

**Interstate Commission for Juveniles
Executive Committee Conference Call
5/28/2009**

In Attendance:

- 1) Donna Bonner (TX) Commissioner – Chair
- 2) Ray Wahl (UT) Commissioner – Vice Chair, IT Committee Chair, Executive Director Search Sub-Committee Chair (joined the call later in the morning)
- 3) Dennis Casarona (KS) Commissioner – Treasurer
- 4) Lisa Bjergaard (ND) Commissioner – Finance Committee Chair, Midwest Regional Representative
- 5) Summer Foxworth (CO) Compliance Committee Chair
- 6) Jean Hall (FL) Commissioner – Training, Education, and PR Committee Chair
- 7) Terry Clark (PA) Designee – Eastern Regional Representative
- 8) Judy Miller (AR) Designee – Southern Regional Representative
- 9) Dale Dodd (NM) Commissioner – Western Regional Representative
- 10) Rick Masters, CSG
- 11) Keith Scott, CSG
- 12) Crady deGolian, CSG

Absent:

- 1) Gary Hartman (WY) Commissioner – Rules Committee Chair

Roll Call – Keith Scott, CSG

- Keith Scott called the roll. Eight of ten committee members were present ensuring a quorum.

Approval of Agenda – Donna Bonner, Chair

- Judy Miller motioned to approve the agenda as amended.
 - Jean Hall seconded and the agenda was approved.

Approval of Minutes – Donna Bonner, Chair

- Jean Hall motioned to approve the minutes from the 4/23/09 call and Summer Foxworth seconded.
 - The minutes from the 4/23/09 Executive Committee meeting were approved as amended.
- Judy Miller made a motion to approve the minutes from the 5/6/09 Executive Committee call and Summer Foxworth seconded.
 - The minutes were approved with one edit.

Committee Reports

Executive Committee – Donna Bonner, Chair

- Chair Bonner has received responses from several potential Ex-Officio members.
 - Donna has forwarded response letters to the Executive Committee as they have come in (responses are available on the Commission's Web page as well).

- Chair Bonner noted that she has not heard anything more from Indiana Parole. They are continuing to conduct business as usual as far as she knows.
- Chair Bonner notified the Committee that Crady deGolian is working to update the Web site on a regular basis.
 - He is still working with the IT staff at CSG to develop an interactive contact information map.
- Chair Bonner also noted that she is working with the Finance Committee to find a convenient time for the Executive Committee to visit CSG's headquarters in Lexington.

Executive Director Search Sub-Committee – Donna Bonner, Chair

- Because Ray Wahl was not on the call, Chair Bonner reported on the Executive Director Search Sub-Committee's progress.
 - The next Executive Director Search Sub-Committee call is tentatively scheduled for June 3 at 3:00 PM.
- Chair Bonner notified the group that the Committee is still working to develop the job description. Good progress has been made up to now.

Finance Committee – Lisa Bjergaard, Committee Chair

- The Finance Committee is trying to determine the financial needs of each Committee.
 - Chair Bjergaard sent a letter to each of the Committee Chairs requesting this information.
- Chair Bjergaard informed the Executive Committee that she participated on a conference call with Keith Scott, Rick Masters, and Wade Littrell, CSG's CFO.
 - Chair Bonner and Treasurer Casarona also represented ICJ on the call.
 - The issues discussed on the call included the following:
 - First, could the Committee spend FY '10 funds prior to July 1st.
 - Rick Masters and Wade Littrell both thought this was appropriate.
 - The possibility of moving the fiscal year start date to June 1st was also discussed. CSG did not think this was a good idea. It would be better to leave the fiscal year alone for recordkeeping purposes and note money spent to July 1st as a prepaid expense.
 - The next issue that was discussed was who should have signatory authority prior to the hiring of an Executive Director.
 - CSG's auditing processes and insurance and bonding were also discussed during the call.
 - Chair Bjergaard noted that ICJ will be included in CSG's audit once the MOU is signed. However, the Commission could also request an additional audit for an additional cost.
 - ICJ is also covered by CSG's liability insurance. The Commission could add additional insurance if they desire at their own expense.
 - The Finance Committee also was provided with detailed ledgers for review from the CSG accounting department.
 - Treasurer Casarona thought CSG's reports would address the needs of the Commission, but he requested more time to review them in greater detail. Dennis will report on this issue during the next call.

- The final issue the Finance Committee asked the Executive Committee to consider was drafting a new budget. The budget's bottom line will not change.
 - Lisa also asked that this be given major attention at a future Executive Committee meeting.
 - Chair Bjergaard next noted that the Finance Committee requested an advisory opinion from Rick Masters regarding several of the issues outlined above.
 - In Rick's opinion, it was reasonable to spend FY '10 funds before July 1. Rick noted that there are accounting procedures that permit this.
 - The remainder of Rick's advisory opinion pertained to the Commission's audit and liability insurance as required by the compact.
 - The compact requires an audit be conducted by a certified accountant.
 - This occurs for all affiliates as part of CSG's general audit.
 - Rick thought this audit was sufficient, though he noted that the Commission could authorize an additional audit if the need arises.
 - Wade Littrell estimated the additional expense for this would be about \$5,000.00.
 - Rick next informed the Committee that CSG provides property and casualty insurance and errors and omissions insurance through the MOU.
 - Rick thought the coverage was sufficient for now.
- Chair Bjergaard had no additional business to discuss. She asked that the Committee consider the items noted above under new business.

Training, Education, and PR Committee – Jean Hall, Committee Chair

- Chair Hall first discussed the organizational chart she developed for her Committee. It has proven very useful to the Committee and both Chair Bonner and Jean thought it would be beneficial for other Committees as well.
- Chair Hall next asked that the Executive Committee vote on the two banner proposals that were presented.
 - The Training, Education, and PR Committee voted on this during their last call, but the vote ended in a tie.
 - Chair Bonner noted that this issue will be taken up under new business.

Compliance Committee – Summer Foxworth, Committee Chair

- Chair Foxworth advised that the Compliance Committee met for the first time May 20th.
- They will be working in conjunction with the Rules Committee moving forward.
 - Summer noted that the Compliance Committee is planning to work through the compact language, ICJ Interim Rules, and ICAOS rules to begin developing compliance procedures.
- Summer would like someone from the eastern region to serve on the Committee. She will contact states in the eastern region to determine interest. In addition, the Compliance Committee would like to add an AJCA representative as an Ex-Officio member of the

Compliance Committee in the event that a dispute arises between old and new compacting states.

- Chair Bonner advised that inviting AJCA to become an ex-officio member will be taken up under new business.
- The Committee established the third Tuesday of the month at 3:00 PM eastern time as its standing meeting date and time.

IT Committee – Dale Dodd

- Dale Dodd delivered the IT Committee's report in place of Chair Wahl.
- Dale informed the Committee that during the last call the Committee finalized the IT Committee's survey.
 - They inserted the preamble and included the changes recommended by the Executive Committee on the 4/23/09 call.
 - Chair Bonner agreed to bring this up under old business as well.

Regional Reports

- Terry Clark let everyone know that the Regional Reps have not had another opportunity to meet.

Eastern Region – Terry Clark

- Terry Clark e-mailed all the states in the eastern region. In the e-mail he provided contact information for each member state in the region, asked for a State Council update, and asked if there were any specific concerns he should be aware of.
 - Terry notified everyone that Vermont is planning to introduce the new compact during the next legislative session.
 - Vermont expressed concern about how they will continue conducting business after December when the old compact is no longer in effect.
 - Maine asked if the Commission would be able to assist with the development of their State Council. Terry notified Maine that the Regional Reps can assist with this and that the Training, Education, and PR Committee is developing training tools as well.
 - Delaware is developing a work plan for their State Council and hopes to have it up and running by November of this year.
 - Delaware also has some concerns about the appointment of Commissioners and Designee. Rick Masters is aware of this concern and is developing an advisory opinion on this matter.
 - Pennsylvania will have their next State Council meeting July 15. This will be the first in-person meeting.

Southern Region – Judy Miller

- Judy Miller has spoken with Tennessee and Mississippi regarding their State Councils.
- Judy submitted a list of who she would like to have on the Arkansas state council and is hoping to have their first State Council meeting sometime in July.

Midwestern Region – Lisa Bjergaard

- Lisa Bjergaard asked Terry to forward the e-mail he sent to his region. She would like to send a similar e-mail to the states in her region.
- Lisa has secured all the appointments for North Dakota's State Council and is planning to meet for the first time this summer.

Western Region – Dale Dodd

- Dale Dodd received a couple of calls from states in his region regarding the payment of dues prior to the first of July. He notified those states that New Mexico paid their dues out of the existing fiscal year funds.
- Dale next notified the group that Hawaii and Alaska have sent the legislation to their respective Governor's desk.
 - California has not introduced the legislation this session.
- Dale noted that State Council development in New Mexico is moving slowly. Ray Wahl joined the call and informed Dale that things are moving slowly in Utah as well.

CSG/NCIC Report – Crady deGolian, CSG

- Crady deGolian notified the Executive Committee that \$196,000 in dues have been collected from 13 states thus far.
 - The second dues invoice was mailed to the Commission on 5/21/09.
 - The Commission has \$471,000 in dues still to collect from 17 states.
- Crady next notified the Commission that Nebraska became the 37th member state of the compact.
 - Crady restated the news regarding Hawaii and Alaska. Crady believes both of those states will join the Commission very soon.

Legal Counsel Report – Rick Masters, CSG

- Rick Masters noted that everybody should have received the latest version of the MOU.
 - Rick recommended that the Committee go ahead and sign the MOU.
- Chair Bonner raised a question about the indirect costs outlined in the MOU. She noted a discrepancy exists between the budget that was presented in Las Vegas and the indirect costs laid out in the existing MOU.
 - Because of this Rick felt an agreement existed in principal, but the Commission is not ready to execute the document until they receive clarification from CSG. He thought the MOU should be consistent with the budget that was approved in Las Vegas.
- Lisa Bjergaard also raised a question about how indirect costs will be charged as new member states join the compact.
 - Dennis Casarona noted that the percentages of indirect costs are predicated on expenditures, not revenues. Because of that Dennis thought it would be a moot point.
- Dennis also asked for clarification about what is meant in Section 3A when the MOU states a contribution will be made by CSG back to the affiliate.
- Keith Scott asked that this issue be deferred until he can seek additional clarification from Wade Littrell on each of the issues outlined above.
 - Because of that the MOU was tabled until the next call. Keith noted that he will ask Wade to participate on the next call.

Old Business

- Crady deGolian provided the Executive Committee an overview of potential locations for the second annual meeting.
 - Crady provided the Committee updated proposals for each of the three cities.
 - Each of the proposals considered cost of hotel, airfare, and ground transportation.
- Chair Bonner also asked Dale Dodd to briefly discuss the options available in Albuquerque.
 - Dale noted that Hyatt is a beautiful property. The property is a little outside of town, but Dale thought it would be possible to arrange ground transportation to the airport through a shuttle service.
- Dennis Casarona made a motion to host the second annual meeting at the Hyatt in Albuquerque pending the contract process.
 - Summer Foxworth seconded and the motion carried.
- Keith Scott next led a discussion about the Annual Report. Keith provided the Committee with ICAOS' Annual Report. He thought this would be a good framework for ICJ to use as well.
- Dennis Casarona asked if ICAOS' report corresponded to their fiscal year.
 - Rick Masters noted that he believes it does but will verify.
- Dale Dodd thought it would be difficult to develop a report as detailed as ICAOS' at this point.
 - Dennis did think a report could be published following the close of the first fiscal year. That would be published after June 2010.
- The Committee tabled this item and will take it back up during the next meeting.
- Chair Bonner next asked the Committee to consider the IT Committee Survey that Dale Dodd discussed earlier.
 - Summer Foxworth made a motion to approve the survey as amended and Dale Dodd seconded the motion. The motion carried and the survey will be distributed to all 50 states through Survey Monkey.
- The last item of old business that Chair Bonner raised was the draft Ex-Officio policy. Rick Masters is still working to develop this. He is planning to base it on ICAOS scholarship policy and will distribute it to the Committee shortly.
 - Chair Bonner asked that this issue be tabled until the June meeting. It will be discussed again under old business.

New Business

- The first item of new business was the Training, Education, and PR Committee's proposed banner (see above for additional detail).
 - Rick Masters noted that a simple up/down vote was appropriate in this instance.

- Banner choice number one was selected by a count of four votes to three.
- Chair Bonner next asked the Committee to consider proposed changes to the by-laws. She noted that changes to the by-laws require full Commission approval. However, the Executive Committee can make recommendations to the full Commission.
 - Rick Masters noted that none of the proposed changes alter the legal meaning of the bylaws. The only substantive change made was to add language about what happens if an Executive Committee member is unable to serve their full term.
 - Judy Miller raised a question about Article 3, Section 1. As it reads now, it does not mention anything about designees.
 - Rick noted that this issue is already covered in the compact and does not need to be addressed again.
 - Dale Dodd motioned to submit the amended bylaws as written for approval at the next Commission meeting.
 - Dennis Casarona seconded and the motion carried.
- The next issue of new business pertained to a member state of the Commission and their FY '10 dues. Keith Scott requested that the Committee conduct this part of the call in closed session. He asked Crady deGolian to stop the recording.
 - Following the discussion, the call resumed in open session and recording was started again.
- In the next portion of new business, Chair Bonner noted that she had received an invitation from ICAOS for ICJ to serve as an Ex-Officio to their Commission.
 - She requested Committee permission to accept this invitation and to appoint Dale Dodd as ICJ's Ex-Officio representative.
 - Dennis Casarona made this motion and Summer Foxworth seconded. The motion carried.
- Chair Bonner next asked for Committee approval to invite AJCA to serve as an Ex-Officio member of the Commission.
 - Judy Miller thought this was an excellent idea and made the motion to invite AJCA to serve as an Ex-Officio. Dale Dodd seconded and the motion carried. Chair Bonner agreed to send an invitation to Mike Lacy.
- Chair Bonner concluded the new business portion of the call by asking the Committee to review and vote on the recommendations made above by the Finance Committee.
 - The first item that required action was who should receive the Commission's financial reports from CSG.
 - Dennis Casarona made a motion that the financial reports supplied by CSG be distributed to the Commission Chair, Treasurer, Finance Committee Chair, and the Executive Director.
 - That would also include Keith Scott at CSG until an Executive Director is hired.
 - Summer Foxworth seconded the motion and it carried.
 - The second item Chair Bonner raised was who should be the interim signatory until an Executive Director is hired.
 - Dennis motioned that until an Executive Director is hired CSG maintain signatory authority for all financial issues.
 - Summer Foxworth seconded and the motion carried.

- Chair Bonner next asked the Committee to consider if additional liability insurance was needed.
 - Rick Masters suggested this issue be tabled until the next meeting so that Wade Littrell can provide the Executive Committee with additional pricing information.
 - The Committee agreed with this recommendation and the issue was tabled.
- Chair Bonner next asked that the Executive Committee grant the Finance Committee the authority to reforecast the budget to reflect the Commission's current known financial needs.
 - Dennis Casarona motioned to allow the Finance Committee to reforecast the budget for submission to the Executive Committee.
 - Judy Miller seconded and the motion carried.
- Crady deGolian informed the Committee that the next call is scheduled for 6/25/09.
- Hearing no other old or new business, Chair Bonner adjourned the call.