

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

MINUTES OF REGULAR MEETING:

The Oklahoma Veterans Commission held 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. ODVA Paralegal Cass Newell served as Clerk of the Commission for this Meeting. The Agenda and Minutes of the meeting actions are set out below.

AGENDA:

CHAIRMAN ROB ALLEN:

I. CALL TO ORDER

Chairman Allen called the meeting to order at 10:02 AM

II. DETERMINATION OF QUORUM

A. ROLL CALL

Chairman Allen asked the Clerk to call the roll. The roll was taken as follows:

Commissioner Allen – Present
Commissioner Ellington – Present
Commissioner Martin – Present
Commissioner Offel – Present
Commissioner Orr – Present

B. DECLARATION OF QUORUM

The Chair declared that a quorum was present.

III. VERIFICATION OF PROPER NOTICE OF MEETING AND POSTING OF THE AGENDA

Chairman Allen asked the Clerk to verify proper notice to the Secretary of State and posting of the agenda. The Clerk verified that Notice of this meeting was filed with the Secretary of State's Office on December 12, 2023, and the agenda was posted to the front door of the ODVA Central Office and was available at the reception desk of the ODVA Central Office on February 28, 2024, at 3:52 PM. The agenda was posted to the ODVA website on February 28, 2024, at 3:51 PM.

IV. INVOCATION

Commissioner Ellington led the Invocation.

V. PLEDGE OF ALLEGIANCE

Commissioner Martin led the Pledge of Allegiance.

VI. INTRODUCTION OF ODVA STAFF AND WELCOME TO VISITORS AND GUESTS.

Executive Director Greg Slavonic
Deputy Director Shawn Kirkland
Director of Homes Rob Arrington
Chief Financial Officer Lisa White
Construction Programs Administrator Nisha Young
ODVA General Counsel John Settle
OVC Counsel John O'Connor
Assistant Attorney General Joe Ashbaker

Chairman Allen welcomed all visitors and guests to the Commission meeting and asked if anyone would like to introduce themselves to the Commission. Oklahoma State Senator Brenda Stanley and Mr. Jeff Garner, Programs Administrator at the ODVA Sulphur Facility were in attendance. The Chairman acknowledged and welcomed the visitors and guests.

VII. BUSINESS

A. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF MINUTES OF THE DECEMBER 11, 2023, OKLAHOMA VETERANS COMMISSION MEETING.

Chairman Allen asked the Commission if there was any further discussion. There was no further discussion.

Commissioner Martin made the motion to approve the December 11, 2023 meeting minutes.

Commissioner Ellington seconded the Motion

Chairman Allen asked the Clerk to call the roll.

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye

The Clerk notified the Chair that the vote was 5 Ayes, 0 Nays.

Chairman Allen declared the motion passed.

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

- 1. HUMAN RESOURCES COMMITTEE: COMMISSIONER SIDNEY ELLINGTON:**

Commissioner Ellington reported on agency wide employee new hires, resignations, and terminations since the last Commission meeting, 2023 new hires, terminations, resignations agency wide, and a status update of HR climate survey.

2. COMMISSIONER BRETT MARTIN:

Commissioner Martin reported on the Veteran Suicide Task Force and advised Oklahoma State Representative Stegall was replaced by Oklahoma State Representative Tammy West.

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.

Commissioner Allen suggests aligning strategic planning for the Fiscal year with the Calendar year.

2. DISCUSSION AND POSSIBLE ACTION REGARDING THE STATUS OF THE FOLLOWING COMMITTEES PREVIOUSLY ESTABLISHED DURING THE SEPTEMBER 23, 2022, MEETING OF THE OVC:

Commissioner Allen suggests a review of the Committees at present. General Counsel John Settle recommends keeping the Healthcare Committee and Executive Director Slavonic agrees. Commissioner Allen recommends keeping the Construction Committee and Commissioner Orr agrees. The Legislative and HR Committees will be continued as well.

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.

Chairman Allen asked the Commission if there was any further discussion. There was no discussion.

Commissioner Martin made the Motion to authorize John M. O’Connor’s Monthly Invoice for February 2024 to exceed \$5,000.00.

Commissioner Ellington seconded the Motion.

Chairman Allen asked the Clerk to call the roll. The vote was as follows:

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye.

The clerk notified Chairman Allen the Roll Call vote was five (5) Ayes and zero (0) Nays.

Chairman Allen declared the Motion to have Passed.

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

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

Secretary Nash did not attend in person and no report was presented.

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

Director Slavonic states he traveled to the Lawton Veterans Home with Secretary Nash and the visit went well. Director Slavonic invited the Commissioners and recommended they visit the Veterans Homes across the state.

Director Slavonic discussed SB 1707 and stated that ODVA is incurring costs monthly maintaining the Talihina property.

Director Slavonic discussed SB 1215 and states that if the bill is signed by the Governor ODVA will need to get the word out and provide information to lawmakers so they can address veterans' questions. Directory Slavonic also discussed the media effort i.e., radio, billboard, newspaper advertising and multi-platform social media efforts planned to publicize the signing of the bill,.

Director Slavonic discussed SB 1384 and states it has strong support in Senate and House.

Director Slavonic discussed SB 3060 and states the bill did not make it out of Committee and is dead.

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

Ms. Young gave updates on Ardmore New Veterans Home Project, Sallisaw Veterans Home construction, Talihina Veterans Home security and maintenance, and Union Soldiers Cemetery. The construction documents and design effort for the new Ardmore facility is over 90% complete. Sallisaw construction is approximately 73% complete and on schedule. Scott Hammerstedt, Senior Researcher, with the Oklahoma Archeological Survey of the University of Oklahoma performed a survey of the Union Soldiers Cemetery to locate any unmarked graves

before construction begins. A digital copy of this presentation is available as an attachment to these minutes.

- i. Pursuant to 61 O.S. Section 121 (F), the following Change Orders over the authority of the Executive Director since the last meeting of the Oklahoma Veterans Commission meeting were considered:
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.

Chairman Allen asked the Commission if there was any further discussion.
There was no discussion.

Commissioner Ellington made the motion to authorize the ODVA Executive Director to execute the Change Orders related to the Sallisaw Veterans Home, Amendment #2 – CAP# 000358AE as requested.

Commissioner Orr seconded the Motion

Chairman Allen asked the Clerk to call the roll.

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye

The Clerk notified the Chair that the vote was 5 Ayes, 0 Nays.

Chairman Allen declared the motion passed.

- ii. 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. In compliance with Title 61 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

Chairman Allen asked the Commission if there was any further discussion.
There was no discussion.

Commissioner Martin made the motion for Ratification of Emergency Declaration – Boiler Repair - Clinton Veterans Home.

Commissioner Offel seconded the Motion

Chairman Allen asked the Clerk to call the roll.

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye

The Clerk notified the Chair that the vote was 5 Ayes, 0 Nays.

Chairman Allen declared the motion passed.

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

Ms. White gave updates to ODVA FY24 budget. A digital copy of this presentation is available as an attachment to these minutes.

5. ODVA: SHAWN KIRKLAND, DEPUTY DIRECTOR, REPORTS, DISCUSSION AND POSSIBLE ACTION RE:

Deputy Director Kirkland reported on efforts locating a satellite office in Tulsa and advised a request was placed with OMES to find a location. The Deputy Director also reported that HR training is preparing to get ODVA HR personnel SHRM certified.

6. ODVA: ROB ARRINGTON, DIRECTOR OF HOMES, REPORTS, DISCUSSION AND POSSIBLE ACTION RE:

Rob Arrington reported on current occupancy rates of the homes. He also advised that contract staffing is down and addressed the need to hire additional RNs and LPNs.

7. ODVA: LISA ACEVEDO, WVP ADMINISTRATOR AND LEGISLATIVE LIAISON, REPORTS, DISCUSSION, AND POSSIBLE ACTION RE:

Lisa Acevedo reported on progress and status of Legislative activity regarding active Oklahoma Senate and House Bills. Lisa Acevedo also reported on HB 2734, Women Veterans Appreciation Day to be observed on June 12th every year. Lisa Acevedo request that ODVA support HB 2734 on behalf of ODVA Women Veterans Program.

Chairman Allen asked the Commission if there was any further discussion.

There was no discussion.

Commissioner Martin made the Motion authorizing the Women Veterans Program of ODVA to support the legislature on HB 2734 in assisting with questions.

Commissioner Orr seconded the Motion.

Chairman Allen asked the Clerk to call the roll. The vote was as follows:

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye.

The clerk notified Chairman Allen the Roll Call vote was five (5) Ayes and zero (0) Nays.

Chairman Allen declared the Motion to have Passed.

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. GC Settle advised the Commission that public disclosure of the discussion relating to the current litigation cases will seriously impair the ability of the ODVA to process or conduct the pending claims, investigations and litigation in the interest of the ODVA.

Commissioner Ellington made the Motion to enter into Executive Session as advised pursuant to Title 25 O.S. §307 (B) (4).

Commissioner Martin seconded the Motion.

Chairman Allen asked the Clerk to call the roll. The vote was as follows:

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye.

The clerk notified Chairman Allen the Roll Call vote was five (5) Ayes and zero (0) Nays.

Chairman Allen declared the Motion to have Passed.

The Commission entered Executive Session at 11:36 AM and recording was paused.

- 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.

Action to return to Open Meeting from Executive Session was considered.

Commissioner Martin made the Motion to Return from Executive Session.

Commissioner Ellington seconded the Motion.

Chairman Allen asked the Clerk to call the roll.

The vote was as follows:

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye

The Clerk notified the Chair the Roll Call vote was 5 Ayes, 0 Nays.

Chairman Allen declared the Motion passed.

Meeting doors were opened, and recording started.

The Commission Returned to Open Meeting at 12:59 PM.

Commissioner Ellington made the Motion to authorize ODVA staff and GC Settle to
begin settlement discussions in the Cape v. ODVA case and to work toward a possible
settlement as recommended by GC Settle during the Executive Session.

Commissioner Martin seconded the Motion.

Chairman Allen asked the Clerk to call the roll.

The vote was as follows:

Commissioner Allen – Aye

Commissioner Ellington – Aye

Commissioner Martin – Aye

Commissioner Offel – Aye
Commissioner Orr – Aye
The Clerk notified the Chair the Roll Call vote was 5 Ayes, 0 Nays.
Chairman Allen declared the Motion passed.

Commissioner Martin made the Motion to authorize the Executive Director and ODVA staff to work toward a possible settlement of the title issues regarding the Talihina State Veterans Home and property.

Commissioner Orr seconded the Motion.
Chairman Allen asked the Clerk to call the roll.

The vote was as follows:

Commissioner Allen – Aye
Commissioner Ellington – Aye
Commissioner Martin – Aye
Commissioner Offel – Aye
Commissioner Orr – Aye

The Clerk notified the Chair the Roll Call vote was 5 Ayes, 0 Nays.
Chairman Allen declared the Motion passed.

VIII. NEW BUSINESS

There was no new business.

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

Chairman Allen designated a Standard Operating Procedure of a deadline for submission for agenda items of two weeks before a scheduled Commission Meeting.

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

NEXT REGULAR MEETING:

June 7, 2024, 9:00AM
Lawton Veterans Home
501 SE Flower Mound Road
Lawton, OK 73501

XI. DISCUSSION AND POSSIBLE ACTION REGARDING ADJOURNMENT.

Chairman Allen asked the Commission if there was any further discussion.

There was no discussion.

Commissioner Martin made the Motion to Adjourn.

Commissioner Ellington seconded the Motion.

Chairman Allen asked the Clerk to call the roll.

The vote was as follows:

Commissioner Allen – Aye
Commissioner Ellington – Aye
Commissioner Martin – Aye

Commissioner Offel – Aye

Commissioner Orr – Aye

The Clerk notified the Chair the Roll Call vote was 5 Ayes, 0 Nays.

Chairman Allen declared the Motion passed.

The Meeting Adjourned at 1:13 PM.