

**Oklahoma Tobacco Settlement Endowment Trust
Board of Directors**

Minutes

February 20, 2013

Board of Directors Members Present: Casey Killblane, Kenneth D. Rowe, Susan Walters Bizé, George E. Foster, O.D., Jim Gebhart, Lisa Nowlin, D.D.S.; Don Millican

Staff Present: Tracey Strader, Dorothy Antwine, Julie Bisbee, Jonás Mata, Sjonna Paulson

Guests Present: Morgan Fitzgerald, Robert McCaffree, M.D., Daniel Nguyen, Kassi Roselius

Agenda Item and Discussion	Action and Follow-up
<p>1. Open Meeting Act Announcement and Call to Order Casey Killblane announced that the requirements of the Open Meeting Act, including the filing of the meeting and posting of the agenda had been met. Killblane called the meeting to order at 10:01 a.m.</p> <p>Killblane introduced three public health law students who were attending the meeting as part of their class.</p> <p>Foster was absent. Nowlin briefly steps out of the meeting.</p>	
<p>2. Approval of Minutes of the November 14-15, 2012 Regular Board Meeting and Retreat Nowlin returns to the meeting.</p>	<p>Motion to approve Minutes of the November 14-15, 2012 Regular Board Meeting and Retreat made by Gebhart and seconded by Bizé. Motion passed unanimously.</p> <p>Dr. Foster was not present for the vote.</p> <p>Dorothy Antwine will make the minutes part of the permanent record.</p>
<p>3.a. Chair's Report – Recognition of W.R. “Bill” Lissau, former TSET Board Member Bill was unable to attend the meeting.</p>	
<p>3.b. Chair's Report – Recognition of Kenneth Rowe, former TSET Board Chair Acknowledge Ken Rowe's leadership as Chair.</p>	
<p>3.c. Chair's Report – Update from the Board of Investors Casey Killblane referred board members to the packet. Georgiana Stephens, of the State Treasurer's Office could not attend the meeting. Board member Don Millican asked about the maximum that can be withdrawn from reserves. Strader told board members that annual settlement payments come in April.</p>	

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<p>3.d.i. Chair’s Report – Board retreat follow-up items - Discussion and possible action on the updated strategic plan</p> <p>Strader said she continued to work on strategic plan measures and had been working with the State Department of Health on data points for the strategic plan.</p>	<p>Tracey will continue to work with the indicators and follow-up with board.</p>
<p>3.d.ii. Chair’s Report – Board retreat follow-up items - Update on meetings with board member appointing authorities</p> <p>Strader said several members of the board had met with their appointing authorities, including board member Susan Bizé, who is finishing her last term on the board. Bizé had met with appointing authority State Auditor and Inspector Gary Jones. Strader said that Jones was planning to appoint Dr. Curtis Knowles, a pediatrician at Children’s Hospital. Killblane said it is important that appointing authorities know who they might call if they have a question about TSET. Board member Lisa Nowlin completed a meeting with the Governor’s staff member who handles board appointments. Board member George Foster had met with House Speaker Rep. T.W. Shannon.</p>	
<p>3.e. Chair’s Report – Review of upcoming board meeting dates for 2013</p> <p>Board members confirmed the date of the May 9 board meeting. Killblane confirmed that the board retreat will be Dec. 3 and Dec. 4. The Canebrake in Wagoner, OK was selected. Rowe suggested Research Park, might be available for any OKC meetings.</p>	
<p>3.f. Chair’s Report – Upcoming Ethics Commission reporting</p> <p>Killblane announced that Ethics Commission reports were due to TSET by April 30, 2013. Board members asked if they needed to complete one for TSET if they already complete one for another board.</p>	<p>Dorothy Antwine will contact the Ethics Commission and notify the board with an answer about completing only one form.</p>
<p>3.g. Chair’s Report – Discussion and possible action on establishing an ad hoc policy committee</p> <p>Killblane discussed the purpose of an ad hoc policy committee that would meet a couple of times each year or do conference calls. Killblane asked for two board volunteers to serve on the committee with her. Strader said it is important to be able to quickly discuss issues with board members if TSET needs to respond. Strader told board members TSET would not initiate policy discussions outside of board-approved policy issues, but from time to time there are things that come up that staff have to respond to.</p>	<p>Gebhart and Millican volunteered to serve.</p>

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<p>4.a. Director’s Report – Update on Training and Events</p> <p>Strader referred board members to their meeting packet for a list upcoming training events. Strader told board members about a Feb. 28 Certified Healthy Oklahoma event that included a training workshop by Dan Heath, the author of “Switch.” Strader said over 700 people are expected at the luncheon event.</p> <p>Strader also pointed out that TSET Day at the Capitol would be March 27. Strader said it’s a day where grantees talk about the work they do, network with each other and meet with their elected officials to inform them of the work they do.</p>	
<p>4.b. Director’s Report – Update on upcoming legislative performance review</p> <p>Strader updated board members of the upcoming TSET performance hearing before the House Appropriations and Budget Subcommittee on Non Appropriated Agencies on Feb. 25. Strader told board members that staff had created a dashboard that showed “TSET at a glance,” that included funding, mission and measures of progress.</p> <p>George Foster enters the meeting 10:25 a.m.</p>	
<p>5.a. Public Information and Outreach Updates – FY 2013 Conference Sponsorships</p> <p>Public Information and Outreach Officer Julie Bisbee updated board members on conference sponsorships. Bisbee referred board members to the sponsorship list in the packet, which details what conferences have been sponsored and for how much. New events include the Certified Healthy Oklahoma event, and BIO 2013.</p>	
<p>5.b. Public Information and Outreach Updates – Policy and Legislation of Interest</p> <p>Bisbee updated board members of pending legislation and referred board members to a tracking list in their packet. Millican asked whether TSET would be involved with crafting language for Gov. Mary Fallin’s proposed smokefree initiative ballot measure. Bisbee explained that the Governor’s office would be reaching out to stakeholders and working with the Health Commissioner. Killblane asked about SB 117. Bisbee explained that Sen. Patrick Anderson is the chairman of the Senate Committee on Unappropriated Agencies and requested shell bills for all the agencies that may come before the committee. Bisbee said she had spoken with Anderson about the bill and Anderson said he did not have a specific request in mind at the time. Gebhart asked about HB 1970, which increases the age for purchasing tobacco products. Gebhart asked how many other states had similar laws. Bisbee would check.</p>	<p>Bisbee to check on how many other states had similar laws with an increase age to purchase tobacco. – Four states and three counties have increased Minimum Legal Sale Age, according to the Public Health Law Center.</p>

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<p>6. Presentation – “Potential Effects of the Non-Participating Manufacturer Adjustment Arbitration on MSA Payments to Oklahoma”, Mark Greenwold, Director, Regulatory Affairs, Campaign for Tobacco-Free Kids</p> <p>Board members heard a presentation from Mark Greenwold, who joined the meeting via webinar/phone. Millican requested the total amount in escrow and asked why attorneys are not going after Non-Participating Manufacturers. Strader said the Attorney General’s Office continues to litigate with non-participating manufacturers and Oklahoma is still in the middle of an arbitration dispute. Strader said that Oklahoma’s hearing related to the disputed payments account was scheduled for May and Oklahoma could see an increased payment if the arbitration dispute is settled.</p> <p>Kassi Roselius, a member of the public asked if there would be any limits on how that money could be used. Strader said the additional money would be subject to the same provisions as the settlement money.</p> <p>Killblane announces a brief break at 11:32 a.m.</p>	<p>Millican requested the total of disputed payments account and the total of the escrow account.</p> <ul style="list-style-type: none"> - The actual figure for the disputed payments account is not available, however the participating manufacturers used the figure of \$43.5 million (between 2003 and 2009) when describing the amount to the arbitration panel.
<p>7.a. Program Development Committee Report - Update on implementation of Healthy Communities and Healthy Schools Incentive Grants programs</p> <p>Board returns at 11:40 a.m.</p> <p>Board Member Lisa Nowlin reports that 33 cities have indicated their wish to apply for the Healthy Communities Incentive Grants Program and nine of those cities are moving to a higher level of certification as part of the Certified Healthy program. Thirty six school districts have indicated they plan to apply for the Healthy Schools Incentive Grant Program. Nowlin pointed out that this is the first year for school program. Strader said staff have been visiting communities and school districts to educate and promote the program. Killblane asked how much money the board would be giving out as part of these grants. Strader said the awards will come before the board in May. Gebhart asked how many of the certified healthy businesses were non health care centers. Staff would check.</p>	<p>Find out how many businesses are non-healthcare businesses.</p> <ul style="list-style-type: none"> - There were 170 non-healthcare related businesses and 180 healthcare related certified in 2012.
<p>7.b. Program Development Cmte Report - Update on health education study group</p> <p>Strader said staff are working with a consultant to bring together a group to study the status of health education in Oklahoma. Currently there is no requirement for health education in schools. Staff will work to bring funders and stakeholders together discuss the issue.</p>	

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<p>Killblane asked if there was a target date in mind. Strader said by the end of the fiscal year. Killblane said often the legislative issues can take up time from February to May, but these sort of program-related work are where staff need to put their efforts.</p>	
<p>8.a. Program Implementation Committee Report – Discussion and possible action on amendment to the Communities of Excellence grants in Tobacco Control and Nutrition and Fitness (RFPs# 092-6, 092-2, 092-4, 092-5) to change the grant periods from Grant Years (October 1 to September 30) to Fiscal Years (July 1 to June 30)</p> <p>Gebhart asked Strader to give an update. Strader said staff have been working to amend Communities of Excellence grants to get them on a fiscal year instead of a grant year. The change in the calendar reduces the 5-year grant to four years and nine months. Jonas Mata, director of grants and programs said he was concerned if the grants end 90 days earlier it could cause problems with retaining grant staff, particularly the Wave I grants which are scheduled to end September 30, 2014. Killblane said it was confusing and convoluted to have different end dates for some of the grants. Board vice chairman Dr. George Foster said he would prefer to do what’s best to keep local grant staff employed, because local people make the difference on the grants. Foster said he believed most organizations would be willing to cut money elsewhere to ensure that the work would continue. Mata said that grantees have been told that community-based work will continue, but there may be some changes in the approach. Killblane said that change in grant calendars was beneficial to grantees and TSET grant staff. Killblane said she would like to see TSET continue to fund CX grants and community grants.</p>	<p>Program Implementation Committee recommended an amendment to the Communities of Excellence grants in Tobacco Control and Nutrition and Fitness (RFPs# 092-6, 092-2, 092-4, 092-5) to change the contract periods from Grant Years (October 1 to September 30) to Fiscal Years (July 1 to June 30). Motion passed unanimously.</p>
<p>8.b. Program Implementation Committee Report – Discussion and possible action on a no-cost extension for the Oklahoma After School Network grant, moving the project term ending December 31, 2013 to June 30, 2014</p> <p>Strader said the Oklahoma Afterschool Network had changed lead agencies and was asking for a six month no-cost extension to complete the work. No additional money is requested.</p>	<p>Program Implementation Committee recommended a no-cost extension for the Oklahoma After School Network grant, moving the project term ending December 31, 2013 to June 30, 2014. Motion passed unanimously.</p>
<p>8.c. Program Implementation Committee Report – Discussion and Possible Action on Funding Levels for FY 14 Communities of Excellence Grants</p> <p>Strader said staff had analyzed grantee spending and estimated that an increase of \$1,095,000 would be needed for FY 14 across all Communities of Excellence grants (tobacco control and nutrition and fitness).</p>	<p>Program Implementation Committee recommended approval of funding levels for FY 14 Communities of Excellence Grants not to exceed \$9,095,000. Motion passed unanimously.</p>

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<p>8.d. Program Implementation Cmte Report – FY 13 Health Communications Update</p> <p>Health Communications director Sjonna Paulson gave an update on the Shape Your Future campaign. Paulson also said Shape Your Future was working with Kevin Durant’s foundation to sponsor a children’s camp to raise awareness, but also keep fast food from being served at the camp. Paulson reported that the Oklahoma Tobacco Helpline was beginning to use digital outdoor boards to get increased participation on social media. Paulson said Facebook and Twitter are increasing followers who are engaging with the Helpline. Online registration has tripled each month during this campaign and the Helpline has seen up to 200 web registrations per week. Millican said social media could also help people who want to quit smoking to set up social networks to support their efforts. Millican asked about getting TSET logos on Shape Your Future ads. Paulson pointed out that new ads were getting the logo and she was in the process of getting the logo on older ads.</p>	<p>Sjonna to send social media links to board members. Continue to work on putting TSET logos on all ads.</p>
<p>9.a.i. Agency Operations Cmte – FY 13 Q2 Budget to Actual - Operating Budget</p> <p>Foster said all budgets were on track. Foster reported on the OU College of Medicine’s Evening of Excellence in which TSET was honored. Foster said it was a wonderful event and complimented staff and Killblane who accepted the award. Board Member Ken Rowe said he heard several comments from people who learned more about TSET while at the event. Killblane said it was a nice event to promote what TSET does in research.</p>	
<p>9.a.ii. Agency Operations Cmte – FY 13 Q2 Budget to Actual – Programs Budget</p> <p>Foster said all budgets were on track. Millican asked if OTRC was behind on billing. Mata said the first three invoices were put combined and some of the delay may have been because evaluation functions are making the transition to the Cancer Center. The December invoice was delayed because OTRC had an amended budget and the accountant thought the invoices needed to be held until the budget amendment was processed</p>	
<p>10. New Business - Any Matters not Known About or Which Could not Have Been Reasonably Foreseen Prior to the Time of Posting the Agenda [25 O.S. § 311 (A)(9)]</p>	
<p>11. Public Comment Killblane asked if there was public comment. There was none.</p>	
<p>12. Adjournment Meeting adjourned 12:12 p.m.</p>	<p>Motion to adjourn made by Millican and seconded by Bizé. Motion passed unanimously.</p>