by simple ceremonies in their locality or at our Centers and the presentation of a certificate, or something representative of the veterans they support, such as a copy of an art print produced specifically for this purpose.

c. **ERIN KENNEDY, GENERAL COUNSEL, REPORT WITH POSSIBLE DISCUSSION AND ACTION ON THE FOLLOWING:**

- i. Litigation Update
- ii. Fielding of iPads for Commissioners

An electronic copy of this presentation is attached to these recorded minutes.

d. **SHAWN KIRKLAND, ODVA DIRECTOR OF STATE VETERANS HOMES, REPORT WITH POSSIBLE DISCUSSION AND ACTION ON THE FOLLOWING:**

- i. COVID-19 Timeline
- ii. PPE Supply Update
- iii. Census Report
- iv. Morale Status and Efforts for Residents and Staff

An electronic copy of this presentation is attached to these recorded minutes.

e. **CAMI MCKINNEY, ODVA DIRECTOR OF CLINICAL COMPLIANCE, REPORT WITH POSSIBLE DISCUSSION AND ACTION ON THE FOLLOWING:**

- i. General Health Status Reports for Residents in Oklahoma Veterans Centers
- ii. Defensive Measures Taken in Oklahoma Veterans Centers for COVID-19
- iii. Planning for Reopening of Veterans Centers
- iv. Status of Residents Testing Positive for COVID-19

An electronic copy of this presentation is attached to these recorded minutes.

**PROPOSED EXECUTIVE SESSION PURSUANT TO 25 O.S. §307(B)(7) DISCUSSING ANY MATTER WHERE DISCLOSURE OF INFORMATION WOULD VIOLATE CONFIDENTIALITY REQUIREMENTS OF STATE OR FEDERAL LAW. APPLICABLE LAWS ARE THOSE PROTECTING THE PRIVACY OF PERSONAL HEALTH INFORMATION INCLUDING BUT NOT LIMITED TO REQUIREMENTS SET FORTH IN 45 CFR 160, et seq. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA).**

- a. Possible Discussion and Action to Adjourn to Executive Session.
  - i. Action

Commissioner Secor made the motion to enter into Executive Session  
Commissioner Jackson provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye  
Costilow - Aye  
Jackson - Aye  
Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

The Commission entered into Executive Session at 1:00 PM

- b. Return to Open Meeting from Executive Session
  - i. Action

Commissioner Ball made the motion to return to open meeting  
Commissioner Secor provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye  
Costilow - Aye  
Jackson - Aye  
Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

The Commission returned to open meeting at 1:54PM

- f. **PROPOSED EXECUTIVE SESSION PURSUANT TO 25 O.S. § 307(B)(1)  
DISCUSSION REGARDING THE EMPLOYMENT, HIRING**

**APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING, OR RESIGNATION OF ANY INDIVIDUAL SALARIED EMPLOYEE:**

a. Possible Discussion and Action to Adjourn to Executive Session.

i. Action

Commissioner Secor made the motion to enter into Executive Session  
Commissioner Jackson provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye  
Costilow - Aye  
Jackson - Aye  
Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

The Commission entered into Executive Session at 1:00 PM

b. Discussion of Compensation of the Executive Director

c. Return to Open Meeting from Executive Session

i. Action

Commissioner Ball made the motion to return to open meeting  
Commissioner Secor provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye  
Costilow - Aye  
Jackson - Aye  
Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

The Commission returned to open meeting at 1:54PM

- d. Compensation of Executive Director
  - i. Action

Commissioner Lasser made the motion to approve the Directors compensation to make him whole, and to reinstate all military leave used due to COVID-19.

Commissioner Ball provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye

Costilow - Aye

Jackson - Aye

Lasser - Aye

LeDay - Aye

Richey - Absent

Secor - Aye

Smithson - Aye

Van Schuyver – Aye

Aye: 8

Nay: 0

Absent: 1

Motion carries

- e. Discussion and Possible Action Regarding ODVA SOP 204.1 Military Leave
  - i. Action

This Action was covered under the previous Action.

g. **DISCUSSION AND POSSIBLE ACTION CONFIRMING IMPLEMENTATION OF A CONSENT DOCKET:**

On February 28<sup>th</sup>, 2020, at the regular meeting of the Oklahoma Veterans Commission, the Chairman of the Oklahoma Veterans Commission, Larry Van Schuyver, proposed utilizing a consent docket format for all meetings moving forward. Commissioners discussed the proposal and gave unanimous verbal consent.

- i. Action.

Commissioner Lasser made the motion to approve the Consent Docket,

Commissioner Ball provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye

Costilow - Aye

Jackson - Aye



Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

- h. **DISCUSSION AND REQUESTS FOR REMOVAL OF ITEMS FROM CONSENT DOCKET.**
  - i. Discussion.  
Commissioner Ball requested that the Construction portion be further discussed outside of the Consent Docket. This is on the Agenda in item X.
  - i. **LUNCH BREAK.**
    - i. Action  
Lunch was taken out of order.  
The Commission broke for lunch at 12:30PM  
The Commission returned from lunch at 12:56PM
  - j. **CONSENT DOCKET MAY 15th, 2020. DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ODVA DIVISION REPORTS:**
    - i. Workers Compensation Report - Helen Sapp
    - ii. Human Resources Report - Tracy Spencer
    - iii. Financial Report - Lisa White
    - iv. Construction Report - Dorita Herd
    - v. Claims and Benefits Report - Jackie Whitten
    - vi. Women Veterans Report - Lisa Mussett
    - vii. State Approving Agency Report - Brint Montgomery
    - viii. Mental Health and Suicide Prevention Report - Aaron Ashworth
    - ix. Education and Training Report - Jennifer Bloomfield  
An electronic copy of this presentation is attached to these recorded minutes.
- IX. **DISCUSSION AND POSSIBLE ACTION ON REPORTS REMOVED FROM THE CONSENT DOCKET.**
- X. **DORITA HERD, CONSTRUCTION ADMINISTRATOR REPORT WITH POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:**
  - i. Pursuant to 61 O.S. Section 121 (F) the following Change Orders were executed under the authority delegated to the Executive Director following the most recent Oklahoma Veterans Commission meeting:

- a. Change Order (\$530.00) Office of State Fire Marshall – Sallisaw Veteran Center – FAI: 40-062, Plan review according to Oklahoma Uniform Building Code.
  - b. Change Order (\$2,398.95) Atlantic Fabrication and Design, LLC – Talihina Veteran Center – OMES CAP#20269 - Contractor was unaware they needed to get a bond for emergency declaration work.
  - c. Change Order (-\$16,210.00) Sawatzky Construction, LLC – Clinton Veteran Center – FAI: 40-058 – Decrease due to the cancellation of the project after the clearing and grubbing was completed. Contract time decreased by 20 days.
  - d. Change Order (\$2,000.00) OMES/Terrasite Inc. – Union Soldier Cemetery – OMES CAP #OC20243-01 – Add site survey with elevations and boundary lines.
  - e. Change Order (\$676.20) OMES – Claremore Veteran Center – OMES CAP #19353 – Bid came back higher than estimate for Pond Renovation after bid advertising, resulting in an increase in CAP Fee.
  - f. Change Order (\$253.19) OMES – Claremore Veteran Center – OMES CAP #18215 – Bid came back higher than estimate for Floor replacement of unit 10 after bid advertising, resulting in an increase in CAP Fee.
  - g. Change Order (\$402.50) – OMES – Sallisaw Veteran Center – OMES CAP #19273 – Negotiation percentage for OMES assisting with Orcutt Winslow Amendment #1.
  - h. Change Order (\$89.95) OMES – Clinton Veteran Center – OMES CAP #19073-3 – Original CAP Fee purchase order was short by \$89.95 for the pavement repair and maintenance at the Clinton Veteran Center.
- ii. The following Change Order is presented to the Commission for review and approval:
- a. Amendment 03 & 04 (\$311,540.00) Orcutt-Winslow – 40-062 OVC Sallisaw – OMES CAP#19273AE (CAP FEE \$3,920.40) incorporate value analysis changes into applicable documents.
    - 1. Action
      - Commissioner Smithson made the motion to approve the change order
      - Commissioner Lasser provided the second.
- The clerk called the vote and the vote is as follows:  
Ball – Aye

Costilow - Aye  
Jackson - Aye  
Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

- iii. State Veterans Home Construction Grant Application Update  
*An electronic copy of this presentation is attached to these recorded minutes.*

## **XI. OKLAHOMA SECRETARY OF VETERANS AFFAIRS AND MILITARY**

### **a. BEN ROBINSON, CABINET SECRETARY TO GOVERNOR STITT, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

- i. Report from Monthly Cabinet Meeting.

*This report was given out of order due to a prior commitment.*

*The Secretary let the Commission know there would be a presentation on the Pilot Program scheduled within the next few weeks. The Secretary also stated that he spoke with Glen Waters, who was the new Mayors Challenge leader. The Secretary provided an update re: VARRP, and the Tulsa Veterans Pod at the jail.*

## **XII. OPEN PUBLIC COMMENTS**

The Oklahoma Veterans Commission shall hear public comments limited to only matters that are listed on the current meeting Agenda. Topics that are outside the scope of the present agenda will not be recognized. Individuals requesting to speak are required to sign-in onsite at the meeting prior to the commencement of the meeting or to email: [jennifer.bloomfield@odva.ok.gov](mailto:jennifer.bloomfield@odva.ok.gov) no later than 10:30 a.m. on May 15, 2020, advising of their intent to provide public comment to the Commission. Individuals must provide their name, contact information, as well as the topic on the posted Agenda of which they would like to comment. Open public comments are limited to not more than five minutes per person. The Board Chairman may interrupt and/or terminate any presentation during public comment which is disruptive to the meeting or does not conform to the procedures outlined under this section. The Board Chairman reserves and retains the right to interrupt, terminate, or postpone public comments as necessary to effectuate the management of the public meeting.

*There were no Public Comments*

## **XIII. NEW BUSINESS**

Pursuant to 25 O.S. § 311, “New Business” shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting (twenty-four hours prior to the meeting).

There was no New Business.

**XIV. CARRYOVER TOPICS DEFERRED TO A FUTURE AGENDA**

- a. Strategic Planning Session June 2020
- b. Veterans Pilot Program Briefing June/August 2020

**XV. SUBMISSION AND DISCUSSION OF POSSIBLE AGENDA ITEMS BY THE OKLAHOMA VETERANS COMMISSION FOR THE NEXT SCHEDULED MEETING.**

There were no suggestions

**XVI. DISCUSSION AND POSSIBLE ACTION REGARDING THE NEXT REGULARLY SCHEDULED MEETING DATE TO INCLUDE TRAVEL ARRANGEMENTS, POSSIBLE CANCELLATION OR MODIFICATION OF THE DATE, TIME, OR LOCATION.**

Friday, June 26<sup>th</sup>, 2020 at 10:00AM  
Sulphur Veterans Center  
304 Fairlane Avenue  
Sulphur, Oklahoma 73086

- a. Action  
Commissioner Ball made the motion to change the location of the June Sulphur meeting to Central Office  
Commissioner Costilow provided the second.

The clerk called the vote and the vote is as follows:

Ball – Aye  
Costilow - Aye  
Jackson - Aye  
Lasser - Aye  
LeDay - Aye  
Richey - Absent  
Secor - Aye  
Smithson - Aye  
Van Schuyver – Aye

Aye: 8  
Nay: 0  
Absent: 1

Motion carries

**XVII. ADJOURNMENT**

- a. CHAIRMAN
  - i. Motion

Commissioner Secor made the motion to adjourn  
Commissioner Costilow provided the second

The Chairman adjourned the meeting at 3:07PM