

**Virginia Office for Protection and Advocacy**  
**Richmond, Virginia**  
**Governing Board**  
**\*\* FINAL MINUTES \*\***  
**July 28, 2010**

<b>Those Present:</b>	Bill Fuller, Board Chair Shirley McInnis, DAC Council Chair Michael Newcomb, PAIMI Council Chair  Elaine Caudill, Charles Cooper, Waja Grimm, Kathy Harkey, Chris Harrison, Maureen Hollowell, Van Johnson, Rita Kidd, Yvette Lane, Darrel Mason, Ali Parker, Elizabeth Prialux, Arva Priola, Lisa Ritchie, Sara Singhas, Mary Jane Sufficool, Angela Thanyachareon, Linda VanAken, Monica Wiley
<b>Those Absent:</b>	Barbara Barrett, Betty Friedrichsen, Larry Friedrichsen, Steve Hornstein, Melissa Meade, Sandra Musselwhite, Daaiyah Rashid
<b>Guests Present:</b>	None
<b>Staff Present:</b>	Sherry Confer, Kim Mendella, Colleen Miller, Lisa Shehi  Paul Buckley, Clyde Mathews, Kim Ware (for portions)
<b>Call to Order, Welcome</b>	Bill Fuller, Chair, called the joint meeting of the Governing Board, Disabilities Advisory Council, and PAIMI Council to order at 11:00 a.m. and welcomed all attendees to the pilot joint meeting.
<b>Mission Statement</b>	Bill Fuller read the VOPA mission statement.
<b>Public Comment (11:00)</b>	No public comment was offered.
<b>Training</b> <ul style="list-style-type: none"><li>• <b>Critical Incident Reports</b></li></ul>	Paul Buckley, VOPA Managing Attorney, and Kim Ware, Data Analyst, provided an oversight on Critical Incident Reporting.
<b>Joint Council and Board Working Lunch</b> <ul style="list-style-type: none"><li>• <b>Introductions – “What’s Your Passion?”</b></li></ul>	Bill Fuller asked that all Board members, Council members, and staff introduce themselves and describe their passion.
<b>Reports</b> <ul style="list-style-type: none"><li>• <b>Progress on Objectives</b></li><li>• <b>Litigation</b></li></ul>	Colleen Miller, VOPA Executive Director, referred Board and Council members to the Progress on Objective Report provided in advance of the meeting. She stated that schools that serve as voting precincts in Mathews County will be targeted for accessibility studies this year. She also provided updates on the Social Security Administration Representative Payee program and surveys recently completed of Medicaid waiver homes. She reported that all staff would be visiting every assisted living facility (serving our constituents) in the state to distribute information about voting rights.  Colleen Miller provided updates on three additional cases not included in the written report. She shared that VOPA staff are facing increasing access issues at state facilities and discussed

litigation filed since the report. She also discussed the US Supreme Court's decision to hear the case VOPA v. Reinhard.

- **PAIMI Council**

Michael Newcomb, PAIMI Council Chair, noted that the Council met in the morning prior to the Joint Board and Council meeting to make suggestions towards the new fiscal year objectives. Michael Newcomb thanked Kim Ware and Clyde Mathews (VOPA Managing Attorney) for their support and assistance in the process. During the meeting, the Council talked about interagency cooperation with more groups and how disabilities affect them. He finished by reading a report summarizing a PAIMI Institute and NDRN Annual Conference he attended in Los Angeles.

- **Disabilities Advisory Council**

Shirley McInnis, Chair, shared that the Disabilities Advisory Council met in the morning prior to the Joint Board and Council meeting to begin making suggestions for new fiscal year objectives. She acknowledged and thanked Jonathan Martinis (VOPA Managing Attorney) and Kim Mendella (Executive Assistant) for their support during the meeting.

The DAC will make recommendations for membership for two individuals to join the DAC. The Council elected new officers Lisa Ritchie as Chair and Linda VanAken as Vice Chair

**Council Meetings Adjourn**

The Joint meeting of the Governing Board and Advisory Councils concluded at 2:03 p.m. with the Governing Board continuing.

**Approval of April 30, 2010 Minutes**

Bill Fuller asked Board members to note any changes or corrections to the April 30, 2010 Governing Board Meeting Minutes. Angela Thanyachareon noted a misspelling of her name. The Governing Board continued discussion without approving the minutes. The April minutes as amended will be voted on at the September 29, 2010 Board Meeting.

**Executive Director Evaluation Committee (closed session)**

Charles Cooper made a MOTION to adjourn to closed session for the purpose of discussing the performance and salary evaluation of the Executive Director. This meeting is specifically authorized to be conducted in closed session pursuant to section 2.2-3711 (A) (1) of the Code of Virginia.

Chris Harrison SECONDED the MOTION and it carried with unanimous approval of the Board.

After discussion in closed session, Charles Cooper read a statement to certify that only such public business as that identified in the MOTION to close the meeting was heard or considered. Each member personally and individually affirmed this certification.

A written evaluation was given to the Executive Director. On her recommendation, the Executive Director's salary was not increased.

**Public Awareness and Goals Committee**

The Public Awareness and Goals Committee met July 28, 2010. Elizabeth Priaux, Committee Chair, noted that the Committee discussed methods of disseminating information to the public about activities VOPA is involved in. She stated that there will be

an opportunity after all trainings for input and comments for suggested Objectives. She also shared that Colleen Miller has started a blog.

#### **Executive Committee**

- **FY 2011 Calendar**

**After Board discussion, the meeting schedule for 2011 was scheduled as follows:**

January 29, 2011  
(Inclement Weather Alternate: February 5, 2011)  
April 27, 2011  
July 27, 2011

- **Retreat Planning**

Bill Fuller formed a workgroup including Angela Thanyachareon and Susan Kalanges to discuss the relevancy of a retreat in 2011. He asked that the workgroup report to the Board at the September 29, 2010 Board Meeting.

#### **Finance and Resource Development Committee**

- **Financial Report**

The Finance Committee met on Tuesday, July 27, 2010. Charles Cooper, Chair, presented the Financial Report certification noting that no exceptions were found in the financial reports. On behalf of the Committee, he recommended that the financial report be adopted. Board members adopted the report unanimously.

- **FY 2011 Budget**

Charles Cooper recommended, on behalf of the Committee, that the Board approve the projected FY2011 budget as follows:

<b>Expenditures</b>	<b><u>FY2011</u></b>
salaries, wages, fringe	\$ 2,268,705
services, memberships, subscriptions, travel	300,550
supplies, gas	13,050
unemployment, indirect costs	176,386
rent, rentals, service charges	224,184
equipment, furniture	<u>41,795</u>
	<b>\$ 3,024,670</b>

Board members asked what actions needed to be taken in order to achieve the budget with the loss of state funding. Colleen Miller explained that the budget reflects no raises for staff and that some staff vacancies were not filled when vacated.

On behalf of the Committee, Charles Cooper recommended adoption of the FY2011 budget. The budget was adopted with unanimous vote of the Board.

- **Resource Development**

Bill Fuller, Resource Development workgroup Chair, explained that the current goal of the workgroup is to establish a separate 501(c) (3) non-profit dedicated to supporting the mission of the

organization. To date, the group has received a commitment from the Community Tax Law Project to provide free legal advice on development of the non-profit. He stated that if it is possible to convert an existing, unused 501(c) (3) it will save approximately two years of process time. The group is currently developing a business plan. The workgroup is focusing on the possibility of producing materials that would be pertinent to parents, educators, and attorneys that would give them advice, instruction, and best practices in the area of special education in order to generate the income needed.

#### **Internal Policy Committee**

- **Policy 4.6 - Office Closings/Inclement Weather**

The Internal Policy Committee met on July 27, 2010. On behalf of the Committee, Chair Chris Harrison recommended adoption of the following policy:

##### Policy 4.6 – Office Closings/Inclement Weather

The Virginia Office for Protection and Advocacy provides employees continuity in pay for absences necessitated by the unscheduled closing of the Office operations due to inclement weather conditions or other emergencies such as utility failure, fire and other forced evacuations.

No SECOND was required and the policy was adopted by unanimous vote.

#### **Policy 1.7 – Service Disagreement Policy 5.3 – Complaint**

The Committee submitted two policies for first review by the Board.

##### Policy 1.7 - Service Disagreements

The Virginia Office for Protection and Advocacy (VOPA) will resolve disagreements about eligibility for services or the extent of or kind of services to be provided to the maximum extent possible by providing applicants and clients opportunities to express their disagreement with decisions made by VOPA. VOPA has a process for resolving the disagreement that is designed to ensure that persons eligible for services are provided full access to the services of the Office. This policy only addresses decisions VOPA makes with regard to providing services.

##### Policy 5.3 - Complaints

The Virginia Office for Protection and Advocacy (VOPA) addresses complaints from the public about VOPA in a timely and sensitive manner. This policy does not address decisions VOPA makes about whether to provide services or the extent of or kind of services to be provided.

The Board will be vote on the adoption of these policies in September 2010.

#### **Executive Director's Report**

Colleen Miller, Executive Director, provided updates to the written Executive Director's Report.

There being no further business, Bill Fuller adjourned the meeting. The next meeting of the Virginia Office for Protection and Advocacy Governing Board will be September 29, 2010 in Richmond.