

MINUTES

October 15, 2004

1:00pm

COMFORT INN

BISMARCK, NORTH DAKOTA

Meeting called to order by Chairman Rudy Jenson. Pledge of Allegiance, followed by moment of silence for POW/MIAs.

Roll Call:

Members **PRESENT:**

Daryl Beard

Rudy Jenson

Gary Skarphol

Carl Bloomquist

Dean Overby

Paul Smathers

Wally Buckingham

Rick Ryan

Dave Vandergon

Larry Dakken

Lyle Schuchard

Bob Volk

Orletta Kilen

Members **ABSENT:**

Wally Bolte

Guest Speakers:

SFC Phil Miller, ND National Guard, Veterans Cemetery Director [HANDOUT]— SFC Miller has been named Military Funeral Honors Coordinator for North Dakota. Retirees can now be paid a \$50 stipend along with actual gas costs for doing funeral honors. The guard is working with Grand Forks and Minot Air Bases, Fargo Army Band and the Reserve Marine MP Unit in Wahpeton to provide additional support at funerals.

Tim Nolz, Job Service North Dakota [HANDOUT] – Explanation that Postwar Trust Funds are used in conjunction with other funds to assist veterans. Job Service requesting additional trust fund dollars.

Jerry Meske, DOL Veterans Employment & Training Service [HANDOUT] – USERRA helps guardsmen and reservists retain their jobs when they have been activated. Overall, employers have been very supportive of the returning troops in re-employing them. e-VETS Resource Advisor is a website available to veterans preparing to enter the job market. Plans are under way to bring agencies (VA, ND DVA, Job Service, DOL) together to offer an all day information center for returning troops.

Greg Wheelden, Administrative Officer, Primary & Specialty Medicine Service Line, VAMROC [HANDOUT] – November 4 is Women’s Wellness Day at the VA. The Native American Outreach program has been very successful with all the reservations in North Dakota and one in Minnesota visited. Flu vaccine is in very limited supply and the VA has identified a 3-tier priority system with only those in Priority Group 1 receiving the vaccine.

Glenn Miller, Government Rural Outreach Initiative – tasked with connecting rural residents with government services. The main four groups they are working on are veterans, farmers, seniors, and Native Americans. There is a website devoted to service officers and veterans to help make information more accessible. Mr. Miller was a presenter at the CVSO Spring Conference which resulted in the sign up of 27 CVSOs and 1 Tribal VSO. Mr. Miller is trying to spread the word about the website to veterans.

Eric Monson, NOVUS – presented Strategic Plan. A recommendation from Chairman Jenson is to list the committee members assigned to each goal, in addition to the Commissioner, under “responsible person”.

Motion by Skarphol to adopt the strategic plan as presented as the base plan, second by Smathers. Motion carried unanimously.

Point of information from Monson. Eric is currently running for a legislative seat in District 44, Fargo. There was not a conflict when the contract was signed between the Administrative Committee and NOVUS, LLC. If he wins a legislative seat, Eric personally feels there would be a conflict and would turn it over to another member of NOVUS.

Chairman Jenson reported that he and Secretary Rick Ryan met with the Governor earlier that morning. The Governor guaranteed that the entire optional package of the Department’s 2005-2007 budget would be included in his budget. The Governor will also give a State of the Veteran speech on November 11, 2004. The Secretary and Commissioner are to put together information for the Governor.

Veterans Home Update – Neil Asper, Administrator

An addiction counselor has been hired and will start in November. The asbestos removal issue is taken care of and Neil's anticipates the Home receiving a small fine. Legislators toured the Veterans Home and gave it a favorable response. One recommendation is for a feasibility study to be done on adding a unit for dementia patients.

Chairman Jenson named the following members to form a committee to evaluate the Commissioner: Rick Ryan, Chair; Dean Overby, Lyle Schuchard, Dave Vandergon, and Bob Volk.

Motion by Smathers to approve the committee as named, second by Skarphol. Motion passed unanimously.

Administrative Code Changes - Jake Reuter, ND Veterans Home

The purpose of the changes are to bring the codes up-to-date and to more accurately reflect the operation of the Veterans Home.

86-03-01-02. Admission Eligibility Requirements.

Motion by Dakken to accept the changes proposed to this section, second by Bloomquist. Motion passed unanimously. [MOTION #1]

Motion by Smathers to change Commandant to Administrator throughout the document ~~and change Administrative Committee on Veterans Affairs to North Dakota Veterans Home Governing Board throughout the document~~, second by Skarphol. Friendly amendment accepted to strike everything after the word "document". Amended motion and second withdrawn.

Motion by Ryan to accept this document as is and approve it with the understanding that the Veterans Home staff will submit to the Administrative Committee for approval a resident handbook that, without a doubt, will include resident's rights, second by Smathers. Motion fails, 4 yeas – Bloomquist, Kilen, Schuchard, Skarphol; 9 nays – Beard, Buckingham, Dakken, Jenson, Overby, Ryan, Smathers, Vandergon, Volk; 1 absent – Bolte [MOTION #2]

Motion by Ryan that the resident handbook be drafted and submitted to the Administrative Committee before any code changes are rescinded, second by Buckingham. Motion and second withdrawn.

86-03-01-03. Board of Admissions – Composition, Duties.

Motion by Ryan to accept the changes proposed to this section, second by Smathers. Motion passed unanimously.

86-03-01-04. Denial of Admission – Appeal.

Motion by Ryan to accept the changes proposed to this section, second by Vandergon. Motion passed unanimously.

86-03-01-05. Admission Orientation

Motion by Smathers to table this section, second by Skarphol. Motion passed unanimously.

86-03-01-06. Readmission Requirements.

Motion by Buckingham to accept the changes proposed to this section, second by Smathers. Motion passed unanimously.

86-03-02-01. Resident Rent.

Motion by Smathers to accept the changes proposed to this section, second by Vandergon. Motion passed unanimously.

86-03-02-03. Resident – Payment of Charges.

Motion by Skarphol to accept the changes proposed to this section, second by Overby. Motion passed unanimously.

86-03-02-04. Resident Income.

Motion by Kilen to rescind this section, second by Buckingham. Motion passed unanimously.

86-03-02-05. Annual Review of Resident Finances – Basic Care.

Motion by Smathers to accept the changes proposed to this section, second by Bloomquist. Motion passed unanimously.

86-03-03-01. Medical Services – Basic Care.

Motion by Smathers to table this section until such time staff prepares an updated revision reflecting other sources of regulatory rules covering this area, second by Beard. Motion passed unanimously.

Motion by Skarphol to rewrite all proposed rescinded sections throughout the document, second by Overby. Motion passed unanimously.

Motion by Smathers that a draft resident handbook be sent to Administrative Committee members by February 1, 2005, second by Buckingham. Motion passed unanimously.

86-03-05-09. Resident Complaints – Appeals.

Motion by Ryan to accept proposed changes to this section with the addition that references to state and federal laws and regulations pertaining to this section be included, seconded. Motion and second withdrawn.

Motion by Beard to table this section so it can be rewritten by staff, second by Smathers. Motion passed unanimously.

86-03-06-03. Resident Possession of Firearms.

Motion by Smathers to table this section, second by Bloomquist. Motion passed unanimously.

Motion by Buckingham to accept the proposed changes, highlighted in yellow and blue, to the remaining sections, second by Smathers. Motion passed unanimously.

Veterans Home – Kristin Lunneborg

Change rent policy so it is accordance with SB 2302 regarding late fees and add waiving interest charges to those who are trying to make payments in good faith.

Motion by Smathers that the rent policy be changed in accordance with the recommendation of the administrator, second by Skarphol. Motion passed unanimously.

Budget change necessary per conversation with OMB.

Motion by Ryan to increase the Veteran's Home budget by \$156,932, seconded. Motion passed unanimously.

Motion by Ryan that Dave Vandergon replace John Coyne on the Appeals Committee, second by Smathers. Motion passed unanimously.

Meeting recessed until 8:30am Saturday at the Comfort Inn.

October 16, 2004
Comfort Inn, Bismarck

Meeting reconvened at 8:30am by Interim Chairman Jenson. Pledge of Allegiance, followed by moment of silence for POW/MIA and for John Coyne, who passed away August 30, 2004.

Roll Call:

Members **PRESENT:**

Daryl Beard

Carl Bloomquist

Wally Buckingham

Larry Dakken

Orletta Kilen

Rudy Jenson

Dean Overby

Rick Ryan

Lyle Schuchard

Gary Skarphol

Paul Smathers

Dave Vandergon

Bob Volk

Members **ABSENT:**

Wally Bolte

Veterans Home Governing Board Report – Daryl Beard, Chairman

► Discussion on appointment to replace Alex Schweitzer on the board. This person serve out Schweitzer's term. Two names put forward – Shelly Graening and Diana Herner.

Motion by Skarphol to appoint Diana Herner for the Veterans Home Governing Board for a term ending June 30, 2005, second by Ryan. Motion passed unanimously. [MOTION #1]

► Discussion on the funding possibilities for an addition to the Home to service dementia patients.

► Performance evaluation on the Administrator of the Veterans Home distributed to members.

Motion by Ryan to accept performance evaluation of Neal Asper, second by Smathers. Motion passed unanimously.

Report on Fort Totten event – Dave Vandergon

Attended the Veterans Service Fair on October 5, 2004 at Fort Totten at the request of the Chairman. Claims are taken, exams given, and cases adjudicated at these events. Better publicity would certainly help get the word so more veterans can be helped, not just a native american event.

North Dakota Veterans Coordinating Council Report – Elmer Ekern, Amvets

Carol Sigl, VFW, is now the president of the council and Dan Stenvold, VVA, is vice-president. Legislative subcommittee will be putting bills together for the upcoming session on such issues as: Veterans Home issues, Cemetery License Plates, Stepchild benefits, corrections to All Veterans Memorial in Bismarck, support of full funding for ND Veterans Affairs. Next meeting on Friday, December 3, 2004 starting at 10:00am in Bismarck.

Motion by Ryan that the Budget Committee become the Budget/Legislative Committee (Rudy Jenson, Dean Overby, Rick Ryan, Lyle Schuchard, and Gary Skarphol) with the addition of Paul Smathers, second by Beard. Motion passed unanimously.

The Commissioner was directed to have bill drafts of legislative proposals done for review by the Legislative Committees of the ACOVA and NDVCC.

Transportation Van Bid Process – Wally Buckingham

The appraised value of the 1998 Dodge van is \$3,500. We received one bid. The Commissioner and Cathy Halgunseth were present when I opened the bid, which came in at \$1,479. All of us agreed to reject this bid.

Subsequent bids were received and the Commissioner opened them at the meeting. AMVETS Post #9 submitted a bid of \$3,000 and AMVETS Post #7 submitted a bid of \$3,500.

Motion by Dakken to accept the high bid of \$3,500 from Fargo AMVETS Post #7 with the money to be deposited in the Postwar Trust Fund, second by Smathers. Motion passed unanimously.

Department of Veterans Affairs Update – Bob Hanson, Commissioner

► Preliminary discussions taking place on holding a rural outreach event for veterans, possibly in the southwestern part of the state. Other areas could be included if the first event is successful.

► Ransom County VSO position is still not filled. The county commissioners decided not to hire the disabled veteran in accordance with veterans preference laws. As it stands now, they plan to hire a part-time person but not provide service to the Veterans Home. They feel the Home's veterans are not residents of Ransom county and they shouldn't have to use county resources to provide service.

► Audit Recommendations:

2-7 desk audits planned using outside resource

2-9 working with cvso advisory group and other county entities

2-11 Ransom county issue

2-8 Commissioner recommends change in language

3-2 to 3-12 deals with the loan and grant programs

Legislative Drafting Seminar Report – Paul Smathers

December 9 is the final day for agencies to submit bills

Discussion on attendance of Veterans Home Administrator at Committee meetings.

Motion by Ryan to require the Veterans Home Administrator and the Department Commissioner to stay for the entire Administrative Committee meeting, second by Smathers. Motion passed, 9 yeas – Bloomquist, Buckingham, Dakken, Jenson, Overby, Ryan, Schuchard, Smathers, Vandergon; ***3 nays*** – Beard, Kilen, Volk; ***2 absent*** – Bolte, Skarphol . [MOTION #2]

Report from Postwar Trust Fund Committee – Paul Smathers, Chair

- 1.) Request from Job Service for \$20,000 - committee recommends approval
- 2.) Request from Department for \$10,000 for ACOVA travel – committee recommends approval
- 3.) Request from Bismarck DAV Chapter to take over the responsibility of providing transportation for area veterans and make provisions for a replacement van - \$10,000 – committee recommends approval
- 4.) Request from Department to replace a transportation van for \$10,000 – committee recommends approval

Motion by Smathers to obligate \$20,000 to Job Service, second by Bloomquist. Motion passed unanimously. [MOTION #3]

Motion by Smathers to obligate \$10,000 to the Department for ACOVA travel funds, second by Overby. Motion passed – 9 yeas – Bloomquist, Buckingham, Kilen, Overby, Ryan, Schuchard, Smathers, Vandergon, Volk; ***3 nays*** – Beard, Dakken, Jenson; ***2 absent*** - Bolte, Skarphol [MOTION #4]

Motion by Smathers to obligate \$20,000 to the Department for transportation vans to be used in conjunction with the DAV Colorado Trust Fund, second by Ryan. Motion passed unanimously. [MOTION #5]

Discussion on loan to committee member. The Commissioner stated it's being treated in the same manner as any other veteran's loan.

Motion by Ryan to have the Commissioner handle the loan, second by Dakken. Motion and second withdrawn.

Next meeting scheduled for December 3 & 4, 2004 in Bismarck.

Motion to adjourn, seconded, passed.

Submitted by

Rick Ryan
Secretary