



**Oklahoma Tobacco Settlement Endowment Trust**

Board of Directors Regular Meeting Minutes

10:00 a.m., Thursday, June 8, 2023

Stephenson Cancer Center

800 NE 10<sup>th</sup> St, Seminar Room 5058

Oklahoma City, OK 73104

**1. Open Meeting Act Announcement and Call to Order**

Board Chair Marshall Snipes called the meeting to order at 10:02 a.m. and declared a quorum. Board members present were Snipes, Ken Rowe, Bruce Benjamin, Jack Allen and Runako Whittaker. Michelle Stephens and Vice Chair Susanna Gattoni were absent.

Staff present were Executive Director Julie Bisbee, Chief of Staff Lance Thomas, Director of Programs Jonás Mata, Assistant Director of Programs Jessica Davis, Director of Finance Allison McMichael, Director of Health Communication Sjonna Paulson, Assistant Director of Health Communications Kelli Broderson, Director of Public Information and Outreach Thomas Larson, Director of Grants Management Tessa North, and Executive Assistant Samantha Piñeiro.

**2. Chair's Report**

**a. Recognition of Service to the TSET Board of Directors – Kenneth Rowe**

Chair Marshall Snipes yielded the floor to Executive Director Julie Bisbee to recognize Ken Rowe for two decades of service on the TSET Board of Directors. Bisbee thanked Rowe for his thoughtful leadership. She thanked him for moving conversations forward in impactful ways and for agreeing to remain on the board if given the opportunity and approval. A video of Rowe's service was shared, and he was presented with a commemorative plaque. No action required.

**3. Executive Director's Report**

**a. Overview of Executive Director Activities and Agency Updates**

Executive Director Julie Bisbee informed the board the August 23-24, 2023, Board of Directors Retreat in Oklahoma City. She reported the amount of the annual Master Settlement Payment received in April has decreased since previous years. This indicates people are buying fewer cigarettes both nationally and state-wide. Bisbee informed the board Governor Stitt recently appointed Aaron Ackerman to the open seat on the Board of Investors, who will meet on June 21, 2023. No action required.

**b. Legislative Report**

Bisbee recognized Director of Public Information and Outreach Thomas Larson to present the Legislative Update. Larson reported HB2254, which would have required the TSET Board of Investors to invest 4% of the TSET fund into Oklahoma-based venture capital entities failed a Senate Appropriations Committee deadline but could pick up again next session. Larson shared bills of interest which included laws that reinstated municipal authority to enforce PUP fines, renewal of the state and tribal tobacco compact until the end of 2024 among other bills.

Larson noted bills of interest related to tobacco, nutrition, and/or health failed to move forward which including legislation that would have allowed prescription of NRT by pharmacists. No Action Required.

### **c. Update on Concept of Operations**

Executive Director Julie Bisbee shared the timeline for Concept of Operations transitions in the coming weeks and transition to new leadership roles and positions in July. She noted new leadership team positions Program Architects Jonas Mata and Sjonna Paulson, Director of Strategic Communication Kelli Brodersen, Director of Engagement and Impact Jessica Davis, Director of Finance Allison McMichael, Director of Public Information and Government Affairs Thomas Larson and the position for Director of Quality and Performance is currently vacant. No action required.

### **d. Updated on Strategic Planning**

Executive Director Julie Bisbee reported Board Chair Marshall Snipes and Vice-Chair Susanna Gattoni attended strategic planning sessions. Leadership will be going into session 4 and a presentation and finalization of the strategic plan will be presented at the Board of Directors Retreat in August.

## **4. Agency Operations Committee Report**

### **a. Discussion and possible action on FY2024 Budget**

Executive Director Julie Bisbee presented the FY24 TSET Budget and noted funding earmarked to accommodate increased funding for grants awarded in a multi-year process. She highlighted a budget increase for new positions, travel, and training as part of the Concept of Operations re-organization as well as increases for data technology to align financial and grant data as recommended by the board. There is also an increase for transitioning technical assistance in-house following the contract for those services ending with OSDH. Executive Director Bisbee noted part of the budget will be funded from the reserve due to recent market fluctuations, but the fund will be kept in focus through regular communication with the Board of Investors and attending Board of Investors meetings. Chair Marshall Snipes noted the constitutional requirement for TSET to keep overhead below 15% of the fund, which this budget accomplishes through frugal spending and planning of TSET leadership. Board Member Jack Allen commended Director of Finance Allison McMichael for her work on the FY24 budget. As approval of the FY24 budget is a recommendation by committee, a motion and second are not required.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

## **5. Consent Agenda**

### **a. Introduction of consent agenda**

Executive Director Julie Bisbee informed the board the newly adopted Consent Agenda combines routine approvals into one collective item vote to streamline the board meeting process and reported the consent agenda was presented to all board members during regular committee meetings. The board meeting agenda and consent agenda docket are also reviewed by legal counsel prior to each meeting. Routine financial and committee reports are informative division reports which do not require a decision by the board. The grant awards and renewals listed in the consent agenda were reviewed by committee and recommended for approval by consent agenda. She noted the grant renewal for Stephenson Cancer Center was missed on the publicly posted Consent Agenda Docket and was not caught in time to amend and publicly post the consent agenda according to Open Meetings laws, so it will not be included in this vote. It will be included in the FY24 budget and will be addressed in the coming days. No-cost contract extension requests listed on the consent agenda are routinely granted to extend time for grantees to complete work for funds already received. The contract termination recommendation listed is mutually recommended by both parties as the grantee was unable to meet staffing requirements and is not a punitive action and does not prevent them from applying in future.

Executive Director Bisbee advised board members may pull an item from the consent agenda prior to the vote for further discussion and in compliance with the Oklahoma Open Meetings Act, the board meeting agenda

and consent agenda docket are publicly posted at the TSET office, the board meeting location, and the TSET website. A printed copy of the consent agenda is located at the meeting sign in table for public review. No action required.

**b. Discussion and action regarding items removed from the Consent Agenda**

No items were removed for discussion.

**c. Discussion and possible action to approve the Consent Agenda**

Bruce Benjamin moved to approve the Consent Agenda as presented. Jack Allen seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

**6. Programs Committee Report**

**a. Presentation: Hunger Free Oklahoma discussion of evaluation of health outcomes proposal request of \$287,500 funding for one year to assist with the cost of a multi-year evaluation**

Executive Director Julie Bisbee introduced Chris Bernard, Executive Director of Hunger Free Oklahoma. TSET currently provides \$2.1 million annually to support Hunger Free Oklahoma through FY25. Hunger Free Oklahoma seeks an additional \$287,500 in funding in FY24 to conduct the Double Up Oklahoma Health Impact Study. Double Up Oklahoma (DUO) matches SNAP dollars spent on fresh produce in participating groceries and farmers markets. During the initial 2 years of the grant, \$3.3 million in DUO match was redeemed by up to 63,000 unique SNAP households resulting in a 357% average increase in produce sales at participating locations. The increased funding will support a health outcome study to determine if DUO participation leads to improved dietary quality and reduction of diet-related health risks. It may also determine if DUO participation improves diet, physical and mental health, reduce chronic inflammation, stress, improvement of glycemic control, and how the DUO program affects food security in Oklahoma. Data from the study will be leveraged for increased state and federal funding and opens pathways for DUO to become part of improved policy on nutrition incentives and programs. Bernard noted DUO is a unique program that helps inform policy and program improvements both statewide and nationally as well as influences federal funding as a cost saving program. They will partner with the University of Oklahoma for evaluation and will match TSET funding with state and private dollars.

Executive Director Bisbee confirmed the requested funding is earmarked in the approved FY24 budget and noted any board action on this item will require a motion and vote to approve the annual Hunger Free Oklahoma contract with the expanded funding and scope of work. Board Member Jack Allen expressed his support of the expansion. Bruce Benjamin moved to approve the FY24 contract with Hunger Free Oklahoma in the amount of up to \$2,387,500 to include expanded scope. Runako Whittaker seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

Runako Whittaker moved to approve Hunger Free Oklahoma FY24 request for additional funding of \$287,500 for one year to assist with the cost of a multi-year evaluation. Ken Rowe seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

**b. Presentation: TSET Health Promotion Research Center (HPRC) proposal to expand scope of work into obesity research**

Michael Businelle, Co-Director of HPRC, presented HPRC's proposal to expand their scope of work to include behavioral research into obesity in Oklahoma. Businelle noted Oklahoma has the 4<sup>th</sup> highest rate in the nation of obesity, 13<sup>th</sup> highest in diabetes, and 7<sup>th</sup> highest in low physical activity resulting in approximately \$2 billion in medical expenditures annually, yet obesity is under-researched in our state. He reported current obesity,

nutrition, and physical activity related research in Oklahoma exists, but is limited and does not include behavioral research. Businelle indicated HPRC will grow obesity research because HPRC faculty effort is focused on the research and not required to have other traditional faculty responsibilities. The HPRC research expansion will incorporate smartphone apps currently used in smoking cessation research to collect data that will address drivers of obesity, such as food choices and physical activity.

Jack Allen asked about the need to have three full time PhD's on this work. Businelle explained the researchers are needed to reduce the time it takes to obtain federal funding for the research. HPRC 15 faculty members currently have over 150 research studies with an average of 7 studies per faculty member. Additional researchers will interact with faculty from other universities across the state to determine methods to encourage healthier choices.

Board Chair Marshall Snipes asked how HPRC will define success and when that will be reported to the board. Businelle referred to HPRC's track record which produced important findings from research studies, and successfully implemented a smartphone ap to increase quit attempts by people who had low motivation to quit. Executive Director Julie Bisbee noted the board voted in 2013 to expand TSET's focus to include obesity. Board Chair Marshall Snipes clarified there is a placeholder in the approved FY24 budget to cover an increase of up to \$1,000,000 should the board to increase HPRC funding and scope of work. If approved, the FY24 agreement will be up to \$5,050,000 to include expanded scope of work.

Bruce Benjamin moved to approve the FY24 HPRC agreement up to the amount of \$5,050,000 to include expanded scope of work. Runako Whittaker seconded.

***AYE: Benjamin, Rowe, Whittaker, Snipes. Allen abstained. Stephens and Gattoni were absent. Motion carried.***

Board Chair Marshall Snipes announced that Agenda Item 6.c. Update on Future Direction of the Oklahoma Tobacco Helpline would be moved to follow the Executive Session as it is a presentation requiring no action.

## **7. Executive Session**

### **a. Consideration of a motion and vote to enter into Executive Session pursuant to 25 O.S. §307 (b)(1) for the discussion of employment for any individual salaried public officer or employee**

Ken Rowe moved to enter into Executive Session. Jack Allen seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

Entered into Executive Session at approximately 11:20 a.m.

### **b. Consideration of a motion and vote to return to open session**

Runako Whitaker moved to return to Open Session. Bruce Benjamin seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

Returned to Open Session at approximately 11:50 a.m.

### **c. Discussion and possible action on a motion and vote related to the employment and compensation of any salaried public officer or employee**

#### **i. Accountant IV**

Jack Allen moved to extend an offer of employment to candidate A at a salary range of \$55,000 to \$60,000, with the offer extended to candidate B should candidate A decline. Marshall Snipes seconded. ***AYE:***

***Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

**ii. Accountant I**

Bruce Benjamin moved to extend an offer of employment to candidate A at a salary range of \$40,000 to \$50,000, with the offer extended to candidate B should candidate A decline. Runako Whittaker seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

**iii. Executive Director Compensation**

Marshall Snipes moved to increase the salary compensation of Executive Director Julie Bisbee to the maximum allowed by statutory ranges. Bruce Benjamin seconded.

***AYE: Benjamin, Allen, Rowe, Whittaker, Snipes. Stephens and Gattoni were absent. Motion carried.***

Jack Allen left the meeting at approximately 11:55 a.m.

**6.c. Update on Future Status of the Oklahoma Tobacco Helpline**

Program Officer Terry Rousey presented an update on the status of the Oklahoma Tobacco Helpline following the departure of its former director, Dr. Jon Hart. He reported TSET is working with OUHSC on interim staffing to ensure services are maintained and anticipates a 3 to 6-month period to post the position, hire and onboard a new director following a national search and recruiting effort. The Helpline continues to lead the nation in tobacco addiction treatment and will continue to build strong statewide partnerships to ensure participants receive the highest quality treatment. This change in leadership provided an opportunity to refresh the organizational structure to maintain quality of service while innovating to meet the demands of the client base. Plans are to create a new staffing structure of Helpline Operations Director, Program Coordinator, Research and Scientific Advisor, Research Assistant, and OTH Evaluation. Additionally, Dr. Laura Beebe, Helpline evaluator at the OU Hudson College of Public Health will chair and facilitate a Scientific Advisory Council to grow a research portfolio.

In response to questions from board members, Rousey confirmed the Scientific Advisory Council will be dedicated and primarily focused on the helpline. Executive Director Julie Bisbee recognized the service and commitment of Paola Kline, who has been with the Helpline 10 years and is moving on to new opportunities. The process of hiring a new director is underway with the finalizing and posting of the job description. No action required.

**8. New Business**

No new business was presented.

**9. Adjourn**

Ken Rowe moved to adjourn. Runako Whittaker seconded.

***AYE: Benjamin, Rowe, Whittaker, Snipes. Allen, Stephens and Gattoni were absent. Motion carried.*** Meeting adjourned at approximately 12:25 pm