

Idaho Council on Domestic Violence and Victim Assistance
June 27th, 2022 Special Meeting Minutes
1:00 PM
Via Zoom

Members: Jodi Nafzger, Wes Somerton, Jessica Uhrig, Rachel Kaschmitter, Alan Boehme, Clint Lemieux, Laura Diaz

ICDVVA Employees: Heather Cunningham, Amy Duque, Dana Wiemiller; Shawn Kelley (legal intern)

Attorney General's Office: Karen Sheehan

Chair Nafzger called meeting to order at 1:05 PM

1. **Executive Session** pursuant to I.C. § 74-206(1)(d) to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code and pursuant to I.C. § 74-206(1)(f) to communicate with legal counsel to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Action: Chair Nafzger moved to go into Executive Session per I.C. § 74-206(1)(d) & (f). Karen Sheehan noted that the motion should state the reason for entering Executive Session.

Action: Councilmember Uhrig moved to go into Executive Session per I.C. § 74-206(1)(d) & (f) in order to speak to legal counsel. Councilmember Lemieux seconded the motion. Motion approved unanimously.

The Council went into Executive Session. A motion was made, seconded, and approved to exit Executive Session and return to Regular Session.

Executive Session Entered 1:09 PM

Executive Session Ended 1:17 PM

Chair Nafzger shared the Council's reconsideration process per IDAPA 16.05.04.033.02, stating that she assigned three Council members to review each response/request for reconsideration and asked each Council member to summarize their evaluation.

2. Action Item: Crossroads Harbor Complaint Request for Reconsideration of Termination of Funding Review/Next Steps

- Councilmember Somerton asked if the office received a copy of the program's confidentiality policy including informed consent for the shelter camera policy. Director Cunningham answered that no, staff just has the letter stating cameras will be disconnected and that the Council has everything staff has received from Crossroads.
- Councilmember Somerton summarized the response letter including the resignation of the former Crossroads Executive Director who will remain in a volunteer capacity. He stated the letter reflects taking the Council's letter seriously and articulates a reasonable plan; however, the response to the camera issue is inadequate and the letter doesn't address how bad the situation was under the former Executive Director with texts, emails, etc.

He added that this letter is an improvement over the first response with the Board acknowledging the issues and taking responsibility for addressing them.

- Councilmember Boehme summarized his review of the letter stating that enough had been done to address the impact on victims. He respects the interim Executive Director Krissy Rasmussen, and is familiar with Judge Bollar who wrote the response letter. He recognizes some ambiguity with the camera policy, in that it does not make clear what cameras they plan to disconnect, but recommended staff follow up and work with them on this issue.
- Councilmember Diaz summarized her review of the letter stating she is appreciative of the Crossroad's response to the Executive Director's resignation. She stated that she is wary of the camera language and wants more clarity to ensure the program abides by the Council's decision. She recommended allowing funding to continue.
- Director Cunningham shared a draft ICDVVA response letter with staff's recommendation of a three-month probation period to see if funding should continue for FY23. The Council further discussed concerns regarding the executive director transition, adequate training for the interim executive director, and continuity of operations during the transition.

Action: Councilmember Somerton moved to adopt the draft letter as recommended by staff with clarification that ICDVVA would not provide funding for the former Executive Director. Councilmember Lemieux Seconded. Motion was approved unanimously with a roll call vote.

3. Action Item: Elmore County DV Complaint Request for Reconsideration of Termination of Funding Review/Next Steps

- Councilmember Uhrig summarized her review of the response. She is also not satisfied with the written plan for culture change. She's concerned about retaining the former Executive Director, Kim Middleton, as an employee but understands she will not be funded with Council dollars. She also expressed concern with the request for Ms. Guyer to be funded for 20% of her salary, or \$30,000, from the Council and wondered if this was a miscalculation of the percentage. She also stated the Interim Executive Director appears to be a good choice.
- Vice-Chair Kaschmitter shared her review of the proposal, stating she had concerns similar to Councilmember Uhrig about moving existing staff into new positions. Ms. Middleton, Ms. Guyer, and Ms. Balcazar will continue to work there, so she's not sure if there will be any accountability.
- Councilmember Lemieux summarized his review of the letter stating similar concerns. The letter's tone felt deflective and did not address all of the Council's concerns. He is also concerned that the former Executive Director will be present with no time limit for her to exit.
- Director Cunningham shared a draft ICDVVA response letter and staff recommendation indicating that staff is not comfortable reinstating funding and proposing staff meet with the Board to discuss deficiencies in their plan.
- Councilmember Lemieux asked if the former Executive Director would have to stay on for a temporary period if the Board decided to change. Director Cunningham responded

that the interim Executive Director is competent enough to run the agency without the former Executive Director staying on.

- Councilmember Uhrig and Vice-Chair Kaschmitter indicated they were satisfied with the recommendation.
- Director Cunningham noted that the financial irregularity/mismanagement concerns were not addressed in Elmore County's response.
- Director Uhrig is satisfied that ICDVVA will notify its federal partners about the fraud concern.
- Director Cunningham recommended executing the extension budget amendment to allow funding to continue through September 30, 2022 so that the Council has the option to reinstate funding before October 1, 2022 if Elmore County adequately resolves the remaining issues and provides the Council with an acceptable plan.

Action: Councilmember Uhrig motioned to accept the response letter as drafted. Vice-Chair Kaschmitter seconded. Motion was approved unanimously with a roll call vote.

Adjourned at 1:59 PM