

**OKLAHOMA VETERANS COMMISSION
MEETING NOTICE AND AGENDA
MARCH 1, 2024, 10:00 A.M.
Vezey Veterans Complex
2132 NE 36th Street
Oklahoma City, OK 73111**

NOTICE OF REGULAR MEETING:

The Oklahoma Veterans Commission will hold a Regular Meeting on Friday, March 1, 2024, at 10:00 AM at the Vezey Veterans Complex, 2132 NE 36th Street, Oklahoma City, OK 73111. A Notice of this meeting was filed with the Secretary of State's Office on December 12, 2023. The Agenda of this meeting was also properly posted at least twenty-four (24) hours prior to this meeting pursuant to the provisions of Title 25 O.S. § 311.

The below listed Agenda items may be discussed in any order the Oklahoma Veterans Commission deems appropriate.

AGENDA:

CHAIRMAN ROB ALLEN:

- I. CALL TO ORDER**
- II. DETERMINATION OF QUORUM**
 - A. ROLL CALL**
 - B. DECLARATION OF QUORUM**
- III. VERIFICATION OF PROPER NOTICE OF MEETING AND POSTING OF THE AGENDA**
- IV. INVOCATION**
- V. PLEDGE OF ALLEGIANCE**
- VI. INTRODUCTION OF ODVA STAFF AND WELCOME TO VISITORS AND GUESTS.**
- VII. BUSINESS**
 - A. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF MINUTES OF THE DECEMBER 11, 2023, OKLAHOMA VETERANS COMMISSION MEETING.**

B. REPORTS, WITH DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:

1. HUMAN RESOURCES COMMITTEE: COMMISSIONER SIDNEY ELLINGTON:

- i. Number of total pins;
- ii. Number of unfilled pins;
- iii. Number of new hires since last meeting;
- iv. Number of resignations since last meeting;
- v. Number of terminations since last meeting;
- vi. Total number of resignations in 2023;
- vii. Total number of terminations in 2023;
- viii. Status update of HR climate survey; and
- ix. Discussion of ODVA retirement home support for disabled guard personnel who do not meet the required 90 day mobilization requirement.

2. COMMISSIONER BRETT MARTIN:

- i. Oklahoma Veteran Suicide Task Force; and
- ii. Governors Symposium to Prevent Veteran Suicide.

C. GENERAL HOUSEKEEPING, DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING: CHAIRMAN ROB ALLEN:

1. DISCUSSION AND POSSIBLE ACTION REGARDING STRATEGIC LONG-TERM PLAN PROPOSAL FOR FY24 AND BEYOND.

- i. ODVA Agency Program Goals and Growth Opportunities
 - a. Claims & Benefits
 - b. State Approving Agency
 - c. Data Analyst
 - d. OK Step & Employment Coordination
 - e. Cemetery
 - f. Legislative Requests
 - g. Veterans Centers
 - h. Finance
 - i. Legal
 - j. Human Resources
 - k. Construction & Properties
 - l. Women Veterans
 - m. Mental Health & Suicide Prevention
 - n. Veteran Owned Businesses
 - o. New Program Opportunities

2. DISCUSSION AND POSSIBLE ACTION REGARDING THE STATUS OF THE FOLLOWING COMMITTEES PREVIOUSLY

**ESTABLISHED DURING THE SEPTEMBER 23, 2022,
MEETING OF THE OVC:**

- i. Healthcare;
- ii. Construction/Development; and
- iii. Legislative.

**3. DISCUSSION AND POSSIBLE ACTION REGARDING
PROFESSIONAL LEGAL SERVICES REQUESTED FROM
JOHN M. O’CONNOR, PLLC, AND APPROVING THE
RESULTING MONTHLY INVOICE FOR FEBRUARY 2024,
THAT IS EXPECTED TO EXCEED \$5,000.00.**

**D. REPORTS, WITH DISCUSSION AND POSSIBLE ACTION ON THE
FOLLOWING:**

**1. OKLAHOMA SECRETARY OF VETERANS AFFAIRS AND
MILITARY: JOHNATHAN NASH, DISCUSSION WITH
POSSIBLE ACTION:**

- i. Report regarding Cabinet Meetings.

**2. ODVA: ADMIRAL GREG SLAVONIC, EXECUTIVE
DIRECTOR, DISCUSSION WITH POSSIBLE ACTION:**

- i. Travel report;
- ii. Discuss SB1707 regarding use of sale proceeds of Talihina facility and property; SB1215 Veterans Sales Tax Exemption; SB 1384 regarding appointment of OVC members; HB3060 regarding elimination of current OVC membership and change to OVC member selection process;

**3. ODVA: NISHA YOUNG, CONSTRUCTION PROGRAMS
ADMINISTRATOR, UPDATES, DISCUSSION AND POSSIBLE
ACTION:**

- i. Ardmore New Veterans Home Project update;
- ii. Sallisaw Veterans Home construction update;
- iii. Talihina Veterans Home security and maintenance update;
- iv. Union Soldiers Cemetery update, and
- v. Pursuant to 61 O.S. Section 121 (F) the following Change Orders have been presented to the ODVA since the last Oklahoma Veterans Commission meeting.

**A. Change Orders presented that include a cost increase in excess
of the Oklahoma Veterans Commission Delegation of Authority
to the Executive Director:**

The Oklahoma Veterans Commission is requested to authorize the ODVA Executive Director to execute the Benham Design, LLC, Change Order described below. This Change Order was submitted on December 21, 2023.

Amendment #2 – CAP# 000358AE – Benham Design, LLC - \$621,012.00 + CAP Fee \$43,470.84 – 175 Bed Replacement Sallisaw Veteran Home – Due to funding constraints, the A/E contract was separated into two (2) phases as they completed the necessary corrections related to the design deficiencies from the previous A/E. The 2nd half of the contract is due which is \$395,609.00; plus an additional \$225,403.00 for an extension of time and services to complete this project past the original estimated 20 months. A copy of the documents included with this Change Order has been provided in the Commissioner’s packets.

B. Change Orders presented that do not include a cost increase in excess of the Oklahoma Veterans Commission Delegation of Authority to the Executive Director:

Change #001- CAP# 000526 - \$00.00 + CAP Fee \$00.00– Saker Mechanical, Inc. – Claremore Veteran Home – COVID HVAC Upgrade (FAI:40-071 Grant Project) – This is a zero-cost change order. Additional days were requested by the contractor to add the selected alternate work to the original project substantial completion date. A copy of the documents included with this Change Order has been provided in the Commissioner’s packets.

C. Request for Ratification of Emergency Declaration – Boiler Repair – Clinton State Veterans Home.

The Oklahoma Veterans Commission is requested to ratify the February 15, 2024, Declaration of the existence of an Emergency at the Clinton State Veterans Home regarding the failure of the domestic hot water boiler of the SW Towers and SA Wing Heat Exchanger. The Center was running with one boiler that had already required repairs. It was determined that it was more cost effective to replace the older boiler that had failed than to try to repair it. This is considered to be a life safety issue for residents and staff of the Clinton State Veterans Home.

ODVA staff has requested a quote and repair estimate from Atlantic Fabrications, Inc. The estimated cost for the boiler replacement is \$85,698.00.

In compliance with Title Okl.St. Ann. § 130, the Office of Management and Enterprise Services was notified by letter dated February 16, 2024, of the factual details which described the Emergency situation the Clinton State Veterans Home had suffered as a result of the equipment failure described above and the proposed boiler replacement costs.

4. ODVA: LISA A. WHITE, ODVA CHIEF FINANCIAL OFFICER, DISCUSSION WITH POSSIBLE ACTION ON THE FOLLOWING:

- i. FY24 Budget to Actual;
 - ii. FY24 State Veterans Homes Budget to Actual;
 - iii. FY24 Payroll Trend;
 - iv. FY24 Per Diem/Receipts Trend.
- 5. ODVA: SHAWN KIRKLAND, DEPUTY DIRECTOR, REPORTS, DISCUSSION AND POSSIBLE ACTION RE:**
- i. Update on FY24 Defined Priorities as discussed in January Strategic Planning Committee Meeting;
 - ii. Tulsa Satellite Office;
 - iii. Occupancy and Staffing in the Homes;
 - iv. HR Training Recommendations;
 - v. Talihina Property;
 - vi. Preparing for Sales Tax Exemption Issue.
- 6. ODVA: ROB ARRINGTON, DIRECTOR OF HOMES, REPORTS, DISCUSSION AND POSSIBLE ACTION RE:**
- i. ODVA State Veterans Home Census;
 - ii. ODVA State Veterans Home Staffing.
- 7. ODVA: LISA ACEVEDO, WVP ADMINISTRATOR AND LEGISLATIVE LIAISON, REPORTS, DISCUSSION, AND POSSIBLE ACTION RE:**
- i. Progress and status of Legislative activity regarding active Oklahoma Senate and House Bills;
 - ii. HB 2734 Women Veterans Appreciation Day.
- 8. ODVA: JOHN M. SETTLE, ODVA GENERAL COUNSEL, REPORT RE:**
- i. PROPOSED EXECUTIVE SESSION REGARDING STATUS OF CURRENT LITIGATION IN WHICH ODVA IS A NAMED PARTY AND POTENTIAL LITIGATION, PURSUANT TO TITLE 25 O.S. §307 (B) (4), CONFIDENTIAL COMMUNICATIONS BETWEEN A PUBLIC BODY AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, CLAIM, OR ACTION IF THE PUBLIC BODY, WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCESS THE CLAIM OR CONDUCT A PENDING INVESTIGATION, LITIGATION, OR PROCEEDING IN THE PUBLIC INTEREST.
 - a. Discussion and Possible Action to enter Executive Session.
 - b. Report of current and potential ODVA litigation:

CAPE v. ODVA, Oklahoma Co., CJ-2021-4460

HERD v. ODVA, Oklahoma Co., CJ-2021-2113

MORRISON v. ODVA, Carter Co., CJ-2023-02

OMES/ODVA v. ORCUTT WINSLOW, Sequoyah Co., CJ-2023-135

HOEY CONSTRUCTION v. ODVA, Rogers Co., OFM-2021-02

TATE v. ODVA – Rogers Co., CJ-2022-195

ARTIS v. ODVA – Oklahoma Co., CJ-2023-7104;
ARTIS v. ODVA – New GTCA Claim filed
01/23/24

CROSTON v. ODVA – GTCA Claim filed
09/15/23

WRIGHT v. ODVA – GTCA Claim filed 09/05/23

CUMMINGS v. ODVA – GTCA Claim filed
12/29/23

Potential Talihina State Veterans Home quiet title
litigation.

- c. Status Report, Military Order of the Purple Heart v. Allen, et al. – Oklahoma Co., CV-2022-1551
- d. Discussion and Possible Action to return to Open Session.

VIII. 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 this Notice (24 hours prior to the meeting).

IX. DISCUSSION OF POSSIBLE FUTURE AGENDA ITEMS BY THE OKLAHOMA VETERANS COMMISSION AND DEADLINE FOR SUBMISSION OF AGENDA ITEMS IN ADVANCE OF MEETING.

X. OKLAHOMA VETERANS COMMISSION DISCUSSION AND POSSIBLE ACTION REGARDING THE NEXT REGULARLY SCHEDULED MEETING.

NEXT REGULAR MEETING:

April 5, 2024, 10:00AM
Ardmore Veterans Home
1015 S. Commerce Street
Ardmore, OK 73401

XI. DISCUSSION AND POSSIBLE ACTION REGARDING ADJOURNMENT.