

*Commission on VASAP  
Quarterly Board Meeting  
Friday, March 16, 2012*

**MINUTES**

**ATTENDANCE:**

**COMMISSION MEMBERS:**

*Senator Henry L. Marsh, III  
Delegate Salvatore Iaquinto  
Delegate Jackson H. Miller  
The Honorable George W. Harris, Jr.  
The Honorable George D. Varoutsos  
Sheriff Michael Wade  
Mr. John L. Saunders  
Ms. Susan Marchon  
Mr. Roy-Keith Lloyd*

**ASAP Directors:**

*Ms. Robyn Allen  
Mr. Miles Bobbitt  
Mr. Anthony Carmichael  
Mr. David Dutcher  
Ms. Mary Read Gillispie  
Mr. Ray Greenwood  
Ms. Kathryn Hall  
Mr. James Johnson  
Mr. Daren Leake  
Mr. Kimball Peele  
Ms. Carol Powell  
Ms. Pam Simmons  
Ms. Kathryn Van Patten*

**Commission Staff:**

*Ms. Angela Coleman, Executive Director  
Mr. Oscar Brinson, Legal Counsel (via teleconference)  
Mr. Christopher Morris  
Ms. Charlene Motley  
Ms. Tracy Thacker*

**Guests:**

*Mr. Charles Buffington  
Ms. Lithia Carter  
Ms. Farrah De Leon Phongsavan  
Ms. Cindy Sheffield  
Mr. Coefield Silver  
Mr. Rick Witthoefft*

**Time and Place:**

The quarterly meeting of the Commission on Virginia Alcohol Safety Action Program (VASAP) was held on March 16, 2012 at 10:00 a.m. in the 6<sup>th</sup> Floor Speaker's Conference Room of the General Assembly Building. The meeting was called to order by Senator Henry L. Marsh, III, Chairman.

**Welcome and Introductions:**

Everyone in attendance introduced themselves. Senator Marsh offered thanks to everyone for attending the meeting.

**Approval of Minutes:**

A motion was made and properly seconded to approve minutes from the December 2, 2011 Commission meeting. All were in favor.

A motion was made and properly seconded to approve minutes from the January 9, 2012 Legislative meeting. All were in favor.

**Executive Session:**

A motion was made and properly seconded to adjourn into Executive Session to discuss legal and personnel matters. All were in favor.

**Return to Open Session:**

A motion was made and properly seconded that only legal and personnel matters were discussed in Executive Session. All were in favor.

Delegate laquinto made a motion to send John Tyler ASAP a modified certification letter. The motion was properly seconded. All were in favor.

**Legislative Update**

The legislative report was presented by Delegate laquinto.

Delegate laquinto reported that after six long years of trying, his proposed ignition interlock bill passed. HB 279 was signed by Governor McDonnell on March 7, 2012 and will become law on July 1, 2012. HB 279 provides that a person who is convicted of DUI may drive only with an ignition interlock after the first offense, as a condition of a restricted license and is required to have an ignition interlock installed in each vehicle owned by or registered to him after a second offense. The bill also provides that the court may authorize a restricted license for travel to and from the interlock installer and a person can pre-qualify for an ignition interlock prior to conviction.

Delegate laquinto noted that currently four ignition interlock vendors are contracted to provide service to the state of Virginia. With the new ignition interlock law, he anticipates more vendors wanting to service Virginia.

Delegate laquinto emphasized the importance of ASAP directors closely monitoring ignition interlock download reports. He stressed that the only way the interlock will reduce recidivism, is to ensure compliance from the offender throughout the duration of their interlock requirement. Delegate laquinto reported that studies have shown the interlock device will reduce recidivism by 66%. He added that there are currently fifteen other states that have a similar law.

Delegate laquinto stated that although he believed the ASAP(s) were currently doing a good job with monitoring offenders with ignition interlock; he wanted to stress the importance of diligence and compliance with the anticipated increase in ignition interlock clients.

Senator Marsh asked Ms. Coleman if the new ignition interlock law would require additional staffing in the Commission office. Ms. Coleman replied that the Commission office is in the process of hiring an additional staff member to assist with ignition interlock.

Delegate laquinto added that the Department of Motor Vehicles has graciously offered to assist with the ignition interlock standardization project by offering services and assistance equivalent to \$100,000.

Delegate laquinto concluded by thanking Senator Marsh and other Commission members for supporting his proposed legislation.

Senator Marsh remarked that Delegate laquinto deserved recognition for an outstanding job.

**Executive Finance Committee Report:**

The Executive Finance Committee report was presented by Ms. Susan Marchon.

Ms. Marchon reported that the Executive Finance Committee met on March 15, 2012. She provided the following program updates and budget amendment requests.

Alexandria ASAP Update

Ms. Marchon provided a current financial report for Alexandria ASAP. Ms. Marchon noted that the report shows the financial progress since the Commission assumed the program from the Alexandria Sheriff's Office in February, 2011. Ms. Marchon pointed out that in 2010; the operating account had a balance of \$28, 587. The current operating account balance is \$89, 670. Ms. Marchon reported that Alexandria ASAP has a very active policy board and it is anticipated that within a year, the program will be able to operate on its own.

Senator March remarked that it was a wonderful success story and is a result of a lot of hard work. He noted that Ms. Coleman and the Commission staff have logged a lot of miles traveling to Alexandria, but it's apparent that it has paid off.

Budget Amendments

Ms. Marchon reported that there were four programs requesting budget amendments.

Bull Run ASAP submitted a budget amendment in the amount of \$23,000.

The program had an emergency situation occur when the main computer file server crashed in their Manassas Park office earlier in March. A new file server was replaced by the Commission office. However, the new file server was not compatible to the Windows 98 computers that

were used in both their Leesburg and Manassas park offices. The total cost to replace the computers is \$9,000.

Additionally, an employee from the Leesburg office is retiring in June after 30 years of ASAP service. Bull Run ASAP is required to pay her accrued annual and sick leave in the amount of \$14,000.

The total budget amendment requested is \$23, 000. Both of the issues requiring amendments were unanticipated.

A motion was made and properly seconded to approve Bull Run ASAP's budget amendment request in the amount of \$23,000. All were in favor.

Senator Marsh inquired about the process for accounting for leave liabilities for long term employees. Ms. Marchon responded by stating that during the annual audits of ASAP programs, the auditors account for this obligation when determining a program's fiscal liabilities.

New River Valley ASAP submitted a budget amendment request in the amount of \$4,900 to cover the cost of replacing and installing an air conditioning unit that unexpectedly stopped working.

A motion was made and properly seconded to approve New River Valley's budget amendment request in the amount of \$4,900. All were in favor. Ms. Marchon refrained from voting.

Piedmont ASAP submitted a budget amendment request in the amount of \$4,600. The amount of \$1,600 was requested to replace the file server and \$3,000 to install a security system that will include cameras in the hallways and parking lot. Piedmont ASAP's policy board has approved both of these expenditures. Delegate Iaquinto inquired if the funds would be paid from their ASAP's reserve account. Ms. Marchon responded yes; reserve accounts would be used.

A motion was made and properly seconded to approve Piedmont ASAP's budget amendment in the amount of \$4,600. All were in favor.

Rappahannock Area ASAP submitted a budget amendment request in the amount of \$3,650 to purchase a credit card machine. Use of the credit card machine, would increase program revenues.

Sheriff Wade asked if the \$3,650 fee was a one-time occurrence or a yearly expense. Ms. Marchon responded that the \$3,650 fee was a one-time cost to cover the purchase of the machine and the anticipated bank fees.

Judge Harris inquired if the bank fees associated with using the credit card machine would be passed onto the clients. Ms. Marchon indicated that it would not.

A motion was made and properly seconded to approve Rappahannock Area ASAP's budget amendment request in the amount of \$3,650. All were in favor.

Battlefield Region Certification

Ms. Marchon reported that certification for the Battlefield Region has been completed. The following programs are recommended for certification: Arlington ASAP, District Nine ASAP, Fairfax ASAP, James River ASAP, Rappahannock Area ASAP, and Rockingham-Harrisonburg ASAP.

A motion was made and properly seconded to certify the following programs until June 30, 2015: Arlington ASAP, District Nine ASAP, Fairfax ASAP, James River ASAP, Rappahannock Area ASAP, and Rockingham-Harrisonburg ASAP. All were in favor.

Conditional Certification (90 days)

The following programs were recommended for conditional certification: Bull Run ASAP and Old Dominion ASAP.

A motion was made and properly seconded to offer conditional certification for a period of 90 days to the following programs: Bull Run ASAP, Old Dominion ASAP. All were in favor.

Additional

Ms. Marchon concluded by reporting that over the last several years, New River Valley ASAP, where she is the director, has experienced issues with their fiscal agent in regards to processing payments for transfer invoices. Ms. Marchon reported that there was a time when the program considered changing fiscal agents and the decision was determined not to be financially beneficial to the program.

Ms. Marchon indicated that Peninsula ASAP notified her of the issue with outstanding transfer invoices, and she worked with the director, Kathryn Hall, to resolve and make payment on several outstanding invoices. Ms. Marchon stated that if any ASAP director has un-resolved transfer invoices from her program, to please notify her as soon as possible so that she may ensure that payment is made.

Senator Marsh offered thanks to Ms. Marchon for her report and to the Executive Finance Committee for their hard work.

Executive Director's Report:

Ms. Angela Coleman presented the Executive Director's Report.

#### Directors and Case Management Conference

Ms. Coleman reported that the VASAP 2012 Directors and Case Management Conference will be held August 12 -14 at the Portsmouth Renaissance. Ms. Coleman extended an invitation to Commission members to attend the conference and meet with the ASAP staff members from across the state. Ms. Coleman stated that some conference topics that will be covered are: liability issues, high risk DUI offenders and an update on federal confidentiality guidelines. Ms. Coleman indicated that within the coming weeks, registration information will be disseminated.

#### Colonial and Blue Ridge Region Certification

Certification for the Colonial and Blue Ridge Regions is scheduled to begin in April and May. Requests for documents will be sent out within the next two weeks and directors will be contacted regarding scheduling the certification site visits. Directors from the Battlefield Region are needed to serve on certification teams. Ms. Coleman asked if directors were interested in serving on certification teams, to please contact her.

#### Recognition

Ms. Coleman recognized Commission staff member, Christopher Morris, for his work with Angelisa Jennings and other DMV staff regarding the new ignition interlock automation project. The interlock automation project will assist the local programs with monitoring the anticipated increased ignition interlock clients as a result of the new law. The project is expected to be completed by July 1<sup>st</sup>. Ms. Coleman noted that currently, the state of Arizona is the only state that has a system similar to the one being proposed by DMV. This system will allow interlock vendors to communicate electronically with ASAP programs and the Commission office, to effectively and efficiently monitor interlock clients.

#### DMV Training

The Commission office is partnering with DMV to offer regional DMV training to the local programs. This training will be especially beneficial with the increased workload that is anticipated as the result of the new interlock law. The same training will be offered to area law enforcement academies. Directors will be notified when the training is scheduled in their area.

#### VASAP Movie Trailer

Ms. Coleman concluded her report by stating that in December, the Commission on VASAP movie trailer aired. Ms. Coleman noted that although ticket sales were down for the holiday season across the nation, there were 386,000 tickets sold during the thirty day run of the movie trailer.

Senator Marsh commented that he was able to see the movie trailer on more than one occasion over the holiday season, and he felt the message was well received.

Senator Marsh also wanted to emphasize to the Commission members the importance of attending the VASAP conference. Senator Marsh indicated that he felt it was good for the morale to have interaction with Commission staff and ASAP staff. He noted that he and Judge Almand have attended in the past, and have always enjoyed it.

**VASAPDA Report:**

Mr. Kimball Peele reported that VASAPDA was working on the following projects with the Commission office:

- New Case Manager Training
- High Risk Offender Management Program
- Development of an education program for persons that attend treatment while in ASAP
- Ignition Interlock Guidelines

Mr. Peele stated that the ASAP directors work with monitoring interlock clients on a daily basis and are familiar with the equipment and of the effectiveness of the interlock device. Mr. Peele indicated that the process is very labor intensive on the administrative side. Mr. Peele stated that with the new interlock legislation, it would increase the workload. Mr. Peele added that some programs may choose to hold off on hiring additional personnel until they see the full impact the new law has on the programs. Others may choose to hire now in anticipation of the increased workload.

Mr. Peel stated that the directors look forward to participating in any additional training from the Commission and are looking forward to the new ignition interlock automation system.

Delegate Iaquinto remarked that with the likelihood of increased ignition interlock clients as the result of the new law, there would also be additional revenue generated to more than off-set the cost of hiring additional personnel. Delegate Iaquinto further added that the automation project will help with monitoring ignition interlock clients potentially saving lives.

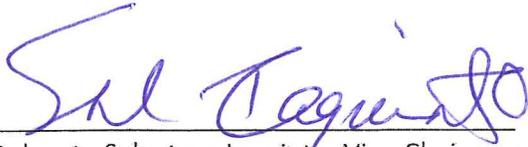
Mr. Peele responded by agreeing with Delegate Iaquinto and wanted to point out that his intention was not to question the new legislation, but to make the Commission aware of the impact on the local programs.

**Meeting Dates:**

June 8, 2012   September 14, 2012   December 7, 2012

**Adjournment:**

A motion was made and properly seconded to adjourn the meeting. The meeting was adjourned by Senator Henry L. Marsh, III, Chairman.

  
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Delegate Salvatore Iaquinto, Vice Chairman