

ADMINISTRATIVE COMMITTEE ON VETERANS AFFAIRS
COMFORT INN, BISMARCK ND

March 30, 2012
8:00AM

Meeting called to order by Chairman Schuchard. Pledge of Allegiance and Moment of Silence for POW/MIAs and those serving overseas.

Roll Call:

Present:

John Adolf	Dave Hilleren	Dean Overby
Richard Belling	Trish Hodny	Carroll Quam
Lee Finstad	Orletta Kilen	Lyle Schuchard
Mike Fisher	Mark Landis	Jim Verwey
Jeff Hall	Ron Otto	

Absent:

Ken Hasby

Guests:

Marlys Morgenstern, Job Service ND
LTC Davina French, NDNG
Steve Frojen, President, ND CVSO Association
Jeb Oehlke, Deputy State Treasurer

Chairman Schuchard asked for a motion to approve the minutes from the previous meeting. Mark Landis asked to strike the sentence, "The opinion recommends the Governor's Office consult with ACOVA and Commissioner prior to someone's possible assignment." Mark stated this sentence does not appear in the Attorney General's

Opinion. Commissioner Wangen pointed out that Laura Bearfield, AG Office, had stated this is her interpretation of the opinion. Chairman Schuchard determined that the sentence would stay in the minutes for now and Laura Bearfield will be asked to clarify her statement in regards to the opinion.

Motion by Lee Finstad to approve the November 18, 2011 meeting minutes, second by Richard Belling. Motion passed.

Chairman Schuchard introduced Trish Hodny. She is a veteran having served in the Marine Corps; currently is the Director of Career Services at the UND School of Law, an Attorney, born and raised in Lakota, ND. She was also a county veteran's service officer in Nelson County for four years.

Chairman Schuchard introduced Connie Ebach. She has been nominated by the Chairman and Secretary to Governing Board. Ms. Ebach served 32 years in the military – 20 years in the Guard and 22 years as a Reservist. She currently works full-time at MedCenter One. The Committee was provided with information on Ms. Ebach prior to the meeting.
Motion by Orletta Kilen for Connie Ebach to be appointed to the Governing Board, second by Carroll Quam. Motion passed.

Commissioner introduced Jeff Hatzenbuhler to the Committee. He is a new employee with the Department and is working out of the Bismarck office. Jeff served 24 active duty Army and is a North Dakota native.

Speakers:

Kelly Schmidt, State Treasurer

- ▶ Welcomed Trish to the committee and extended an invitation for Trish to visit the Treasurer's Office to get information on the Postwar Trust Fund.
- ▶ As of the end of February 2012, the distribution to ACOVA would have been \$71,129. That money is being held since general funds were provided by the Legislature.
- ▶ In 2009 a complete audit of the fund was completed to separate out the principle and interest spent. The cost was \$10,000 and was taken out of the fund last biennium. A study on the future needs of veterans was also done on the fund for a cost of \$10,000.
- ▶ Lee Finstad asked about Edward Jones handling only the Postwar Trust Fund. All other state funds are managed by the State Treasurer's Office and deposited in the Bank of North Dakota. Treasurer Schmidt chose Edward Jones to assist with investing the Fund.
- ▶ As a member of the State Investment Board, she believes it would not be a good fit to have the PWTF being invested with the rest of the state funds. It needs to be actively invested on its own to get the best results.

MG David A. Sprynczynatyk, ND Adjutant General

- ▶ Roughly 280 soldiers and airman are deployed somewhere in the world. Gave updates on where they are serving.
- ▶ Under a proposed budget, North Dakota will be the only state not to have a manned flying mission but it is the only state that will receive additional positions – 19 total. Losing the manned flying mission would be detrimental to North Dakota. There are many problems with the budget that Adjutant General's from other states are trying to work out also.
- ▶ 119th Happy Hooligan's received its 14th Outstanding Unit Award.
- ▶ Encouraged those serving in Kosovo and Kuwait to vote using the Secretary of State website.
- ▶ Legislative session will be coming up and the Guard is looking at some issues. They have begun to identify legislative issues that will be affecting the Guard. They would like to work with the committee's legislative subcommittee on issues affecting veterans.
- ▶ May 28th Memorial Day, the Adjutant General will start ceremony at noon at the Veterans Cemetery.

Lee Finstad brought up Measure 2 and how that would affect the county veterans service offices; which in turn would affect how returning military personal could expect to get in assistance in their counties.

Michael J. Murphy, VA Medical Center

- ▶ Trying to improve services to veterans in rural areas: six events scheduled throughout the State and western Minnesota to contact veterans.
- ▶ National Caregivers Support Act – identifies catastrophically injured veterans in the OEF/OIF theater that require 24/7 caregiver support. It provides the caregiver with a stipend and other benefits, i.e. health insurance, education benefits.
- ▶ Funding for Office of Rural Health includes VA Fargo office psychologist internships. The VA long standing policy not to hire psychologists who haven't completed an APA approved program, so this will satisfy that requirement. Two students will be completing program.
- ▶ Tele-health program – doing a lot in mental health and moving in other directions (1) mental health (2) home care – continue to provide medical services to veterans in a home setting (3) store and forward – tests that can be done in a rural location, stored electronically then forwarded to a specialist for reading.
- ▶ Proposal for home based primary care program to start in Fargo area with plans to expand to the Bismarck area.

- ▶ Construction projects: front of building should be done late this fall – November 2012; addition to 4th floor should be done in the next few weeks, grand opening possible in June 2012.
- ▶ There are plans for a presence in Devils Lake area using a tele-health clinic.

Maren Daley, Executive Director, Job Service ND

- ▶ There are over 20,000 job openings throughout the State.
- ▶ Increase in online registration through the website; 2021 new veteran registrations from out of State and 424 new registrations from veterans who already reside in ND.
- ▶ Williston is seeing 100 -150 job seekers each day. A good percentage of these are veterans. Information packets have been put together so out-of-state veterans can be better prepared when they arrive in North Dakota.
- ▶ North Dakota's Entered Employment Rate for veterans is at 68%. Some veterans do not get employment as easily due to reasons such as: background check or not having the technical experience required.

Commissioner Wangen asked how HR 4072 will impact Job Service. Maren replied having the Vet Reps embedded within Job Service brings much better service to veterans and she is hopeful they will stay.

Mark Johnson, ND Veterans Home Administrator

- ▶ Norris Braaten is not able to attend the meeting. He has a family issue that needs his attention.
- ▶ Bids going out for excavating around the grounds and putting in a pond with a fountain also for an irrigation system.
- ▶ Geothermal pumps have had a lot of failures, so far 152 hard start switches and 20-25 motors.
- ▶ Admitted close to 80 new residents; 84 in basic and 47 in skilled.
- ▶ The Foundation has been very successful in raising funds for the Home. The Home still needs funding for their activities since the Legislature doesn't provide money for this.
- ▶ VA will not pay per diem unless a National Guard member has been on active duty at some time during their career. Jim Verwey asked if a National Guard member wants to live at the Home, could they pay the full amount, the same as widows of veterans. Mark will have to bring this up to the Governing Board
- ▶ Legislative session: funding for demolition of the "old" Home, mineral rights the Home owns and how the legislature will distribute that money.

Department of Veterans Affairs Report – Lonnie Wangen, Commissioner
(PowerPoint)

- ▶ Commissioner serves on the National Association of State Directors of Veterans Affairs DD214 committee. They are recommending email address added to it and one secure access point for receiving the documents in each State.
- ▶ Working with Chancellor Getz to get an AmeriCorps grant to put someone in the approving offices on the campuses to assist veterans.
- ▶ Veterans Preference cases – none applied.
- ▶ No appeals sent to Appeals Committee for review. Additional information was provided so a loan decision was reviewed and approved.
- ▶ Updates on grant and loan program usage.
- ▶ Two vans were ordered and are on the ground waiting for someone to drive them to Fargo.
- ▶ Strategic plan updated.

Mike Fisher asked where the new vans will be going. Commissioner Wangen stated the new vans are replacing the existing ones in Bismarck and Fargo.

Laura Bearfield joined the committee.

Subcommittee reports

Budget Committee – Orletta Kilen

Budget reviewed. Committee questions were answered by Cathy.

Motion by Jim Verwey to approve report, second by Mark Landis. Motion passed.

Veterans Affairs – Dave Hilleren, Chairman

Minutes of November 17, 2011 minutes approved. Minute of August 4, 2011 still unavailable. Commissioner gave his report. Subcommittee reviewed the Heart Springs request and recommends full support for request. Subcommittee supports the change in Policy 235 – Restructuring a Loan. Commissioner Wangen proposed legislation to support the National Service Officers costs at the VA Regional Office. Discussion by committee but no action taken.

Commissioner asked what happens to the loan in existence now, would they fall under this policy. The loans that are already restructured would come under this new policy.

Motion by Carroll Quam to approve report, second by Mike Fisher. Motion carried.

Appeals – Orletta Kilen, Chairman
No appeals heard.

Motion by Orletta Kilen to approve report, second by Dave Hilleren. Motion passed.

PWTF – Jeff Hall, Chairman

Subcommittee voted to deny a request from Senator Marcellais for travel reimbursement in the amount of \$901.00 to attend a Native American Conference in April. A Stand Down request from Bismarck AMVETS for \$5,000 was approved. Heart Springs request approved in the amount of \$5,000. Chairman Schuchard asked if a group could make a Stand down request for a second time. Commissioner Wangen will check into legislative intent.

Motion by Lee Finstad to approve report, second by Richard Belling. Motion passed.

Legislative Subcommittee-Lee Finstad

A new legislative proposal was discussed to provide grant monies to provide financial support for the NSO offices at the Fargo VA Regional Office. Subcommittee voted to support this proposal. Lee attended the Coordinating Council meeting on March 23rd in Jamestown. The Veterans Home bequeaths, i.e. Norgaard fund, was discussed at the Council meeting.

Dean Overby spoke on the possibility of legislation so the legislature can never use oil revenues or bequeaths to replace general fund monies in the operation of the Home. Lee is hoping to have some ideas to report at the next meeting. There will need to be oversight on that type of monies.

Laura Bearfield spoke on the legislation that passed with regards to the Veterans Home received gifts and bequeaths. She advised reviewing that legislation and making changes to it. She is working with Lee on some possible changes.

Motion by Richard Belling to approve report, second by Carroll Quam. Motion passed.

Public Relations Subcommittee – Lee Finstad

News Releases – new member Trish Hodny; new hire in Bismarck; work on future press release or reporter interview stating the differences between ACOVA and the Coordinating Council; transition to new Chairman since Lyle Schuchard is stepping down from Chairman; and outlining achievements of ACOVA and Department. The last item approved is to create a Veterans Hall of Fame. Commissioner will research other state's endeavors.

Motion by Dave Hilleren to approve report, second by Mike Fisher. Motion passed.

Lee Finstad spoke on receiving a copy of a letter commending the Commissioner and his staff on the support given at a NACVSO conference held in Bismarck, ND. The letter was signed by one of the NACVSO instructors. He also received a letter from ND CVSO Association regarding HB 1429 and their support of it.

Chairman's Report – Lyle Schuchard

He attended the Veterans Coordinating Council meeting. Their legislation is similar to ACOVA's at this point. The Council may have other legislation but they have to wait until the organization's conventions have concluded. He stated the Committee needs to do a better job in telling the legislators on what ACOVA has been accomplishing. Lee Finstad wondered why the committee can't reach out to the legislators by email to educate and inform them. Chairman's annual report is due in April.

Commissioner Wangen asked about the Committee sending letters to the Congressional members on veterans' issue. Chairman Schuchard stated the veterans organizations typically address issues at their conventions. He wasn't sure if ACOVA should be doing that sort of activity.

Mike Fisher asked if the Coordinating Council minutes are available to anyone. Someone from the Council will be asked about the availability.

Mike Fisher wondered if there would be legislation again to do away with ACOVA. He will be asking some of the legislators directly about the issue.

Jim Verwey questioned who has the authority to have flags flown at half-staff. Chairman Schuchard stated it is the Governor who makes that decision. Sometimes it seems the Mayor makes those decisions depending on the circumstance.

Chairman asked for discussion on the time and place for the next meeting.

Next meeting to be held June 28 & 29, 2012 in Bismarck.

Laura Bearfield spoke on her statement regarding the Attorney General's Opinion. The opinion says the appointing agency should do a review to find out if there is a conflict. They certainly can consult with ACOVA and the Commissioner if they choose to do that.

Because of some changes in the Attorney General's Office, Laura will be losing some of the agencies she worked with. She will no longer work with OMB and Veterans Affairs and Veterans Home. A new person will be hired to provide services to those agencies. Laura would like to keep the Veterans Home and Veterans Affairs if it is at all possible.

Mark Johnson, North Dakota Association of Counties

Spoke on Measure 2 which proposes to change the State's Constitution to eliminate the ability of any local government or any entity such as water board or park district to levy against a property for improvements or maintenance of the function they are in. If passed, it will negatively impact the county veterans service offices. Property tax relief for veterans will go away. The Tax Department is preparing to testify at an interim legislative committee meeting about the impact if Measure 2 passes. They are projecting the sales tax will need to be doubled and the income tax will need to be tripled. Typical primary election is a relatively low voter turnout.

Motion to adjourn by Ron Otto, second by Lee Finstad . Motion passed.

Chairman Schuchard handed out a copy of a Disabled American Veterans Resolution, "Oppose Changes to CVSIO Accreditation" for committee members to review and discuss at the next meeting.

Meeting adjourned.

Respectfully submitted

Dean Overby
Secretary