

March 12, 2002

The regularly scheduled meeting of the Community Corrections Planning Council was called to order this 12<sup>th</sup> day of March, 2002, in the conference room of the County Office Building by Chairman Dave Stockwell. Roll was called by Dorinda Harvey, County Clerk/Secretary and those present were:

Dave Stockwell, Chairman  
Dorinda Harvey, Secretary  
DeWayne Beggs, Member  
Waldo Blanton, Member  
Leroy Krohmer, Member

Members William Hetherington, Tim Kuykendall, and Libba Smith were absent. Member Melissa McLawhorn was absent at roll call.

Others present were: Steve Nelson, Ed Kearns, Corry Flowers, Julia Curry, Jennifer Beck, Bill Yeager, Richard Stevens, Tim Guinn, Tom Belusko, Henry Gains and Donna Woods.

Chairman Stockwell asked if the Council was in compliance with the Open Meeting Act. Dorinda Harvey answered in the affirmative.

After the reading of the minutes of the regular meeting of February 12, 2002, and there being no additions or corrections, DeWayne Beggs moved that minutes be approved. Waldo Blanton seconded the motion.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes.

Motion carried.

(Member Melissa McLawhorn entered the meeting at this time.)

Chairman Stockwell called for Presentation of Financial Affairs, Audit. etc., by Oklahoma Community Sentencing Division. Bill Yeager gave the Council handouts, one is the entire spreadsheet for the community sentencing system and one is the balance sheet for the end of February. The spreadsheet shows the encumbrances, the vendor that has been contracted with, the invoices that were submitted, the transaction number to authorize the payment, the amount paid and the balance in the various codes. It shows who the providers are and the money that has been paid to them. Questions were asked about the providers that nothing had been paid to them but the spreadsheet showed them with money. It was asked if the contracts with them would have to be cancelled if the Council wanted to move that money somewhere else and Mr. Yeager said the Council would not have to do anything he would cancel the contracts if they are not used and unless specifically instructed the money would be moved around to make sure all of the other services are met in a particular code. Another question arose as to the providers that more money has been paid to them than was encumbered and Chairman Stockwell asked if that was a problem.

Bill Yeager stated overall it was a problem and that is what needs to be looked at, the Outpatient/Individual and the Outpatient/Group has been over spent. Substance Abuse treatment has dramatically increased since January.

More questions were asked as to the spreadsheet, the balance sheet for the end of the month of February and the encumbrances.

The Council discussed the supervision and Chairman Stockwell stated that the numbers were not reflecting correctly, he stated the \$9,455.00 was accurate on both sheets but the other numbers do not appear on either sheet. On one piece of paper it show the budget of \$6395.00 and on the spreadsheet it show \$5007.00 has been encumbered and asked if the number should not be the same.

Mr. Yeager stated that there were some funds that had not been encumbered and there is a little bit left to be encumbered but the Council is still going to be in the hole by quit a bit.

Mr. Yeager stated that he would be glad to speak to the Council further about the budget because he really does think it is important, it's just how much the Council wants to get into it.

Chairman Stockwell thinks the Council needs to get into it enough so it can see if there is going to be enough money to last until June 30.

Several of the Council Members asked Mr. Yeager about the money he said they could spend that doesn't show on the budget. Mr. Yeager talked about this at a prior meeting.

Mr. Yeager had said in a previous meeting that you have to put the offenders in the program even if you don't have the money to finish it, and Mr. Blanton said well that is writing hot checks, and Mr. Yeager said they will fund it if there are offenders in the program.

Mr. Yeager apologized for what was said in the prior meeting and explained to the Council according to state statutes you cannot spend more money than you have appropriated in a fiscal year. He stated that there is some additional money that he brought with him today that is left over and some more money that could be available from other Councils if they do not spent all of their resources.

More discussion to place as to what was left in the budget, what was original asked for, offender pay, administrative fees (which is a wash), supervision fees, and what is needed to be done or the amount to be spent for the remainder of the year.

Mr. Blanton thinks there is money that is not reflected on paper that the Council should know about after what he has heard here today.

Mr. Yeager handed out a proposed cost savings for Cleveland County Community Sentencing System.

Chairman Stockwell stated that he wanted to go on record that he understands that the Council is over budget and that the budget cannot be overspent. Chairman Stockwell doesn't want any of the providers to be doing services for free whatever it may be. Reviewing items one (1) through four (4) in Mr. Yeager hand out, Mr. Stockwell wants to know, if cutting back on the number of counseling session a week or the length of the counseling sessions will the participants suffer by not getting the treatment they need, as several are messing up right now.

Again it was brought up about a few months ago to put more people in the program and several people encouraging it. Right now there are too many people in the program for the money that is on hand and the Council has to work around it.

Melissa McLawhorn stated that there are two (2) issues that are being dealt with one (1) how does the Council make sure the bills are paid now and that we have enough money to deal with the offenders that are now in the program and two (2) to look at the big picture, the Council has always taken the position that we are the third largest county, we have a lot of options available that other areas in the state don't have, and we were going to design a system that worked. We were told to ask the legislature for what it was going to cost and what the Council is paying now is what was asked for the Council has always wanted private supervision and offenders paying part. This Council has created a system that was wanted

and basically now, philosophically, we are either going to say okay you get the system that works but you only get twenty-five (25) people a year in it or you are only going to get \$50,000.00 a year and you will be effective in treating ten (10) people.

Mr. Yeager stated that this Council has envisioned a system that will be the best for Cleveland County and one that the Council feels will be really functional. The legislature has said that it is a resource limited system and you get a budget that you have to live within with this number of offenders.

Mr. Blanton stated that this tells him that the basic answer to this is to tell the legislature that this program won't work if they are only going to fund twenty-five (25%) percent of the money.

Mr. Yeager thinks this Council is doing well but Mr. Blanton stated that the Council is out of money and was told that this is an opportunity to plan for next year.

Melissa McLawhorn stated she thinks Mr. Yeager is right, that the Council can take care of this fiscal year but you have to separate the issues. The Council's concern is that there is a completely different message as to what we are creating and in Cleveland County we need to know if the legislature and DOC are going to us enough money for fifty (50) people a year or twenty-five (25) people a year, all concerned people need to know this, attorney's, judges, services providers, etc. The Council is not going to slight an offender, or try and spread out limited resources over one hundred and fifty (150) people when we only have the money for fifty (50), if this Council can intervene and change the life of fifty (50) offenders that is what this Council will do, but it needs to know up front.

It was discussed as to what would happen to the offenders if this program doesn't work.

Leroy Krohmer stated that this Council knows that it has to deal with this year's current budget but what is going to happen to the program next year with the state having to take such a large budget cut next year.

Chairman Stockwell thinks it will get budgeted higher next year and DeWayne Beggs thinks it will be like all of the rest of the state and have to take a cut. More discussion took place. Chairman Stockwell asked where the money came from that Mr. Yeager had and he explained it was money freed up from other Councils and he is anticipating additional funds but he doesn't what to guarantee it.

The proposed cost savings that Mr. Yeager passed out was discussed:

#1 of the proposed cost savings was cutting sessions back from one an a half hours (1 ½ hours) to just one hour (1 hour) this was addressed and providers where heard from, none of the providers were in favor of cutting back on this.

#2 of the proposed cost savings was cutting back to only two sessions per month this was addressed and providers where heard from, providers are already doing two sessions per month, but some offenders have requested individual outpatient treatment or the provider sees that it is needed. This is an area that could be feasible and save some money. If the providers see that an offender needs more than two sessions per month they will make sure that it's done, therefore nothing needs to be done on this item as it is already being done.

#3 of the proposed cost savings was requiring offenders to pay \$5.00 co-pay for outpatient substance abuse treatment sessions and the Council decided that it needed to read "outpatient substance abuse treatment/education sessions" (any sessions). It will be worked out how this is going to be done with a minimum of \$5.00 a week based on a sliding scale.

#4 of the proposed cost savings was devoting half of the Administrative Fees to the system budget. Julia Curry stated that she would cut her fees in half and she would only be receiving \$10.00 instead of \$20.00. Although the offender will pay \$20.00 she will only bill the State for \$10.00 per offender supervised. She would rather do that then any offender losing any of their continuity of care, and Chairman Stockwell had a problem with this

stating that the providers should not have to help finance Cleveland County's Community Sentencing Planning Council. More discussion took place about #4.

All of the above items are from the months of March thru June.

Bill Yeager stated that the statute does say that the offender will pay for something.

Chairman Stockwell asked if they could go back and change a plea agreement/sentencing?

Richard Stevens stated that there is nothing in any of the plea papers that talks about the cost of the treatment.

Chairman Stockwell asked Mr. Stevens if he had a problem with all of these offenders paying \$5.00 per week toward their treatment or education.

Richard Stevens said that the way he would get it started would be with written directives and he can deal with the ones that don't do it or won't do it.

Chairman Stockwell also asked Mr. Stevens for up front notification to change the Community Sentencing Rules and Conditions and Mr. Stevens thought that would be a good idea.

Mr. Stockwell went back over all of the items that had already been discussed to update everyone.

Melissa McLawhorn asked Chairman Stockwell what item was being discussed in order to comply with the Open Meetings Law and Chairman Stockwell stated it is item 1 under old business presentation of Financial Affairs, Audit, etc., by Oklahoma Community Sentencing Division and item 1 under new business discussion, consideration, and/or action on FY2002 Budget (to include what was originally asked for, what was actually received, all income and expenditures) being combined.

Chairman Stockwell asked if the other items on the agenda needs to be tabled and members Leroy Krohmer and Dorinda Harvey both stated either tabled or stricken.

Melissa McLawhorn moved, seconded by Waldo Blanton, to table discussion, consideration and/or action upon entering into a contract with Donna Woods, Drug Recovery, Inc.

The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer yes.

Motion carried.

Melissa McLawhorn moved, seconded by Leroy Krohmer, to table utilizing the new drug-testing machine available through the Cleveland County Adult Drug Court System.

The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes.

Motion carried.

Melissa McLawhorn moved, under new business item #1, action on FY2002 budget that the Council begins requiring offenders to pay a minimum of \$5.00 per week for treatment and/or education to be paid to the service provider based upon what the treatment provider feels is appropriate based on a sliding scale. Waldo Blanton seconded the motion.

Leroy Krohmer asked if that agenda item was clear on what is being done.

Melissa McLawhorn stated it was action on FY2002 budget and she thinks the agenda item covers it.

Leroy Krohmer said he thought we were approving the budget we had, he didn't think we were adding to it.

Chairman Stockwell stated that the budget is not getting added to, it is getting modified.

DeWayne Beggs asked about the sliding scale and why one offender should pay more than another. (Sliding scale was discussed)

Julia Curry and Chairman Stockwell both stated that any kind of treatment outside of community sentencing is based on a sliding scale based on the ability to pay.

Chairman Stockwell asked Ms. McLawhorn if this should be item #2 under new business discussion, consideration and/or action on Proposal's to Reduce Expenditures or does she want to combine item 1 under old and items 1 and 2 under new and asked if that could be done.

Both Leroy Krohmer and Dorinda Harvey, stated no that he can't add old business to new business.

Melissa McLawhorn stated that her problem was that she doesn't think the Council has been presented an accurate picture of the budget based on revenue coming in and all of the different pots of money that has been talked about. This is something to her that is not reducing an expenditure it's an action on the budget that's going to be reflected in the FY2002 budget that is why she put it under the first item under new business.

The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, no.

Motion carried.

Melissa McLawhorn moved, seconded by Dorinda Harvey, to table item 1 under old business the presentation of Financial Affairs, Audit, etc., by Oklahoma Community Sentencing Division and thanked Bill Yeager for this presentation.

Chairman Stockwell stated that it's he understanding Melissa wants additional documents presented showing all moneys out of all pots available to the Council on paper where it is clear.

Melissa doesn't think it needs any action since the agenda just says presentation and Chairman Stockwell agreed with her.

The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes.

Melissa McLawhorn moved, seconded by Leroy Krohmer, to table discussion, consideration and/or action on Proposal's to Reduce Expenditures.

The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; Dewayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes.

Motion carried.

No action was taken on Item #3 under new business since it was just questions and answers for Bill Yeager.

Leroy Krohmer moved, seconded by Waldo Blanton, to approve Ed Kearns doing some of the LSI's.

Chairman Stockwell stated that just for clarification Mr. Kearns would be doing one (1) LSI a week or four (4) a month whichever way it works out.

The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes.

Motion carried.

Melissa McLawhorn moved, seconded by Leroy Krohmer, to table discussion, consideration and/or action on Status report from Oklahoma Court Services, Inc., and Corry Flowers. The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes. Motion carried.

There being no further business to come before the Council, Waldo Blanton moved that the meeting be adjourned. Dorinda Harvey seconded the motion. The vote was: Dave Stockwell, yes; Melissa McLawhorn, yes; Dorinda Harvey, yes; DeWayne Beggs, yes; Waldo Blanton, yes; Leroy Krohmer, yes. Motion carried.