

**Minutes of the
Kansas Commission on Veterans' Affairs Meeting
Friday, November 20, 2009
Jayhawk Tower Central Office, Topeka, KS**

Commission members present: Ed Wieggers, Chairman; Jim Buterbaugh, Commissioner; Joy Moser, Commissioner; and Jonathan Small, Commissioner.

Staff present: Jack Fowler, Executive Director; Jim Hays, KVH Superintendent; Steve Dunkin, KSH Superintendent; Wayne Bollig, Veteran Services Director; Marshall Kennedy, Chief Fiscal Officer; Kafer Peele, Cemetery Program Director; Kim Tatum, Human Resources Director; Dave Murach, SAA Program Director; and Jeanne Urban-Wurtz, Clinical Administrator KSH.

Guests in attendance: Charles M Yunker, The American Legion; Christian Kramer, Disabled American Veterans; Loren Pontious, Winfield American Legion/VFW; Jeff Hansen, Fleet Reserve Association; Patrick Hurley, Governor's Office; Nancy Schwalm, Pinon Management; and Janet Arndt, Assistant Attorney General.

1. Chairman Ed Wieggers opened the meeting of the Kansas Commission on Veterans' Affairs at 10:00 AM.
2. Executive Director Jack Fowler introduced the pledge leader, Chuck Yunker. Pictures will be available on our website <http://www.kcva.org>.
3. Chairman Wieggers began with the October 16, 2009 Commission minutes.

MOTION: Commissioner Jim Buterbaugh moved to accept the October 16, 2009 Commission minutes. Commissioner Jonathan Small seconded. All in favor; no dissenting votes, no abstentions. Motion passed.

4. Executive Director Jack Fowler gave the agency updates. **(A)** Executive Director Jack Fowler reported on the budget recommendations. **(B)** Director Fowler reported on a telephonic scam. It

is a scam where people are calling wanting to raise money for Kansas Veterans'. The KCVA has nothing to do with this fundraiser; if anyone receives one of these phone calls they should get as much information as possible and report it to the Kansas Attorney General's Office. **(C)**

Director Fowler reported that the Kansas Association of Homes and Services for the Aging (KAHSA) gave both the homes a year's complimentary membership for the year of 2010, which will save the homes approximately \$15,000. **(D)** Director Fowler reported that at the direction of the Governor he called in Pinon Management to come in and give our agency a proposal for privatizing the nursing home operation of the Kansas Soldiers' Home.

5. Nancy Schwalm from Pinon Management presented to the commission what they would have to offer to the Kansas Soldiers' Home. Nancy projected that it would take 12 to 24 months to get the Kansas Soldiers' Home on track. There will be no cost savings right away and we will need additional funding. For option one the cost would be \$27,000 a month, \$360,000 year. Later on in the meeting the Commission decided that they are in consensus of Pinon Management, provided we can fund it.
6. Chief Fiscal Officer Marshall Kennedy reported on budget issues. **(A)** Mr. Kennedy showed a chart detailing expenditures so far for the current fiscal year. The agency is 33% through FY2010, and most of the programs are on track with their expenditures. **(B)** Mr. Kennedy reported on the budget recommendations from the Division of the Budget for FY2010 and FY2011 for the agency. He briefed the commission about the Supplements for FY2010, the Capital Improvements for FY2010 and FY2011, the Enhancements for FY2011, the Reduced Resources package for FY2011 and the Summary of Appeal Items.
7. Human Resources Director Kim Tatum reported on program updates. **(A)** Mrs. Tatum reported that they are currently working on their written appeals for Group 1 Classification recommendations. There are six appeals between the two homes. **(B)** Mrs. Tatum reported that the Kansas Soldier's Home has hired a new human resources director. **(C)** Mrs. Tatum reported on the Performance Management Process (PMP) transition. All employees must receive a close out evaluation with the current system by December 31, 2009 and all employees must be set up on the new PMP also by December 31, 2009. **(D)** Mrs. Tatum reported on the Sharp to Smart transition. The required final transition date was extended from December 31, 2009 to April 15, 2010.

8. Veteran Services Program Director Wayne Bollig reported on the Veteran Services and Veterans Claim Advisory Program. (A) Mr. Bollig reported that out of the \$1,163,711 appropriation, there has been \$420,820 in expenditures, leaving a balance of \$742,891. (B) Mr. Bollig gave an update regarding the Medallion Program. There is an issue with the design that was chosen and that was that the phrase on the design was copy righted. Mr. Bollig asked the Commission if we wanted to stay with the design that was chosen or if we should just move on to the second medallion. Chairman Ed Wieggers suggested that we remove the "on active duty" from medallion number two and have it say "In Appreciation For Those Who Served".

MOTION: Commissioner Jonathan Small moved to accept the second Medallion, as revised. Commissioner Joy Moser seconded. All in favor; no dissenting votes, no abstentions. Motion passed.

(C) Mr. Bollig reported on Operating Financial Issues. With 33% of the fiscal year complete claims production is up. (D) Mr. Bollig reported on recent meetings and activities.

9. Mr. Dave Murach reported on the State Approving Agency. (A) SAA new contracts have not been released. (B) Mr. Murach reported on SAA outreach and other activities. The minimum total visit requirement for FFY2010 is 118. This is an increase of 15 over last year. 18 school audit visits have been completed to date. (C) Mr. Murach reported on new and pending approvals. The Horton Fire Department; Exline, Inc., Salina; AMSA 57 G, New Century; and the Garden City Electric Department have all been approved. The Paul Mitchell School is still pending approval.
10. Cemetery Program Director Kafer Peele reported on the cemetery program. (A) Mr. Peele reported on the operational activities of the cemetery program and statistics. In October 2009 KCVA cemeteries completed 24 interments and 46 new pre-certifications. Total interments for the cemeteries are at 765, and pre-certifications are at 2,382 YTD. (B) Mr. Peele reported on staffing and personnel issues. There are 14 FTE filled, with 17 authorized FTE. There is one temporary position at Ft. Riley. The total payroll is at \$44,144. There are no employees on restrictions or leave at this time. (C) Mr. Peele reported on funding balances per fund as of October 2009. The State General Fund (SGF) balance is \$323,144, the Scratch Lotto balance is at \$171,090, VA Plot

Allowance balance is at \$9,452, donations balance is at \$6,056, and VA Construction Grant is at \$857,475. **D)** Mr. Peele reported on recent events.

11. Superintendent Steve Dunkin reported on the Kansas Soldiers' Home (KSH). **(A)** The current census as of November 15, 2009 is 148 residents, of which 117 are veterans and 28 are non-veterans. There are 29 residents in the domiciliary, 51 residents in LTC, and 68 residents in the cottages. There are three residents on Hospice Care. The net change for the month of October was positive one. There was one admission, zero deaths, and zero discharges. There are seven applicants on the KSH waiting list: four applying for nursing care; one applying for Domiciliary; and two applying for Cottages. The applicants' current living arrangements are four are at home and the other two are at a hospital. **(B)** There are 90-filled FTE, 22 temporary employees, and 12 resident workers. The payout for salary and wages in October totaled \$568,091. Overtime hours were 1088.75 for a total of \$27,702.23. He reported on restrictions and leaves; five employees working with workers' comp restrictions, one employee working with personal medical restrictions, two employees on FMLA leave, and one employee on non-FMLA medical leave. **(C)** Superintendent Dunkin reported on operation and finance as of November 12, 2009. The general operating fund balance is \$1,904,844.02; the state general fund balance is \$579,800.99; the VA per diem fund balance is \$732,752.16; the fee fund balance is \$592,290.87; and the scratch lotto fund balance is \$90,361. The Repair and Rehabilitation fund balance is \$280,000. The work therapy fund balance is \$2,744.88. The resident benefit fund balance is \$143,253.07. The resident trust fund balance is \$170,477.34. The canteen fund balance is \$65,137.71. **(D)** Superintendent Dunkin reported on surveys, inspections, and audits. The VA survey occurred November third, fourth and fifth. We received our written findings, we had 11 deficiencies; all 11 were paper compliance. **(E)** Superintendent Dunkin reported on repair and rehabilitation issues. The HVAC has project cost \$225,000 and is completed. Major maintenance has come to \$150,000, street repair to \$231,500, Custer House HVAC to \$40,000, and stone/foundation repair to \$130,000. **(F)** Superintendent Dunkin reported on the Medicare/Medicaid project. Our CMS certification number is 17-5513. All of the civil rights documentation has been submitted and accepted. Key therapy will be the therapy provider and the contract has been signed. **(G)** Superintendent Dunkin reported on KSH events in November. **(H)** Superintendent Dunkin showed pictures of previous events.

Chairman Wieggers asked Superintendent Dunkin of the KSH to address the commission on the 37mm gun that is on display at the Soldiers' Home at Fort Dodge. Joy Moser reported that she went to Lieutenant Colonel Doug Jacobs; he is the Command Historian for the Kansas National Guard Museum and asked him to help us trace the gun down. She reported that Steve took pictures of the gun and any numbers on the gun that we needed to verify who it belonged to. Ultimately, the gun belongs to the US Government. Director Fowler reported that for those that aren't aware, there is a 37mm gun on display at Fort Dodge and there have been individuals and/or organizations that have looked on the gun with envy, some believe it is part of a vehicle that is one of a kind and that is what has set this all in motion to determine who owns the 37mm gun and where do we go from here. Superintendent Dunkin reported that we now realize we cannot trade the gun or give it away. The directive we have from this gentleman, of which we will make contact with him, is that we are still interested in retaining the gun at our site and we will make contact with the authorities to complete the appropriate paperwork and make a commitment so that the gun will stay at the KSH. Chairman Wieggers asked that Superintendent Dunkin and Commissioner Moser to work on this.

12. Superintendent Jim Hays reported on the Kansas Veterans' Home (KVH). **(A)** The current census is 137 residents which include 118 veterans and 19 non-veterans. There are 37 residents in the domiciliary and 100 in long-term care. There are four residents on hospice care. There was a net change of negative-3 in census since the last meeting, October 16, 2009. One resident has been discharged from the long-term care, five deaths in long-term care and three were admitted. There are 31 applicants on the KVH waiting list. Out of those applicants, 13 are applying for the domiciliary, 16 for nursing care, and two for special care. Their current living arrangements are 20 at home, nine at other nursing homes, and two homeless/at the Wichita VA facility. **(B)** There are 164-filled FTE with 22.5 positions vacant or on hold, and 6.5 temporary employees (three offset employees on leave). The payouts for October were; salary and wages totaled \$872,252, which included \$6,100 for longevity payments, \$1,391 in other payouts and \$8,740 for 391 overtime hours. Superintendent Hays reported on restrictions and leaves; four employees off on workers' comp, six employees working with workers' comp restrictions, three employees off on personal medical leave, 11 employees working with personal medical restrictions, and one employee on leave of absence. **(C)** Superintendent Hays reported on the operating fund balances as of October 31, 2009, totaling \$2,235,149; state general fund is \$336,167; VA Per Diem fund is \$1,026,347; fee fund is \$677,003 and Scratch Lotto fund is \$195,632. The repair and

rehabilitation fund balance is \$81,402. The balance on independent resident support funds was detailed: the canteen fund is \$23,395, the resident benefit fund is \$34,417, and the resident trust fund is \$92,690. **(D)** Superintendent Hays reported on recent and upcoming events at the KVH. **(E)** Superintendent Hays reported on KVH residents Branch of Service/Period of Service. **(F)** Superintendent Hays showed pictures from previous events.

13. Superintendent Hays and Superintendent Dunkin reported on rate increase proposals.

MOTION: Commissioner Jim Buterbaugh moved to accept the rate increases for both the KSH and KVH. Commissioner Jonathan Small seconded. All in favor; no dissenting votes, no abstentions. Motion passed.

14. Chairman Wieggers opened the floor to the audience.

15. Chairman Wieggers called for a motion to adjourn the meeting for not more than 20 minutes and go into an executive session and talk exclusively about personnel matters.

16. Chairman Wieggers reopened the meeting.

MOTION: Commissioner Jonathan Small moved that the Executive Director be given the authority to implement the layoff plan described in the executive session. Commissioner Joy Moser seconded. All in favor; no dissenting votes; no abstentions, Motion passed.

17. Chairman Wieggers called for a motion to adjourn the meeting.

MOTION: Commissioner Jim Buterbaugh moved to adjourn the meeting. Commissioner Jonathan Small seconded. All in favor; no dissenting votes; no abstentions, Motion passed.

18. Chairman Wieggers adjourned the meeting at 12:56 PM.

Ed Wieggers, Chairman

October 16, 2009