



Oklahoma Tobacco Settlement Endowment Trust

Board of Directors Regular Meeting Minutes

10:00 a.m., Thursday, November 16, 2023

Stephenson Cancer Center

800 NE 10th Street, Conference 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 10:05 a.m. and announced that all requirements of the Open Meeting Act had been met.

Members of the Board present were Jack Allen, Bruce Benjamin, Jennifer Needham, Ken Rowe, Michelle Stephens, Runako Whittaker, Marshall Snipes. A quorum was met.

TSET staff members present were Julie Bisbee, Kelli Brodersen, Samuel Carrillo, Sarah Carson, Thomas Larson, Tonia Lowrey, Jonas Mata, Jamie McDaniel, Allison McMichael, Kelsey Nation, Sjonna Paulson, Lance Thomas, and Susan Yingling who served as recording secretary.

Other attendees present included Assistant Attorney General Sandra Balzer, General Counsel for the Board; Greta Anglin, Lindsey Funk, and Tim Berney from VI Marketing and Branding; and Dan Bledsoe from Finley and Cook.

2. Approval of Minutes of the August 23-24, 2023, Regular Board Meeting and Board Planning Retreat

Allen moved Board approval of the August 23-24, 2023 Regular Board Meeting and Board Planning Retreat Minutes as presented. Benjamin provided a second. The motion carried unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

3. Chair's Report

(a) Chairman Snipes read a moving tribute to former Vice-Chair Susanna Gattoni to recognize and remember the late Board member who had passed away unexpectedly in September 2023 after a long battle with cancer. Gattoni was remembered for her positive outlook and dedication to the TSET mission. All agreed it was a great loss to everyone at TSET and that she would be truly missed.

(b) Chairman Snipes recognized newly appointed TSET Board member Jennifer Needham and welcomed her to the Board. He explained that Needham was appointed by Auditor Byrd after Gattoni's passing to represent Congressional District 5 on the Board. He said Needham is the Dean of Student Engagement for the University of Oklahoma College of Law and has been active with several community organizations and nonprofits.

(c) Chairman Snipes had no further activities to discuss and concluded his report.

4. Agency Operations Committee Report – Jack Allen, Jennifer Needham

- (a) Dan Bledsoe was recognized on behalf of Finley & Cook to present findings from the audit of FY 2023 financial statements. He outlined for the Board the audit process, noting generally accepted accounting standards and procedures, and reported a clean opinion of TSET's financial records with no findings of fraud, violation, or conflicts. Snipes requested that future audits include a column to differentiate the "nonspendable" funds from the unrealized gains and settlement receipts so the Board can easily identify the amount of the Reserves the Board relies on to make budget decisions. Bledsoe agreed to add that disclosure to the communication letter going forward.
- (i) Allen moved Acceptance of the FY23 Audit findings as presented by Finley & Cook. Benjamin provided the second. The motion carried unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

Bisbee introduced Director of Finance Allison McMichael to give an update on the Certification of FY23 Fund Earnings and the Financial Reports. McMichael gave an overview of TSET staff's attendance at the Board of Investor's meeting. She highlighted the change of vendor for the management of the Large Capital Growth Index Funds and said the change would result in a significant savings on fees. She reported that staff had worked with the Treasurer's office to increase the cash available for cover expenditures and had found a suitable solution.

5. Governance Committee – *Bruce Benjamin, Michelle Stephens*

a. Discussion and Possible Action on nomination and election of Board Officers for 2024

Benjamin moved that Marshall Snipes be re-elected as Chair for the TSET Board of Directors for the calendar year of 2024. Allen provided the second. The motion carried.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker

Nay: none

Abstain: Snipes

Benjamin moved that Michelle Stephens be elected as Vice-Chair for the TSET Board of Directors for the calendar year of 2024. Allen provided the second. The motion carried.

Aye: Allen, Benjamin, Needham, Rowe, Snipes, Whittaker

Nay: none

Abstain: Stephens

b. Discussion and Possible Action on TSET Board Committee Assignments

Bisbee reminded the Board that the Board Charter requires TSET Board members to serve on at least one committee each year. She referred the members to their packet to review the four committees and the responsibilities associated with each committee. She said the current Governance Committee had recommended Stephens and Benjamin as members of the Governance Committee for 2024; Needham and Benjamin as members of the Agency Operations Committee for 2024; Allen and Whittaker as members of the Program Committee for 2024; and Stephens and Rowe as members of the Public Information and Outreach Committee.

Allen moved to approve the TSET Committee member appointments as recommended by the Governance Committee. Benjamin provided the second. The motion carried unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

6. Executive Director’s Report – Julie Bisbee, Executive Director

Bisbee was recognized by Chair Snipes to provide her overview to the Board. She reported to the Board that TSET had hosted an in-person Annual Grantee Conference in Edmond that included a TSET History Discussion Panel by Jari Askins and Drew Edmondson. She also reported on the TSET Staff visit to the OSU Student Farm. She reminded the Board that TSET’s 25th Anniversary was coming up in 2025, and a coffee table-style book of TSET’s history was being planned to commemorate the milestone. She said the plan was to distribute the book to libraries and schools around the state as well as stakeholders and legislators. Snipes added that outside funds would be raised to cover the costs. The Board members agreed it was important to tell TSET’s history and remind people of its purpose and accomplishments.

Larson gave a brief overview of the interim study he had been invited to attend with two students from YAHL. He said the legislators were happy to hear from young people about physical education needs at the schools. In response to a question about any bills on the horizon, he said he did not anticipate any bills that would seek to alter the structure of TSET, but that he would keep the Board informed.

Bisbee recognized the new staff who had joined the TSET team after the August Board Retreat. She welcomed Tonia Lowrey, Director of Quality and Performance; Lauren Riepl, Program Manager; Kelsey Nation, SYF/HYI Campaign Manager; and Susan Yingling, Executive Assistant and Board Secretary.

7. Consent Agenda

Bisbee reminded the Board that the Consent Agenda items had been presented during the Committee Meetings and came through Committee recommendations. She said the Board could remove any of the items for further discussion if they chose.

a. Approve Awards for FY24 Healthy Incentive Grants for School Districts

	Organization	County	Intended Use of Funds	Amount
i.	Deer Creek School District	Oklahoma	District wide efforts to promote healthy lifestyles.	\$10,000
ii.	Lindsay Independent School District	Garvin	Increase opportunities for students to be physically active by making improvements to the school playground.	\$19,000
iii.	Meeker Public School District	Lincoln	Increase opportunities and options for physical activity and physical education district wide.	\$17,000
iv.	Oklahoma School for the Blind	Muskogee	Enhancing opportunities for students, teachers, staff to drink more water by adding water bottle filling stations throughout the school.	\$7,000
v.	Sand Springs Public Schools	Tulsa	Increasing opportunities for teachers and staff to be physically active.	\$60,000
vi.	Turkey Ford School District	Ottawa	Increasing access to healthy food by purchasing cooking appliances and tools.	\$15,000
vii.	Tuskahoma Public School	Pushmataha	TSET funds will be used to encourage healthy nutrition, physical activity, and employee wellness.	\$15,000

b. Approve Awards for Healthy Incentive Grant for School Sites

	Organization	County	Intended Use of Funds	Amount
i.	Comanche Middle School	Stephens	Purchasing materials for the school garden, exercise equipment, & supplemental materials for the new Oklahoma Academic Physical Education standards.	\$8,000
ii.	Oktaha Elementary	Muskogee	Funding for playground equipment improvements, purchasing new equipment for special needs students, installing shade structure and walking path.	\$20,000
iii.	Stillwater Junior High School	Payne	Purchasing new recess equipment.	\$5,000
iv.	Stilwell High School	Adair	Purchasing outdoor exercise equipment and enhancing outdoor areas for students.	\$12,500
v.	Stilwell Middle School	Adair	Funding to repair the school greenhouse for students to use to grow healthy foods.	\$3,000

c. Approve 2024 TSET Regular Board Meeting Dates

Thursday	January 25, 2024	10:00 a.m. – 1:00 p.m.
Thursday	March 28, 2024	10:00 a.m. – 1:00 p.m.
Thursday	June 6, 2024	10:00 a.m. – 1:00 p.m.
Wednesday	August 21, 2024	Board Meeting & Planning Retreat
Thursday	August 22, 2024	Board Meeting & Planning Retreat
Thursday	November 21, 2024	10:00 a.m. – 1:00 p.m.

Snipes asked the Board if there were any items they wished to remove from the Consent Agenda for further discussion. Hearing none, he asked for a motion to approve the Consent Agenda as recommended. Benjamin moved to approve the Consent Agenda as recommended. Whittaker provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

8. Public Information and Outreach Committee, Michelle Stephens, Ken Rowe

a. Discussion and possible action to award 6-year contract for Adult Media Services

Bisbee reported to the Board that TSET had released an RFP seeking bidders from qualified entities for comprehensive, adult-focused, social-marketing services. They had received two proposals by the deadline and, after both parties presented to a panel of four internal and two external reviewers, TSET recommended the contract be awarded to VI Marketing and Branding for an amount not to exceed \$20 million for FY25 and renewable for up to \$20 million annually through FY30.

Benjamin moved to award the 6-year contract for Adult Media Services to VI Marketing and Branding. Allen provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

b. Committee Reports

Bisbee directed the Board to review the materials provided for them in the Board packet regarding Youth Focus Brands, Adult-Focus Brands, Upcoming Events and Trainings, and Sponsorship Updates. None of the Board members asked for further explanation or discussion.

9. Program Committee, Runako Whittaker, Jack Allen

a. Presentation on Built Environment Grant Overview and Updates, Jessica Davis, Director of Engagement and Impact

Bisbee introduced Jamie McDaniel, Associate Director for Community Programs, to present on Built Environment Grant Overview in Jessica Davis’ absence. McDaniel gave a PowerPoint presentation to the Board and demonstrated some of the results of previous Built Environment Grants awarded in FY23.

b. Discussion and possible action to award grant funds for FY24 Built Environment Grants

Bisbee directed the Board to review the list of FY24 Built Environment Grants in their packet that the Program Committee had recommended for funding.

Planning, Design and Policy Development

Grantee	County	Total Award	Program
City of Pauls Valley	Garvin	\$150,000	Development of a comprehensive plan to develop walking, jogging and biking trails to enhance active transportation
Eastern Oklahoma State College	Latimer	\$110,000	Development of a plan for a new health and wellness center
Locust Grove Public Works Authority	Mayes	\$56,350	Architectural and engineering services for Phase II improvements to Pipe Springs Park
Oklahoma State University – Northern Oklahoma College Campus	Garfield	\$147,000	Development of a plan to improve a pond and expand access to recreational opportunities on the Northern Oklahoma College Campus
City of Seminole Main Street Sidewalk Engineering Project	Seminole	\$80,000	Secure funding for town of Seminole to engineer ADA compliant sidewalks along Main Street to address mobility

			barriers, uneven surfaces, inadequate crosswalks, and noncompliant curb ramps.
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Construction Implementation

Grantee	County	Total Award	Program
City of Seminole	Seminole	\$480,033	Improvements to Boomtown Park to provide a more user-friendly, walkable, and ADA-inclusive environment
Cushing Public Schools	Payne	\$975,512	Building a 1.63-mile concrete trail to close a gap in bicycle and pedestrian access through Cushing and provide access to Cushing Public Schools
Town of Fort Cobb	Caddo	\$500,000	Improving the walkability and ADA compliance of downtown sidewalks
Town of Westville	Adair	\$983,777	Further development of the town's Parks and Open Spaces Master Plan, including connecting public areas, improving overall safety and refurbishing the former site of the Westville nursing home into a multi-use outdoor public space
Town of Wynnewood	Garvin	\$902,660	Renovation of the Wynnewood swimming pool to include new equipment, shade structures, updates to the restrooms, lifeguard room and the addition of a kitchen
City of Tishomingo	Johnston	\$214,300	With phase one complete, this

			application seeks funding to complete the remaining construction phases of Henrietta Gaddis Park by adding features such as inclusive and accessible playground equipment, walking trail, lighting, and a restroom.
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Bisbee informed board members of the Program committee recommendation to continue discussions with Riversport regarding their proposal for trail completion. Bisbee said staff would report back to the board on a possible partnership in January.

Allen moved to award grant funds for FY24 Built Environment Grants as recommended by the Program Committee. Benjamin provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

c. Committee Reports

Bisbee told the Board their packet contained updates that were presented to the Program Committee regarding the Oklahoma Tobacco Helpline, the loss of TSET Healthy Living Program service to Blaine County, and the OSU Student Farm. There were no questions.

10. Personnel Actions

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.

Benjamin moved to enter into Executive Session to discuss candidates for employment. Allen provided the second. The motion passed unanimously. The Board entered into Executive Session at 11:21 a.m.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

b. Consideration of a motion and vote to return to Open Session

Rowe moved to return to Open Session. Benjamin provided the second. The motion passed unanimously. The Board returned to Open Session at 11:39 a.m.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

a. Discussion and possible action regarding hiring of Program Manager

Benjamin moved to direct the Executive Director to extend an offer of employment to Candidate A for the position of Program Manager at a salary range of \$57,000 to \$67,000. Whittaker provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

b. Discussion and possible action regarding hiring of Partner Support Specialist

Whittaker moved to direct the Executive Director to extend offer of employment to Candidate A for the position of Partner Support Specialist at a salary range of \$50,000 to \$55,000, and if Candidate A declines, Executive Director may extend offer to Candidate B. Needham provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

c. Discussion and possible action regarding hiring of Event Outreach Coordinator

Benjamin moved to direct the Executive Director to extend offer of employment to Candidate A for the position of Event Outreach Coordinator at a salary range of \$46,000 - \$52,000. Whittaker provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

d. Discussion and possible action regarding hiring of Grants Manager

Benjamin moved to extend offer of employment to Candidate A for the position of Grants Manager at a salary range of \$55,000 - \$65,000. Whittaker provided the second. The motion passed unanimously.

Aye: Allen, Benjamin, Needham, Rowe, Stephens, Whittaker, Snipes

11. New Business – Any matter 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)]

There was no new business.

12. Adjournment

The meeting was adjourned at 11:42 a.m.

These minutes were approved by the Board of Directors.

Marshall Snipes, Chair of the Board

Susan Yingling, Board Secretary