

**SEVTC Advisory Committee**  
**Thursday, January 28, 2010 \* 10:00 AM - 12:00 PM**  
**Gymnasium @ SEVTC**  
**2100 Steppingstone Square, Chesapeake, VA**

**WELCOME AND INTRODUCTIONS:**

**Attending:**

Heidi Dix, Deputy Commissioner - DBHDS, welcomed the committee and participants. In the absence of Jim Reinhard, an appointee of the previous administration who has retired, Ms. Dix stated that Mr. Jim Stewart has been appointed the interim Commissioner. Mr. Stewart is the current Inspector General for the Department, and is acting on behalf of Governor McDonnell. We will find out in the coming months who our new Commissioner will be. Heidi stated she would be representing the Department for this meeting. Ms. Dix also reported that Teja Stokes, who has been the face of this Committee as the Assistant Commissioner, left the Department for another position. With the departure of Ms. Stokes, Ms. Dix will be coordinating meeting scheduling and getting minutes out with the assistance of Jewel Crosby. With the transition of Dr. Reinhard leaving, the minutes of the last meeting had not been posted but we will get these posted in a couple of days. Ms. Dix said that today we will be moving forward with the presentation of the site plan as well as to what is going on the community side. A public comment period will be at the end of the meeting. This is a critical time for the Advisory Committee to hear about the process and weigh in on the actual construction and moving forward of the Center and the community homes.

**Introductions of Advisory Committee:**

Bob Shrewsbury (SEVTC), Alice Johnson (SEVTC Family Member), Pat Bennett (PAIR), Mark Diorio (NVTC), Bill Butler (DMAS), Dr. Wanda Barnard Bailey, City of Chesapeake, Assistant Deputy City Manager, Department of Human Development, Bob Latimer (SEVTC Family Member), Brian Whitesell (SEVTC), Sherwin Davis (SEVTC), Mark Stevens (VOPA), Jennifer Hillborn, (VOPA), David Coe (Colonial CSB), Chip Dodd (provider), Chuck Hall (Hampton-Newport News CSB), Joe Cronin (DBHDS).

**Presentation of SEVTC Conceptual Drawings:**

Joe Cronin, Director of Architecture and Engineering for DBHDS, said he wanted to cover some of the ground covered last time when we were in the process of picking a developer. The competing proposals were from Gilbane and WM

Jordan. WM Jordan was selected as the developer for the construction of SEVTC cottages and for community housing. Mr. Cronin stated that WM Jordan was Tidewater based and in Hampton-Newport News and is one of the largest contractors in the Commonwealth. WM Jordan had worked with the DGS on past projects and is familiar with capital outlay procedures. They have recently completed renovation on a major building on Capitol Square. Mr. Cronin is familiar with WM Jordan and very please to have them as the developer and contractor.

RRMM Architects is the architect of record, located in Norfolk, Virginia. They have an excellent reputation for architectural design. Several years ago when we began the process for a 100-bed facility, RRMM was selected for their knowledge and expertise in the area of design for facilities for people with intellectual disabilities for both SEVTC and Central Virginia Training Center. They are collaborators with Paul Finch & Associates.

Paul Finch, Architectural Consultant, is one of the most professional individuals in the field and his focus is purely on the client he serves. Mr. Finch was involved with the original designs that were done for SEVTC and is in the audience today. His firm designed St. Mary's Home for Disabled Children in Norfolk. Mr. Cronin said he had toured St. Mary's and it is an excellent facility and Paul Finch should be proud of what he did for them.

Mr. Cronin then put a slide on the screen. It was a compilation slide of material called the space program that was given to the developers in the RFP which describes a 5 bedroom, 2 ½ bath facility for a five person home. This is what the architect was given as the space program for the residences. The aerial view of SEVTC shows buildings 1-5, cottages and buildings 28 and 29 which are for programming. Buildings 1-4 are administration areas; building 2, food service; building 3, B&G and vocational; and building 4 is the gym. It is our intention to retain buildings 1, 2, 3, 4, 28 and 29. The cottages will be removed following construction of the new homes.

The second slide highlighted the area that was chosen by DGS for the neighborhood because it is adjacent to a residential area. It almost corresponds with the original plan on the residential side of the campus and the support side of the campus. This is the area potential builders were to told to look at but they were not restricted to just that area.

### **The Site Plan:**

The initial site plan shows fifteen, 5-bedroom homes arranged in a small neighborhood, with streets which form a grid. Visitors would enter on the main road with parking in front of the houses. Separate parking would be provided in the back for staff. A berm will placed to provide a sound barrier to make area quieter as well as make the view from the homes more esthetic.

The site will be elevated to make sure there is good drainage. The civil engineer will be looking at options for draining and provide a high quality storm water release. The Department of Conservation and Recreation will have review authority for site work to ensure that the site meets the regulations.

Provision will be made to have more than one way in and out of the area to provide for emergency egress and ingress. A consideration will be given for one road as the front entrance and the other the back road or service entrance.

Typical floor plan for a home features on one side: the sleeping side with bathrooms. From the front there is a good sized family room off the entry for private interaction. Left of that is an open dining area and living room area. This area is kept open so that equipment needs for individuals with mobility challenges can be accommodated. There is a living room area. There is a roofed screened porch so that residents can experience an outdoor setting and be protected. There is a pantry, medication room and stimulation/training room/quiet room that will be assessable for the handicapped, they will be able to move through these spaces with ease. There will be office space and storage areas. The attached garage will have a slight ramp for access to bring the cook/chill equipment for the kitchen.

Mr. Cronin pointed out that this is the architect's first cut at the design, the first submission. Mr. Cronin then displayed the floor plan as flipped the other way. Everything is the same, just oriented 180 degrees. He said this showed the garage is reoriented to make it easier to get into, and would give a different look to the homes. He said that all homes were basically the same look, same functionality, making it easy for staff should they be called to work in different areas. He does not have the interior elements at this point but the houses will be made as home-like as possible and fully furnished.

Brick and Hardy Plank, a material that acts like wood in every regard, will be used in the construction. This material is denser than wood, acts as an acoustic barrier. This will buffer the noise from I-64. The cottage construction will use 50% brick and 50% Hardy Plank. The Hardy Plank looks like shingles or overlap siding. The material will be maintenance free for many years. The goal is to work with architects to ensure that we achieve a true neighborhood appeal.

### **The Neighborhood:**

Mr. Cronin said that the objective when driving into the community, was to give the feeling of a neighborhood instead of a facility. The landscaping will contribute to the feel of a community. There are areas that will be set aside for a community garden, a gazebo and other activities supportive of the community. There are three of those areas set aside.

There will be three full capacity generators installed which will each support five of the homes. Utilities will be underground. If power is lost or a natural disaster occurs, residents will be able to stay in their homes rather than evacuate unless, of course, there is a category 4 or 5 hurricane, it would be time to get out of town.

Per Mr. Cronin, he said this is where we are now.

### **Questions:**

Mr. Chip Dodd asked about the sidewalks. Mr. Cronin said there would be sidewalks around and running through the neighborhood to building 28 and 29. Sidewalks are still under discussion as to the best locations. Sidewalks will be raised for water drainage.

Ms. Pat Bennett asked who would operate the new homes.

Ms. Dix said that SEVTC (an entity of the Department) would operate those cottages built at SEVTC and the 18 community homes would be operated by the CSBs.

Dr. Bailey wanted to know about the water/flood levels during bad weather situations. Mr. Cronin said that the codes would exceed one foot above the 500-year flood plane.

Mr. Gene Sivertson wanted to know about opportunities to sit down and talk about parent's concerns - could this be granted. Ms. Dix said that parents will have input into the process, but it has not been worked out but when this will happen.

There will be input from the parents, not a large group, representatives from the parents group will be part of the process. We will work with Mr. Sivertson and Dr. Shrewsbury to arrange that.

Mr. Sivertson wanted to know prior to the next meeting when they would meet for the parents input... so that the Parents would meet before hand. He asked that in terms of the elevation would that have to be elevated. Would you have to put some fill in terms of topography change.

Joe Cronin said that his understanding after a very brief conversation with a civil engineer was that he feels that a cut and fill will be net 0; a balanced site. Where we need to excavate that fill can be used to raise others elevations.

Mr. Sivertson asked about tree removal. Mr. Cronin said we will preserve as many of the old growth trees as we can. However, some will have to be removed because of construction. In the area between the homes and I-64 we want to leave as many as possible to buffer the noise.

Mr. Sivertson had a question about the maintenance of synthetic board siding. Mr. Cronin said the material had been tested by the American Society for Testing Materials. He said that the material should be relatively maintenance free for 20 years. Where the materials come together, i.e., seams/corners, the exterior sealants tend to age and this would require maintenance in 15-20 years..

Mr. Sivertson stated that these were some of the things that the Parents would like to have input with. Mr. Sivertson said the cook/chill unit might go between the building and the garage in the indent. That would probably be a good place to put that.

Mr. Mark Diorio asked about the kitchens. Mr. Cronin said the kitchens would be fully equipped - that it would be a fully function kitchen, regardless of cook/chill. Residents can assist in the kitchen activities as appropriate.

Mr. Diorio asked about the dark space on the left of the drawing. Mr. Cronin said this was indicating trees. This is an existing dense stand of trees.

Pat Bennett: What is the decision making process as far as cost effectiveness and cost benefit? Mr. Cronin said the PPEA comprehensive agreement has fixed prices. However, options are available should it be found that a different items would work best. We rely heavily on the staff. Input from staff regarding their particular needs in caring for residents will guide the decision.

Alice Johnson asked about administration/infirmary building location. Mr. Cronin said that it would remain the same. Mr. Cronin showed how food service would go through the back for deliveries to the homes. He mentioned at this time if there was any extra money that this would be used to improve buildings 28 and 29 - as appropriate. He stated that all buildings have new roofs but mechanical systems tend to wear out more quickly and hopefully there will be cash to address some of these issues.

Mr. Mark Diorio asked about fuel for the generators. Mr. Cronin said there would be 72 hours of fuel available on site for the generators. The generator will sit on top of the fuel tank that will have 72 hours of fuel. This would be at full operational capacity.

Mrs. Ann Marie Sivertson asked if the fixed costs included furnishings. Mr. Cronin said yes along with fixtures, equipment and landscaping. This is in the budget. We have a line item which is called FF&E.

Mr. Cronin said that before the residents move into the new cottages, he would like to have a least a 2 week - 1 month time frame for staff to become accustomed to the operations of the new cottages. It is essential to learn the new operating systems.

Mr. Diorio questioned how often the Advisory Committee would need to meet once construction began. He wondered if changes in construction would be significant within a month's time. Mr. Cronin said that DGS has put "pedal to the metal" and that even on a monthly basis changes would be noticeable. Mr. Cronin felt it would be worthwhile to meet monthly.

Mr. Bob Latimer said that as a family member he had to occasionally miss meetings. Therefore he preferred monthly meetings for those who were unable to make every one.

Chuck Hall said that representatives of the ID Council for the nine CSBs could provide a presentation on services available in the community and results of discharges thus far.

Mr. Chip Dodd asked about the success of moves into the community and the community taking on challenging cases. He would recommend more private providers to be a part of the Advisory Committee. He asks about the MFP and how it was going. How many moved out and those nitty-gritty issues.

Tim Capaldo actually stated that with regard to the question asked about where folks are going, the Regional IDD Council is providing information to lead staff - updates on how they are doing. He said he would be happy to give a presentation and update.

Per Ms. Dix, there is no date yet for the February meeting. The Department is in flux and she hopes the new Commissioner can attend the next meeting. Ms. Dix will send out potential dates.

Pat Bennett asked about selection of commissioner and how it works. Ms. Dix said that agency heads, members serve at the will of the Governor. There was due diligence with interviews with the Secretary for candidates for the position.

Mr. Sivertson wondered about the building of the 12 ICF MRs and the 6 group homes. Is the funding there for that. Ms. Dix said the comprehensive agreement includes funding for the facility as well as the community housing. He talked about the 75 SEVTC beds not accommodating those who wanted to stay with the RCSC in the mix. Mr. Sivertson felt that monthly meetings were essential.

Mr. Diorio asked about capacity for community day support programs.

Mr. Sivertson said only 60 beds available for SEVTC if beds are to be used for emergency and respite care. He further commented on the size of the waiting list and the needs for rehabilitation and services from the Center through the RCSC.

Ms. Dix responded by saying that there could be a fuller discussion of these issues at the next meeting. We can bring some clarity to that issue at that time.

Mr. Sivertson responded that the issue had been discussed before and wanted to know if the need for the RCSC could be verified and whether those needs could be accommodated in the rebuild of existing cottages.

Ms. Dix responded that the question was complicated and would require some study.

Mr. Sivertson indicated that he would like to have them included on the next agenda.

Ms. Dix assured Mr. Sivertson that it would be on the agenda and that she understood that there appears to be a discrepancy and people need to be clear about it because there have been multiple discussions and not a lot of clarify.

Mr. Sivertson: I have written material to be included with minutes.

Ms. Dix: I have to check with the Developer but some version of the power point will be attached to the minutes. Some of it is proprietary in nature.

Mr. Sivertson asked what is proprietary.

Ms. Dix responded that she would need to defer to the experts for a response to that question.

Mr. Sivertson requested that the power point presentation on the site plan be made available to the parents so they could study them and provide comments.

Mrs. Sivertson commented that it was a good meeting; we were concerned there were no minutes available on the internet because a lot of people weren't here last time that was their only way to contact people and tell them what went on. She requested that the minutes be made available at least a week ahead of the meeting that would be appreciated.

Ms. Dix explained that with Ms. Stokes leaving the Department she was not sure just what had been done. She assured Mrs. Sivertson that she would send out the minutes and the agenda and have them posted.

Elvin Reid asked about the square footage of the homes. Mr. Cronin said about 5,050 square feet, there is some fluctuation and the circulation space will vary.

There will be about 1,000 square feet per person, anticipating future needs that might require more space. Mr. Cronin said that all homes have basically the same amount of floor space. He thinks the design is excellent.

### **ANNOUNCEMENTS**

Ms Dix asked of there were any announcements and Chuck Hall thanked Ms. Dix for the opportunity to talk about the new ICF/MR in Hampton. He provided an update on the ICFR construction in Hampton and indicated that they had the first resident move in a couple of months ago. The ICF/MR certification has been received from the Health Department effective last Friday. This first of six residents had been at SEVTC for 29 years, is volunteering in the community and has had one very successful home visit.

Mr. Hall announced that there were plans to admit 5 residents from SEVTC to his new ICF/MR, that there is an obligation to Dr. Shrewsberry and parents/guardians that we would begin that process as quickly as possible. He further commented that with the community ICFs being developed, the number of people from Hampton-Newport News on the list of SEVTC occupants when we started this process a year ago has gone down and will continue to go down. Regarding the number of beds at SEVTC he indicated he would be surprised if they didn't offer excellent choices for every current resident for a community waiver home or a community home that is a sponsored placement or ICF/MR. Mr. Hall said he did not think there would be an issue for choice based on this experience.

Ms. Dix indicated that the Committee would spend some time at the next meeting talking about the beds and services.

Mrs. Sivertson remarked that she understood that DMAS people on the urgent waiting list needs have to be met first before any other services are given. She asked Ms. Dix how the Department was handling that issue in moving people out of Southeastern and into the community.

Ms. Dix replied that the Department was actually working with the Boards and that DMAS is the authority and collected money from the feds for services provided. She stated that she would need to get more information to answer this question. Ms. Dix then asked of there were other comments or if anyone had anything they wanted the Department to get back to them with.

Ms. Dix indicated that there were waiver slots that are specifically allocated to facilities and that waiver slots should be part of our next discussion and hopefully the Department could provide some clarity in the minutes.

Mr. Sivertson asked Chuck Hall if the new Hampton/Newport News facility ICF/MR had been certified at this point and whether it was certified before the individual moved in.

Mr. Hall stated that just on this past Friday they were certified by the Health Department. Procedures are such that you have to have staffing and a resident before you can't get certification by the Health Department. You must first admit an individual and begin services. Then at their own pace, the Health Department comes to review, certify the program and facility.

Mr. Sivertson asked Mr. Hall if he thought there would be any problem in getting to 75. He asked him if he thought the Center would be down to 60 by July of 2011 and how did (the CSB) identify folks who would move out. Mr. Sivertson asked how the CSB would convince those between 70 and 84 to leave SEVTC and if anyone had been calling families repeatedly to try to get people who have already said they want to stay to leave.

Mr. Hall responded that since the downsizing process began the census had dropped consistently month-b-month and that people were moving on their own.

Mr. Sivertson then asked if he had missed something. Mr. Hall tried to clarify what Mr. Sivertson thought he had missed and suggested that they continue their discussion after the meeting.

Mr. Sivertson responded that he guessed the bottom line was how did the CSB identify people who they would work with to leave SEVTC and whether the CSBs could accommodate the difference between the 84 people who had indicated they wanted to remain at SEVTC and the 60. Whether the CSB would be responsible for getting the difference between those numbers out of the Center. He asked if the CSB had the capability to take that many people out of the Center.

Mr. Hall responded that he believed that the number 84 may represent those who want to remain here but this may change as the new community homes are completed. A family may choose a home that is closer to them than SEVTC.

Mr. Sivertson asked if inquiries of each person were made as to whether they wanted to leave.

Mr. Hall replied. " Absolutely" Mr. Sivertson then asked how this was done. Mr. Hall responded that the CSB case manager is in contact with families, some families tour the homes.

Pat Bennett asked Mr. Hall if the priority for community housing was for people in training center or for the people in community on waiting lists.

Ms. Dix said the money that had been allocated for community homes by the general assembly was for current residents of SEVTC.

Ms. Dix then closed the meeting.

Mr. Sivertson noted that there were attachments to be submitted for inclusion in the summary notes/minutes of the Advisory Committee for January 28, 2010:

- \* Removal of VOPA and ARC memberships from the SEVTC Advisory Committee.
- \* RE: Submission by Ann Marie Sivertson regarding an article by Pearl S. Buck.
- \* Letter dated 1/4/2010 to J. S. Reinhard from Mr. Sivertson
- \* Letter to J. S. Reinhard dated 10/24/2009 from Mr. Sivertson
- \* Letter to Charline Davidson dated 11/20/2009 from Mr. Sivertson.

**Parents and Friends  
of  
Southeastern Virginia Training Center, Inc.  
(SEVTC)  
Chesapeake, VA**

P.O. Box 1817  
Newport News, VA  
23601

January 28, 2010  
(757)898-6712

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**The attached documents are submitted for inclusion in the summary notes/minutes of the SEVTC Advisory Committee on January 28, 2010 by W. E. Sivertson, Jr. on behalf of Parents and Friends of SEVTC, Inc.**

  
**W. E. Sivertson, Jr.  
President**

**Submitted for the inclusion in the summary notes/minutes of the SEVTC Advisory Committee on January 28, 2010 by W. E. Sivertson, Jr. on behalf of Parents and Friends of SEVTC, Inc.**

**Subject: Removal of VOPA and Arc memberships from the SEVTC Advisory Committee**

1. The General Assembly has directed the rebuild of SEVTC with the Department of General Services in charge.
2. The Governor has signed supporting the rebuild.
3. The rebuild is in progress.
4. Membership on the SEVTC Advisory Committee is at the discretion of Commissioner James Reinhard according to the Virginia Attorney General's Office.
5. VOPA and Arc are founders of the Virginia Alliance for Community promoting "Community for All" and calling for the end of Training Centers for the Mentally Retarded.
6. VOPA has filed a plea in the 3rd. Federal District Court in Richmond, Virginia (Arc of Virginia v Governor Kaine et al.) to stop the rebuild of SEVTC.
7. A major responsibility of the SEVTC Advisory Committee is to aid in the rebuild of SEVTC.
8. VOPA and Arc have stated they can not speak in the SEVTC Advisory Committee meetings because of the pending suit of Governor Kaine.
9. VOPA and Arc will therefore not speak on behalf of the rebuild, and if they could would not support the rebuild as a consequence of their ideology as broadcast via their Alliance affirmation.
10. Clearly, VOPA and Arc can not and will not contribute on behalf of the rebuilding of SEVTC.
11. Under the above conditions, what discretionary logic would support VOPA and/or Arc members to remain on the SEVTC Advisory Committee ?
- 12 Parents and Friends of SEVTC, Inc. continue to request VOPA and Arc membership on the SEVTC Advisory Committee be immediately terminated.



W. E. Sivertson, Jr.  
President

Submitted for inclusion in the meeting summary of the SEVTC Advisory ~~Committee~~ <sup>Committee 1-28-10</sup> on Dec. 15, ~~2009~~ by Ann Marie Sivertson:

In 1950, Pearl S. Buck, Nobel prize winning author of the Good Earth and other noted works, published her memoir entitled The Child Who Never Grew narrating her personal journey of decisions for the care of her mentally retarded child. (Yes, that description was medically recognized as it is today.) This was her first and only natural born offspring. At that time, institutionalization was as dreaded a word as it is today. However, being the realist Pearl S. Buck was, she had to face some of the same choices families have to face today. She, who travelled widely, made her painful journey of decision to place her child in what she believed would be a safe, continuum of care facility where her child could live among her peers, reach her potential, and be afforded the necessary lifetime of care – beyond Pearl S. Buck's expected life.

Today, this Advisory Committee is tasked with planning a rebuilt SEVTC for the purpose of providing care for those who cannot speak for themselves. The families of the residents at SEVTC have travelled this road not unlike Pearl Buck's. Her choices were as difficult to make as the ones we have today. In reality, nothing has really changed. The question is: Do we need a rebuilt SEVTC? The answer is emphatically: YES!

For those who oppose the rebuild or the very existence of this Training Center and its unequalled care provided to its residents, there is another question: Have you walked in the shoes and on the paths of families like Pearl S. Buck's or any of the parents or relatives of residents of SEVTC? If not, educate yourselves by reading her book The Child Who Never Grew. She reiterates the need for a "cure", and that "cure", more than fifty years later, is yet forthcoming. The "Recovery" so often referred to in the Comprehensive State Plan of the DBHDS is as nebulous as the "cure", and, until that time, there will always be a need for places like Southeastern Virginia Training Center to provide quality care in an environment that affords the least restrictions on those who need constant supervision in order to survive.

There is a big difference between realism and idealism. Ideally everyone should have a "Life Like Yours". Realistically those of us who are blessed with abilities are tasked with the responsibility of providing care for those who cannot care for themselves. For SEVTC families, this Training Center is their "Choice" for such care.

Yes, Virginia, we do need SEVTC!

*Ann Marie Sivertson*



## COMMONWEALTH of VIRGINIA

### DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

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COMMISSIONER

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January 4, 2010

W. E. Sivertson, Jr., President  
Parents and Friends of SEVTC, Inc.  
P. O. Box 1817  
Newport News, VA 23601

Dear Mr. Sivertson:

I received your letter requesting information on behalf of The Parents and Friends of SEVTC on December 22, 2009. The Freedom of Information Act applies to requests for public records, not requests for information or for answers to questions. The Department of Behavioral Health and Developmental Services does not have any documents in its possession that are responsive to the requests made in your letter.

I am committed to the residents of SEVTC and to ensuring a safe transition for residents to the new facility and/or the community setting they choose. I know you share my concern in making this transition, required by the General Assembly, as smoothly, safely, and carefully as possible.

Sincerely,

  
James S. Reinhard, M.D.

c: Heid Dix  
Robert D. Shrewsberry, Ph.D.

**Parents and Friends  
of  
Southeastern Virginia Training Center, Inc.  
(SEVTC)  
Chesapeake, VA**

P.O. Box 1817  
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23601

December 20, 2009  
(757)898-6712

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Commissioner James Reinhard  
DBHDS  
P.O. Box 1797  
Richmond, Virginia 23218

Ref: FOIA Letter (Followup to 12/15/09 SEVTC Advisory Meeting)

Dear Commissioner Reinhard:

Under FOIA (The Freedom of Information Act), The Parents and Friends of Southeastern Virginia Training Center, Inc. (SEVTC Parents Group), respectfully request the following information in a timely way:

A number of these questions were asked at the above referenced Meeting, but were not answered.

1. Define, with technical specificity, the *installation of and operational use of* the Cook Chill system as relates to the rebuilding of SEVTC; and in the completed rebuild of SEVTC, (during and after food preparation in the existing central kitchen building facility) how and where in the rebuild homes/cottages will the retherm units be docked and utilized in the everyday presentation of meals? How and when (daily scheduled transport of retherm units) will retherm units be delivered and redelivered between the central kitchen building and their respective new residential SEVTC homes/cottages?
2. Provide copies (with month, day, year) of the DBHDS's, or other specifications, for accommodating the Cook Chill system – include any information/specifications/data/ e-mails given to the parties bidding to contract the rebuilding of SEVTC; do these specifications include retherm access into and out of the new rebuild homes/cottages, electrical power capacity requirements and access, and floor space including access to and processing of food in preparation for serving meals to the residents at meal times?
3. The DBHDS's Engineer, Joe Cronan, stated (12/15/09) the SEVTC rebuild will leave 30 to 40 acres of the current SEVTC property that will be declared "surplus property" and this land will no longer be a part of the SEVTC ICF/MR facility. Will the current ancillary buildings (infirmary, doctors and nurses offices, and examining rooms including dental treatment facilities; administration building; staff training and vocational training and building and grounds; gym; kitchen/cook chill; etc.) remain in place for use in continuing to provide support services as required by the SEVTC non-waivered ICF/MR Training Center? Will any existing SEVTC support buildings/cottages be razed as a part of the rebuild? If so, which buildings? Will any of the support buildings and/or cottages be included in the declaration of surplus property? If so, which ones?
4. Will the SEVTC new rebuild facility remain an ICF/MR Training Center? Will the SEVTC rebuild continue providing all on-Center services as currently and historically provided? What support functions and buildings will be integrated (physically and functionally) into the SEVTC rebuild homes/cottages (furnish specifics)?

5. Where on the current SEVTC property (95.85 A) will the rebuild units be located? Provide a plot (homes/cottages) layout drawing identifying each of the 15 new homes/cottages. Will new roads be constructed to service the new homes/cottages? Show new roads layout drawing.
6. How will the surplus property portion map onto the current 95.85 A? Provide a plot layout delineating this surplus property portion superimposed upon the current SEVTC property.
7. There are more than 75 SEVTC residents choosing SEVTC as guaranteed by the Olmstead Decision. How will they be accommodated to remain at the rebuilt SEVTC facility when there is only a total of 75 beds in the 15 homes/cottages approved to be constructed? How many of the rebuild SEVTC 75 beds will be dedicated for use as an RCSC operation for emergency admissions and treatment of individuals in jeopardy from the Community system into the new SEVTC rebuild facility?
8. Will the rebuild homes/cottages be built on the highest elevation location on the current 95.85A? Will the drainage-holding-pond/lake infringe upon any on-campus location being considered for the SEVTC rebuild of the 15 new homes/cottages? What are the rebuild distances from each new home/cottage to the existing drainage-holding-pond/lake edge for sites as described and shown by Joe Cronan (DBHDS Engineer) during the SEVTC Advisory Committee Meeting on 12/15/09?
9. Will there be *new drainage designed* and installed to adequately accommodate surface runoff for all 95.85A of the current SEVTC property? Will fill dirt be used to elevate the 95.85A or parts thereof? If so, how will the fill areas map onto the current 95.85 A? Provide a plot layout. If not, why not, and how will overall drainage be controlled? Will the drainage-holding-pond/lake be eliminated by filling or other means?
10. When will The Parents and Friends of Southeastern Virginia Training Center, Inc. be allowed to see the design drawings for the rebuild, and to have an input to the rebuild? Provide a schedule delineating the rebuild process. Will there be a sound barrier wall erected to shield the SEVTC homes/cottages from the noise from highway US I64? If so, provide specifications and drawings defining any such sound barrier. If not, why not? How many acres of trees will be removed?
11. In the referenced SEVTC Advisory Meeting (12/15/09), The Parents and Friends of Southeastern Virginia Training Center, Inc. requested VOPA and Arc membership on the committee be immediately terminated since their "Arc of Virginia v Governor Kaine et al." involvement renders them unable to speak at the SEVTC Advisory Meeting. The presence of VOPA and Arc at the meeting negated the SEVTC Advisory Meeting participants from discussing important issues being brought forward by SEVTC Advisory Meeting members and public participation attendees. The Commissioner has been repeatedly asked (Public and General Assembly Members) to remove their crippling influence from the SEVTC Advisory Meetings. Leaving VOPA and Arc as members of the Committee (at the discretion of the Commissioner) clearly defeats the business of the Committee, and (at the least) conveys the impression *the Commissioner supports VOPA and Arc in bringing forth an injunction against Governor Kaine to stop the rebuilding of SEVTC*. What is the reason/logic being employed by Commissioner Reinhard in his failure to use discretion and remove VOPA and Arc from SEVTC Advisory Committee membership to allow the Committee to function without the unacceptable encumbrance of throttled discussion?
12. What will be the name and acronym for the new SEVTC rebuild facility?
13. Since all of the current SEVTC buildings and cottages have new roofs with hurricane resistance features ( \$8 Million invested as of the summer of 2009), will any of these buildings be refurbished as a part of the SEVTC rebuild? If so, which ones? If not, why not? Which are to be demolished and which are to be sold?
14. Did the presence of SEVTC Advisory Committee VOPA and Arc members (a total of three) during the 12/15/09 meeting negate discussion and/or prevent the answering and asking of

questions by Commissioner Reinhard and/or committee members and/or public participants? If so, why? Did any of the 2 VOPA and 1 Arc members/attendees speak during the Meeting? Is the fact that VOPA and Arc are in litigation as lawyer/plaintiff suing Virginia's Governor Kaine, et al. (Including Commissioner Reinhard, chairman of the SEVTC Advisory Committee) a factor? If so, how is VOPA and Arc membership helping the SEVTC Advisory Committee to do its job? Are there any Virginia and/or Federal Statutes preventing the removal of VOPA and Arc members from the committee? If so, identify these statutes? If not, why are VOPA and/or Arc members remaining SEVTC Advisory Committee members? Is Commissioner Reinhard in favor of: 1) stopping the rebuild of SEVTC, and 2) ignoring the GA direction to rebuild SEVTC?

15. Since 12/1/08, how many SEVTC residents have been discharged into Community? How many have: 1) requested readmission to SEVTC, and how many were readmitted, 2) been sent to jail, 3) been sent to the hospital, 4) had private providers request they be readmitted to SEVTC because the private provider could not adequately and/or appropriately provide services required, 5) had a leg or foot amputated, 6) lost their life from lack of appropriate care, and 7) been exposed to other failed-care circumstances from exposure to known risks by their discharge from SEVTC into inadequate Community facilities and care? Does the DBHDS follow the residents after discharge for an adequate period of time to determine the stability and success of discharge into community? What is the observation time span? Who follows up? Who reports findings and where within the DBHDS? What is the DBHDS's policy on readmission to SEVTC? What does Commissioner Reinhard envision when projecting his ideology of "Dignity in Risks"?

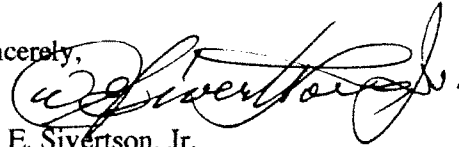
16. The Commissioner continuously proclaims "Recovery from Mental Retardation". Is it misleading/deceptive to claim recovery from Mental Retardation? Is there a cure for Mental Retardation? Explain.

17. Some CSBs have been harassing SEVTC Resident's decision makers with multiple repeated phone calls focused upon pressuring them to request and/or accept their resident's discharge from SEVTC into community. These calls are often repeated several times a week, and over several weeks. The CSB callers use implications and fear tactics including suggesting to those called that SEVTC may not remain capable of keeping all current residents and may not be rebuilt or continue to remain open. They employ fear tactics suggesting if the resident's decision maker does not choose to select a community facility now, all the good ones will be taken when they are forced into a discharge situation later. Linked to this practice of some CSBs, it has been reported the harassment forcing function was initiated in a Committee Meeting chaired by the DBHDS's Lee Price, Director of The Office of Developmental Services. What Virginia statute, Federal statute, or DBHDS policy supports the employment of these harassing, frightening, and discriminating practices as tools to discharge SEVTC residents simply to achieve unrealistic downsizing goals? Provide copies of any and all e-mails or other communications including meeting minutes and phone calls, internal and external to the DBHDS and CSBs, regarding any activities embodying the above issue.

18. Within the last 12 months, did any DBHDS staff and/or CSB personnel report to Commissioner Reinhard that SEVTC residents were/are being discharged and placed into community group homes that are not capable of giving appropriate care? Did commissioner Reinhard ask if that was true; and also, was the Commissioner told it was true and that there were no adequate or appropriate group homes within HPR V for SEVTC residents? Did SEVTC residents continue to be discharged from SEVTC into inappropriate group homes after Commissioner Reinhard was made aware of the most egregious abusive placement practice underway? How many SEVTC residents discharged into group homes since December 16, 2008 have been harmed and/or inappropriately cared for? Were CSBs being encouraged/required by the Director of the Office of Disability Services, Lee Price or any other person to aggressively (Based on SIS outcome scores or other data) prioritize SEVTC residents and to go after them to effect their discharge from SEVTC? Was any of this discussed in any Committee meetings chaired by Director Lee Price? Furnish minutes of any such meetings and Director Lee Price's notes covering those meetings, including any SEVTC Closure Committee Meetings in both April and May of 2009. Also, include a list of attendees at any such meetings.

19. How is it possible for an individual with mental retardation to have, "A Life Like Yours"(as DBHDS promotes) when significant parts of one's central nervous system are non existing or dysfunctional? Provide a scientific/medical basis for this claim.

Sincerely,

A handwritten signature in black ink, appearing to read "W. E. Sivertson, Jr.", written in a cursive style.

W. E. Sivertson, Jr.  
President

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## Freedom of Information Act (FOIA) Requests

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### The Rights of Requesters and the Responsibilities of the Department of Accounts under the Virginia Freedom of Information Act

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#### Rights Responsibilities

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording - regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format - that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

#### Your FOIA Rights

- You have the right to request to inspect or receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA.

#### Making a Request for Records from the Department of Accounts

- You may request records by U.S. Mail, fax, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA.
  - From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.



**Parents and Friends  
of  
Southeastern Virginia Training Center, Inc.  
(SEVTC)  
Chesapeake, VA**

P.O. Box 1817  
Newport News, VA  
23601

October 24, 2009  
(757)898-6712

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Commissioner James Reinhard  
DBHDS (Formerly DMHMRSAS)  
P.O. Box 1797  
Richmond, Virginia 23218

**Re: Arc and VOPA "SEVTC Advisory Committee" Membership**

NOTE: (Arc throughout this document refers to The Arc of Virginia)

Dear Commissioner Reinhard:

The Parents and Friends of Southeastern Virginia Training Center, Inc. (P & F of SEVTC), respectfully request the Arc and VOPA memberships on the rebuilding SEVTC Advisory Committee be immediately terminated, and that their comments, advisory information, and influence on the rebuilding of SEVTC be deleted from the SEVTC Advisory Committee records and placed in a separate DBHDS file to preserve the bias and prejudice exhibited towards the rebuilding of SEVTC.

The above request is based upon the following:

1. The Arc is committed to "Community for All" as its priority, and they proclaim "ending the practice of institutionalization" (ie. closing all of the DBHDS' ICF/MR Training Centers) in Virginia is their goal. Medically, four levels of Mental Retardation are defined as mild, moderate, severe, and profound. The MR care services (public and/or private) available in the so-called Virginia "Community System" are not capable of providing appropriate MR care as required to support the spectrum of MR needs. This is especially true for the residents of SEVTC.
2. The Arc has sent numerous communications to Governor Kaine requesting the Governor to stop the rebuild of SEVTC and discharge all SEVTC residents into the "Community System".
3. VOPA, representing the Arc, in a threatening letter to Governor Kaine on October 14, 2009, gave notice of the intent to name the Governor as the defendant in a "Complaint" to be filed in Federal Court. The Arc asked that the Governor suspend all plans to replace SEVTC (ICF/MR Training Center located in Chesapeake, Virginia). The Governor was given on or before October 26, 2009 as the deadline for his resolution of the "matter". *The Governor's response (in a letter on October 23, 2009 to Colleen Miller, Executive Director of VOPA) did not support the Arc's request to stop the rebuild of SEVTC.*
4. The current Arc membership on the *SEVTC Advisory Committee* (for rebuilding SEVTC) is a holdover from membership on the *Advisory Committee to Close SEVTC*, and therefore embodies a bias in drastic conflict with the current purpose of the SEVTC (Rebuild) Advisory Committee.
5. Both VOPA, and the Arc are members of, and aggressively promote, "The Virginia Alliance for Community"(often referenced as The Alliance). The Alliance advocates strenuously for "Community for All" and the closing of the DBHDS' ICF/MR Training Centers throughout Virginia. Since VOPA is an arm of a federal agency legally charged with insuring protection and representation of *all* Citizens, their membership in The Alliance clearly represents a prejudice

discriminating against all Commonwealth Citizens residing in DBHDS' ICF/MR Training Centers and any others among the waiting list (a total exceeding 5,000) seeking admission to the Commonwealth's existing MR Training Centers.

6. The prejudice and discrimination practiced by both the Arc and VOPA against individuals with Mental Retardation who cannot speak for themselves clearly breaches numerous Federal and State Laws, and deprives "Choice" as guaranteed by the Olmstead Decision of the Supreme Court of The United States and Virginia's Olmstead Initiative.

7. Letters written by the Arc in their fanatical march to force the closing of DBHDS' ICF/MR Training Centers are imbedded with: inaccuracies, a lack of substance, deceptive content, disingenuous focus, a lack of legal basis, and the demonstration of dangerous judgment.

P&F of SEVTC, Inc. have discussed in numerous letters, numerous times, the conflict of interest and inappropriateness of the Arc membership on the SEVTC Advisory Committee. These P&F of SEVTC, Inc. communications included letters to: all members of the General Assembly, the DBHDS, Governor Kaine, Secretary of Health and Human Resources, Newspapers, Presentations to the House Appropriations Committee, Presentations to the Senate Finance Committee, the SEVTC Advisory Committee, the Department of General Services, the Training Center Directors, the MR Board, and others.

8. The Arc has authored significantly inaccurate newspaper releases, referencing an SIS Report prepared by HSRI under contract to the DBHDS, petitioning the Governor to immediately stop the rebuilding of SEVTC and to permanently close SEVTC. In addition, this newspaper release, misled the public regarding SEVTC's mission, rebuilding, and the service needs and "choice" of the residents. These issues were injected by P&F of SEVTC, Inc. during the August meeting of the SEVTC Advisory Committee meeting. The DBHDS' Commissioner and the Head of the the DBHDS ID Office agreed the Arc released significantly inaccurate and misleading information in their public statements as reported in local Hampton Roads Newspapers, requesting (among other things) Governor Kaine to stop the rebuilding of SEVTC.

During the "Public Comment Portion of the Advisory Committee meeting, *Commissioner Reinhard was requested, by P&F of SEVTC, Inc., to release a DBHDS public statement correcting the Arc Newspaper inaccuracies and following through to publicly set the record straight.* As of 10-24-09 (although repeated requests have been made by P&F of SEVTC, Inc.) no action has been taken by the DBHDS regarding this matter. Why is the Arc's erroneous reporting of information not being corrected publicly by the DBHDS? This dereliction of duty by the DBHDS regarding Arc's aggression to close SEVTC projects an image of the DBHDS supporting the Arc in its position to close *all* Virginia's MR Training Centers starting with SEVTC. The DBHDS's failure to address this issue further necessitates the ejection of Arc from membership in the SEVTC Advisory Committee. The conflict of interest broadcast by the Arc and the DBHDS's negligence to act to correct untruths in this most serious issue is astounding and unacceptable!

Sincerely,

  
W. E. Sivertson, Jr.  
President

cc: Governor of Virginia, Timothy Kaine  
SEVTC Center Director, Robert Shrewsberry  
SEVTC Privacy/Compliance Officer, Melanie Murphy

**Parents and Friends  
of  
Southeastern Virginia Training Center, Inc.  
(SEVTC)  
Chesapeake, VA**

P.O. Box 1817  
Newport News, VA  
23601

November 20, 2009  
(757)898-6712

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Charline A. Davidson  
Office of Planning and Development  
DMHMRSAS  
P. O. Box 1797  
Richmond, VA 23218

Subject: Public Comment — Comprehensive State Plan 2010–2016

Dear Ms. Davidson:

The Parents and Friends of Southeastern Virginia Training Center (SEVTC) respectively submit the following comments for inclusion in the Public Comments to the DBHDS's Comprehensive State Plan for 2010 through 2016.

Throughout the subject 2010/2016 Plan, the use of multiple terms for the medical condition of Mental Retardation projects a garbled image being presented by the DBHDS and the Office of Disability. There are considerable double-talk references to old DMHMRSAS MR terms, and no correlation offered between Disability, Intellectually Disabled, and Mental Retardation.

There is a lack of specificity regarding ICF/MR Training Center services provided and the deficiencies of services found in Waivered ICF/MR Community facilities. Community ICF/MR facilities are not appropriate as residential homes for the residents of ICF/MR Southeastern Virginia Training Center.

The Transitional Concept of, "Community for All" (discharging Training Center Residents into Community facilities, private and/or state owned/operated) is not viable, or acceptable. One size does not fit all – especially with complex medical conditions, and dually diagnosed conditions that require medical monitoring.

For some time, the Commissioner of the DMHMRSAS embarked upon a concentrated effort to close SEVTC. This effort was thwarted by the GA and on the petition by over 14,000 Virginia citizens to keep SEVTC open and operating. The Commissioner continued to downsize SEVTC from a 200 bed to a 100 bed facility. He stated the 100 bed reduction was not scientifically based but was his random selection. Also, the Commissioner could not relate whether or not there were 100 residents living in SEVTC capable of benefiting from discharge into community. Yet, the target population census currently identified in the SEVTC rebuild is 75 beds with only 60 beds of the 75 beds to be made available for the current 150 SEVTC residents.

The rebuild of SEVTC requires location on the highest topological site on the property, remote to the drainage lake, remote from the US 64 express highway, and for the existing ICF/MR support buildings to remain operational and in support of the residents, and that all rebuild buildings/beds for utilization by current SEVTC residents. Also, to provide housing as required to accommodate

current SEVTC residents who have chosen SEVTC as home in accordance with the Supreme Court's OLMSTEAD decision.2

Persistent use of "recovery" as a term representing the "Vision" of DBHDS does not coincide with Dr. Reinhard's correspondence to me of June 26, 2006 stating: "For mental retardation, the concept of recovery does not apply. . .".

*Mental Retardation (MR) is not recoverable*, and the continued use by the Department of language stating recovery from MR as a motivator for justifying the DBHDS's move to transform successful, traditional ICF/MR Training Centers and Services is disingenuous and is not acceptable. This practice is particularly prevalent in presentations and documents presented by the DBHDS, and should be halted immediately!

Furthermore, the terms Self-Advocacy, Self-Determination, Recovery, Resilience, Person-Centered Principles and Practices, and "Peer provided services and supports" are not adequately defined relative to ICF/MR service delivery, MR levels, funding, and funding sources.

The DBHDS is required to adhere to the Olmstead Decision, the Code of VA § 37.2-837, A, 3., and all DMAS, Medicaid, etc., regulations relative to the granting of MR waivers regarding discharging residents from SEVTC. Olmstead guarantees "choice" to retain residency in an MR Training Center.

The Parents & Friends of SEVTC, Inc. are pleased to submit our input to the "Draft Comprehensive State Plan 2010-2016" dated November 17, 2009.

Sincerely,

  
W. E. Siverton, Jr.  
President



SEVTC Advisory Meeting  
Jan. 28, 2010

Questions.

1. Will The Parents and Friends of SEVTC, Inc. be allowed to see the blue print for rebuild and have an input to the rebuild?
2. Will there be a sound barrier wall erected to shield the SEVTC cottages from the noise from highway Interstate 64 (I64)?
3. How many acres of trees will be left? The trees are sound barriers.
4. How many square feet per home?

(mod) Elin D. Reid

# **Southeastern Virginia Training Center**

**Advisory Committee Meeting**

**January 26, 2010**

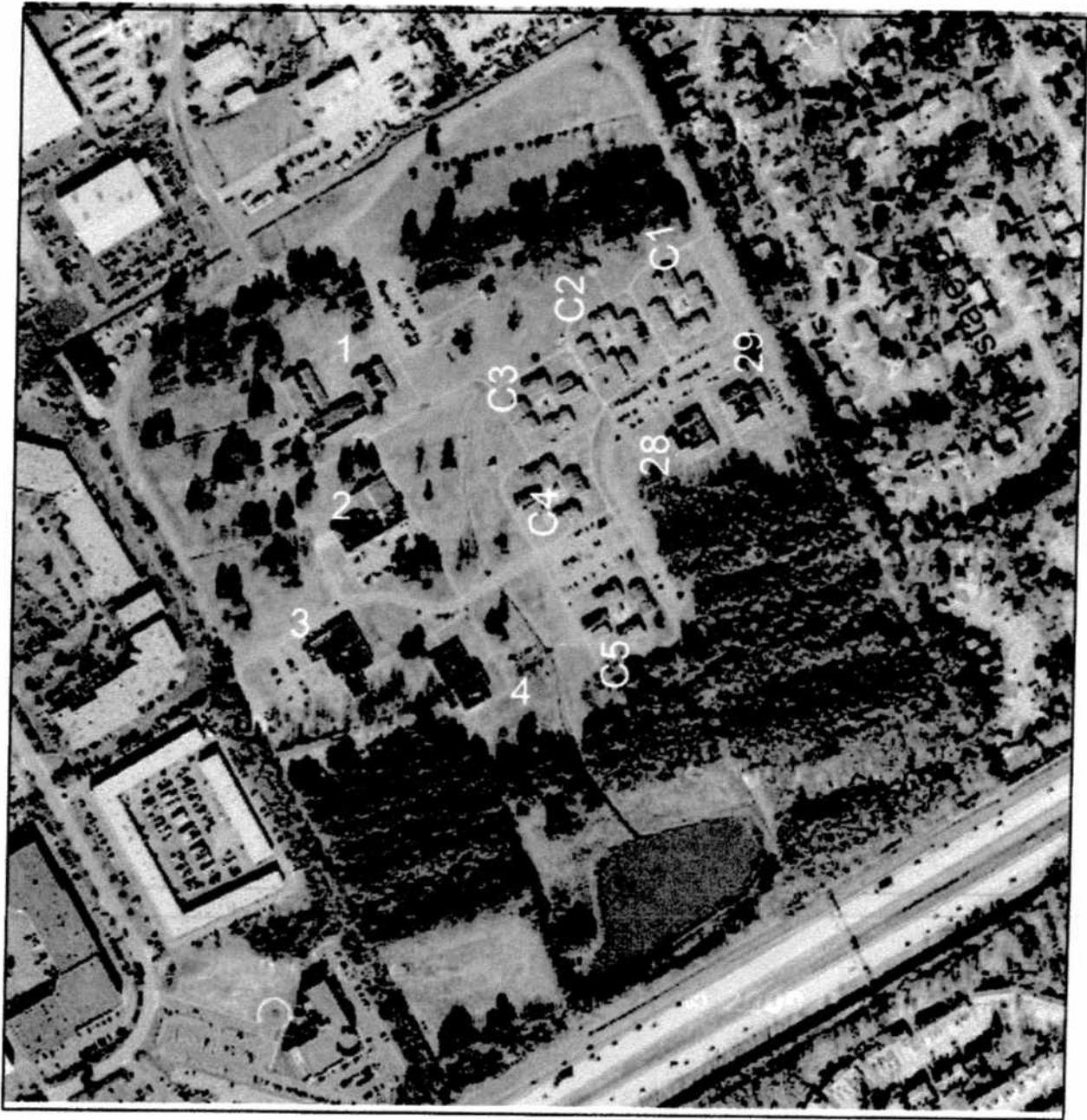
# **PPEA Developer Selection Update**

- **Developer:** W. M. Jordon
- **Architect of Record:** RRMM
- **Architectural Consultant:** Paul Finch & Assoc.
- **Status:**
  - Interim Agreement executed
  - Organizational meeting held 1/19/2010

ICF-MR 5 Bedroom Home	No. of Spaces	Size is SF	Total SF	FF&E
Bedroom	5	150	725	Beds, hospital in 11 homes, double beds in 4 homes, closet
Toilets with HC tub	1	120	120	Lift at tub
Toilets with shower	1	120	120	Shower with HC seat
Half bath	1	60	60	HC accessible
Residential standard living room	1	200	180	Couch, love seat, 3 chairs, coffee tables, 4 end tables, media cabinet
Residential standard dining room	1	180	180	Dining table with 6 chairs, side board, server
Family room	1	150	150	Couch, love seat, 3 chairs, coffee tables, 4 end tables, media cabinet
Unit manager office	1	110	110	Desk with L return, credenza, desk chair, 4 shelf bookcase, 4 drawer file cabinet
Unit staff office	1	150	150	3 workstations with chairs, staff wall lockers, locked medicine closet
Unit staff toilet	1	60	60	HC accessible
Residential kitchen	1	180	180	Double wall over, cooktop, Hobart Dw (H20 temp) upright refrigerator, upright freezer, double deep bowl, 7" sink with disposer, solid surface counter tops
Pantry	1	60	60	Metal shelving
Unit linen storage	2	50	100	Metal shelving, clean and soiled linen storage
Unit laundry	1	160	160	2 washers and dryers front loaders, folding area
Residential clothing storage	1	200	200	Shelving with assigned areas for resident
Garage	1	553	552	
Porch	1	200	200	Enclosed
Electric room	1			
Data communication room	1			
HVAC and HWH room and Housekeeping room	1			
Foyers/halls			1713	
<b>TOTAL GSF</b>			<b>5020</b>	

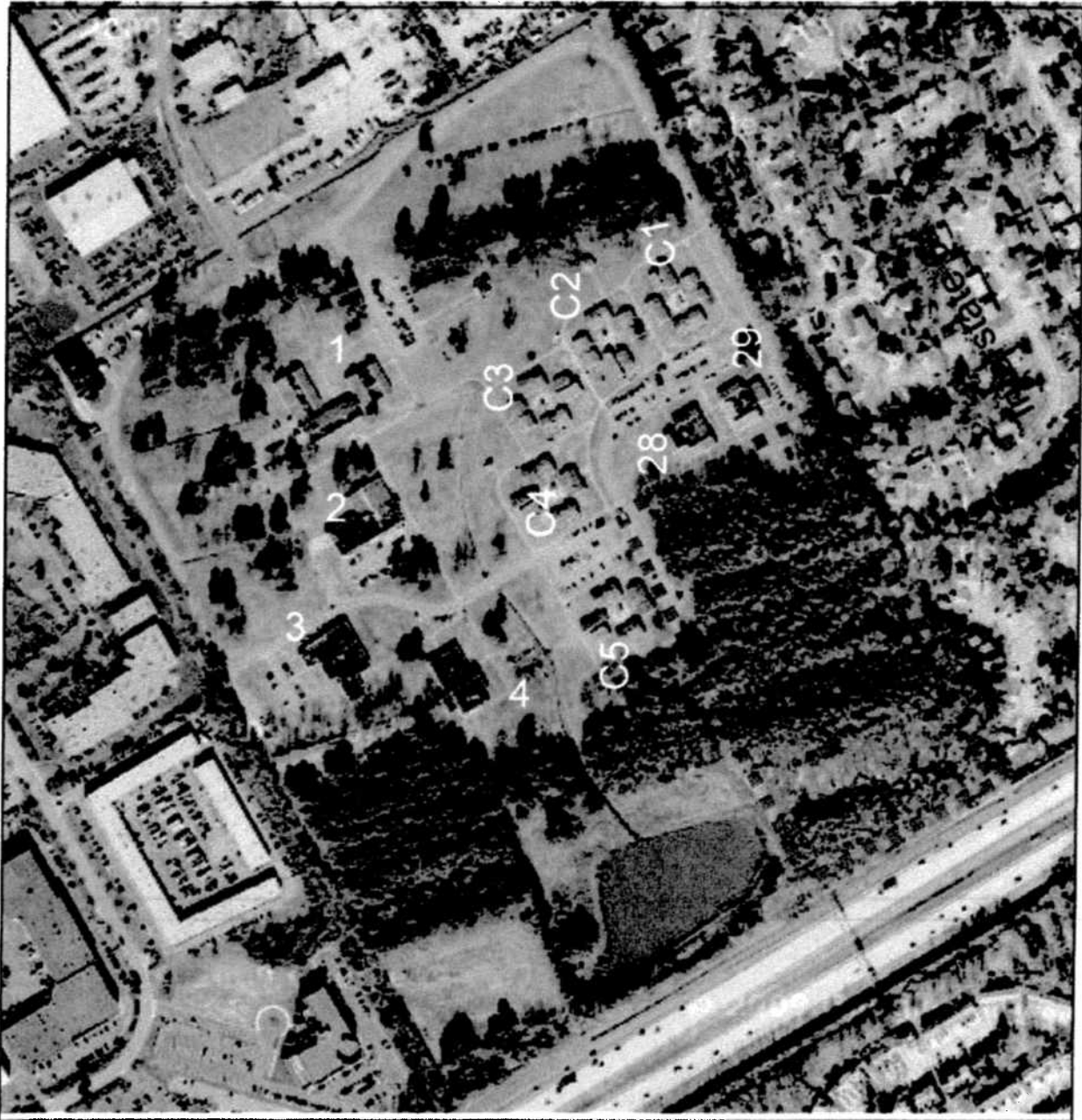
# Southeastern Virginia Training Center

- 1: Administration
- 2: Food Service/Supply
- 3: Vocational Training
- 4: Physical Education
- C1: 4 Residences Cottages
- C2: 4 Residences Cottages
- C3: 4 Residences Cottages
- C4: 4 Residences Cottages
- C5: 4 Residences Cottages
- 28: Residence
- 29: Program/Training

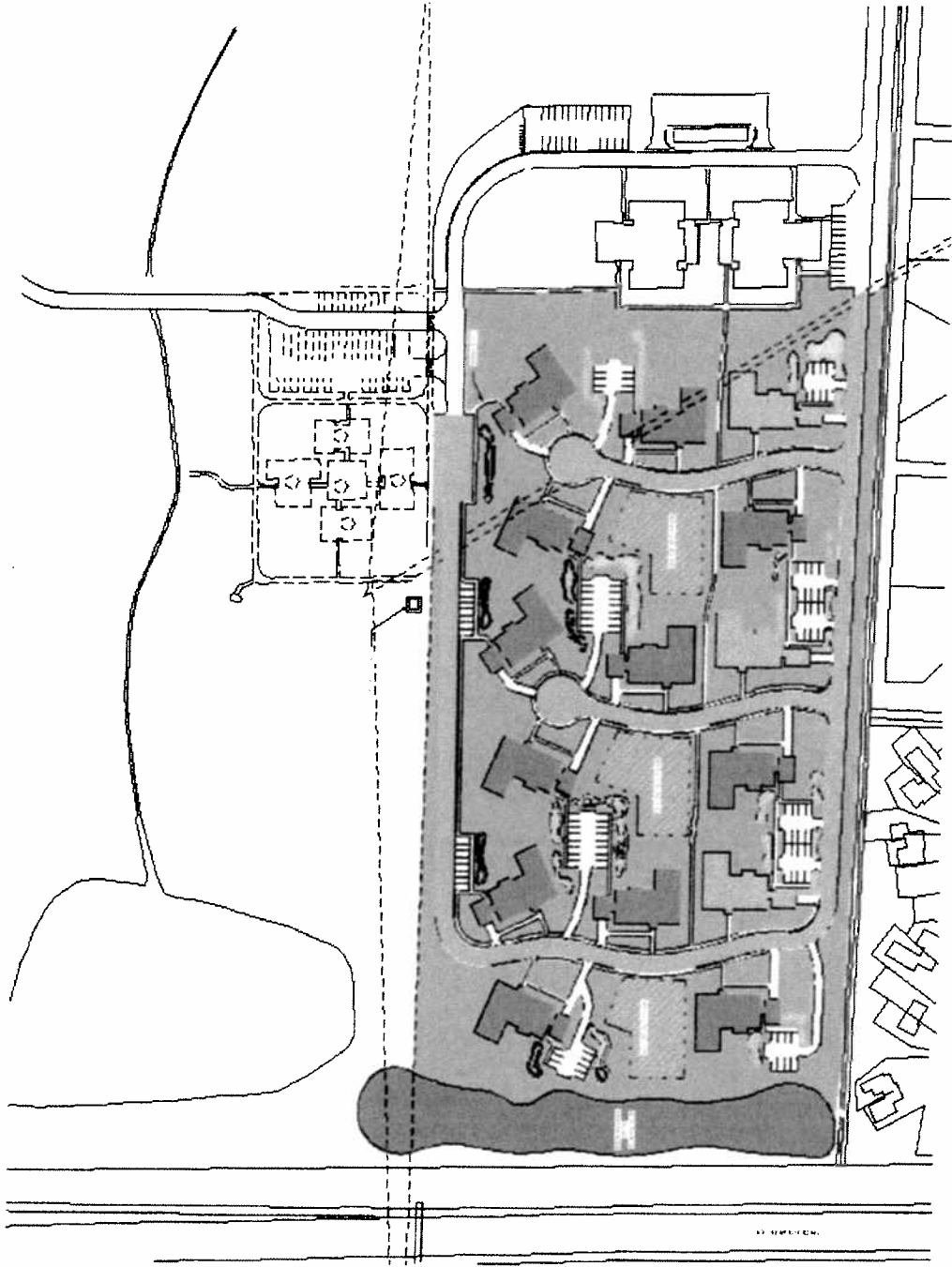


# Southeastern Virginia Training Center

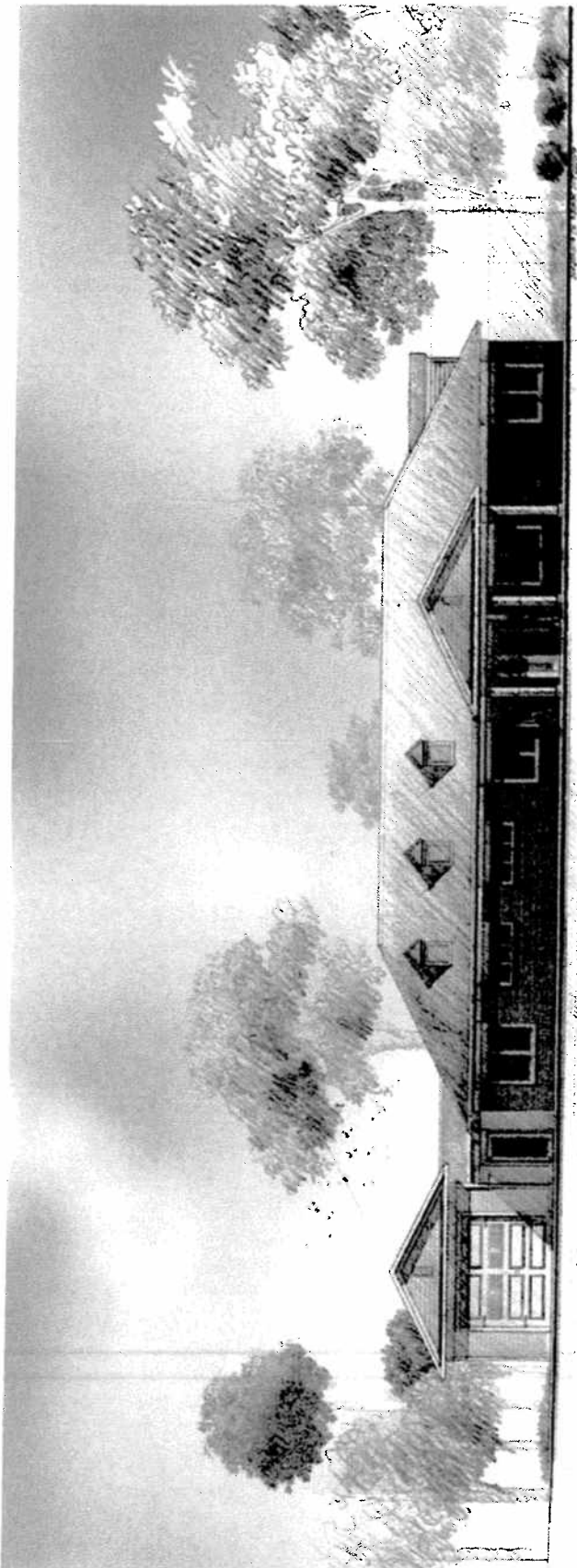
- 1: Administration
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- C2: 4 Residences Cottages
- C3: 4 Residences Cottages
- C4: 4 Residences Cottages
- C5: 4 Residences Cottages
- 28: Residence
- 29: Program/Training



# Site Plan



# Exterior Elevations

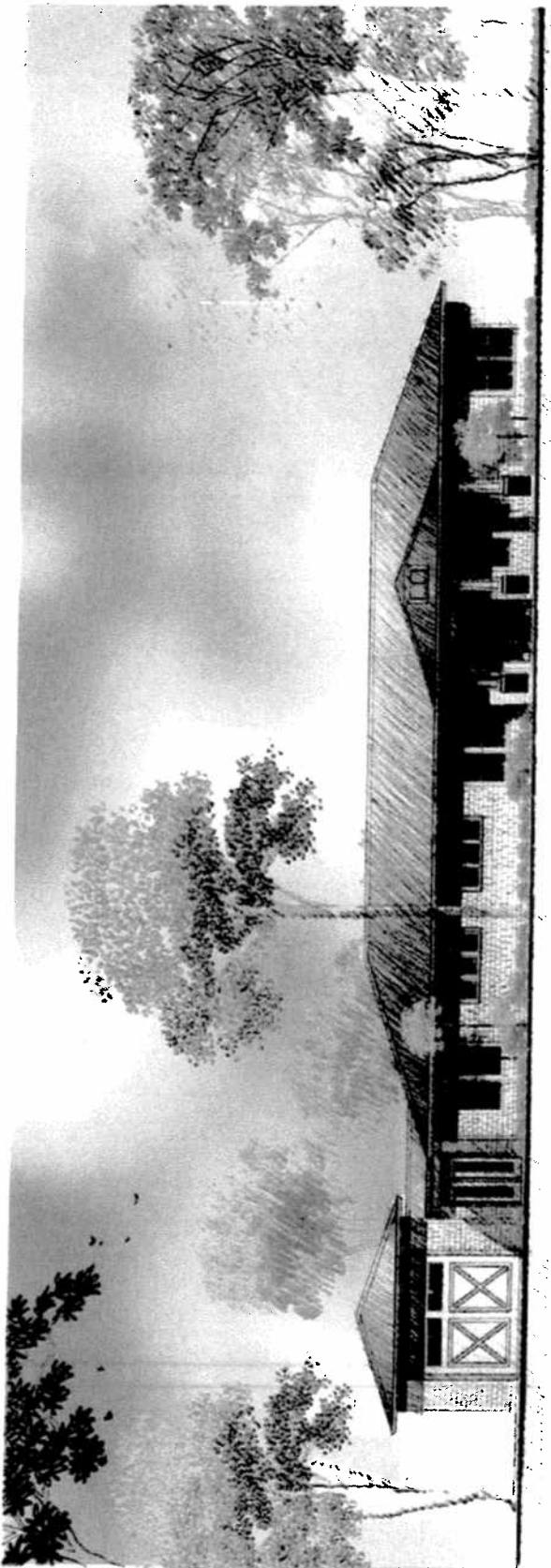


**ELEVATION - 5 BEDROOM BASE**

Southeastern Virginia Training Center



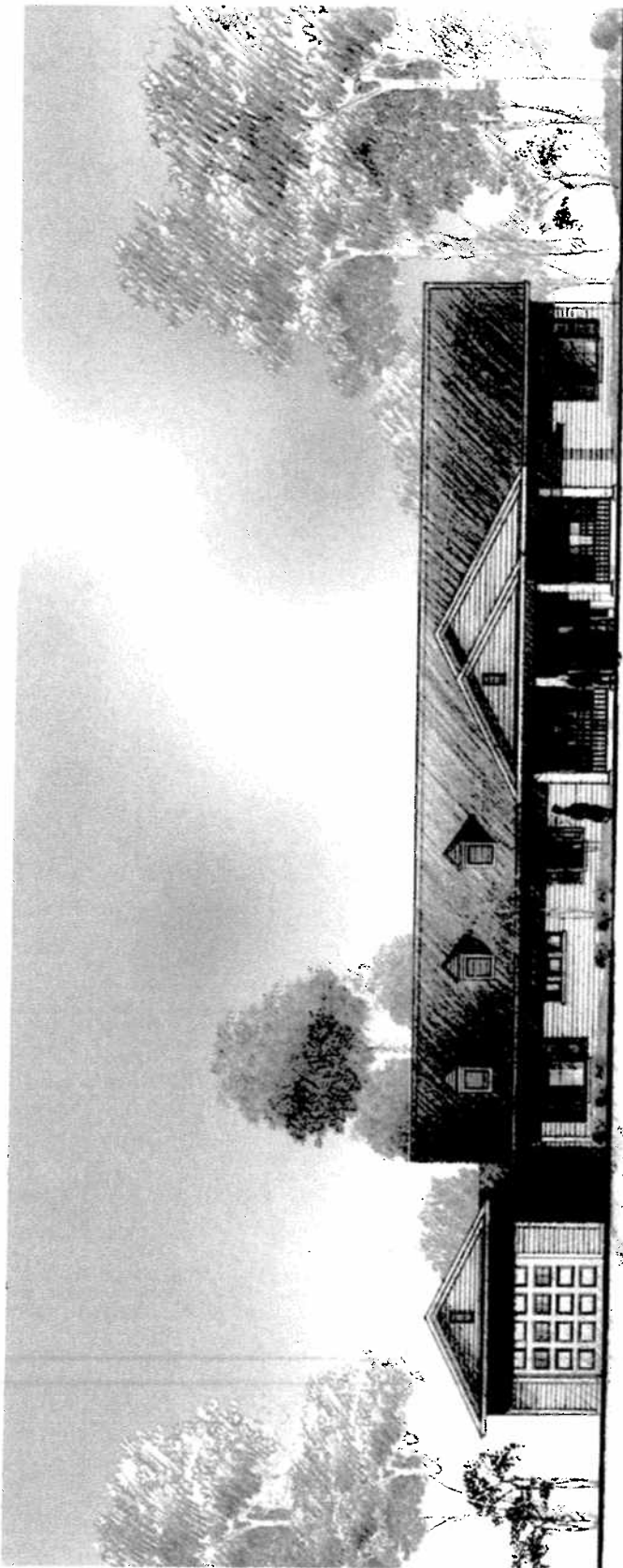
# Exterior Elevations



**ELEVATION - 5 BEDROOM OPTION 1**

Seatheseam Virginia Training Center

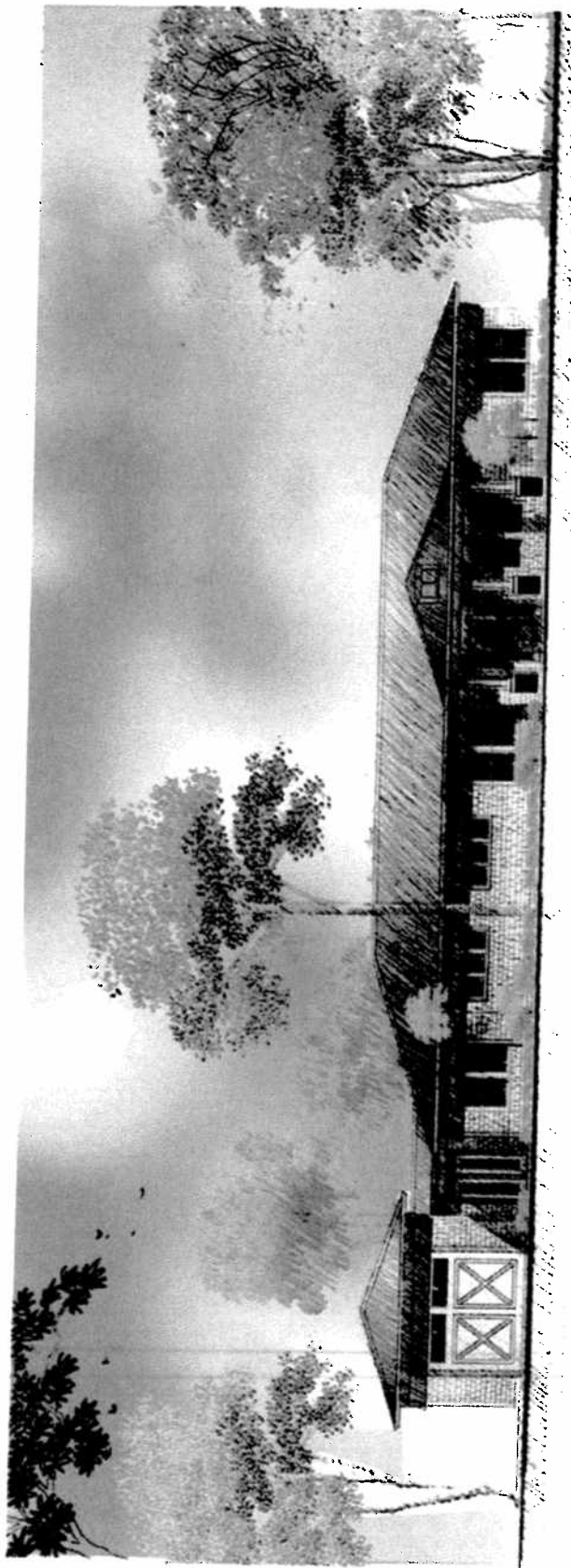
# Exterior Elevations



**ELEVATION - 5 BEDROOM OPTION 2**

Southeastern Virginia Training Center

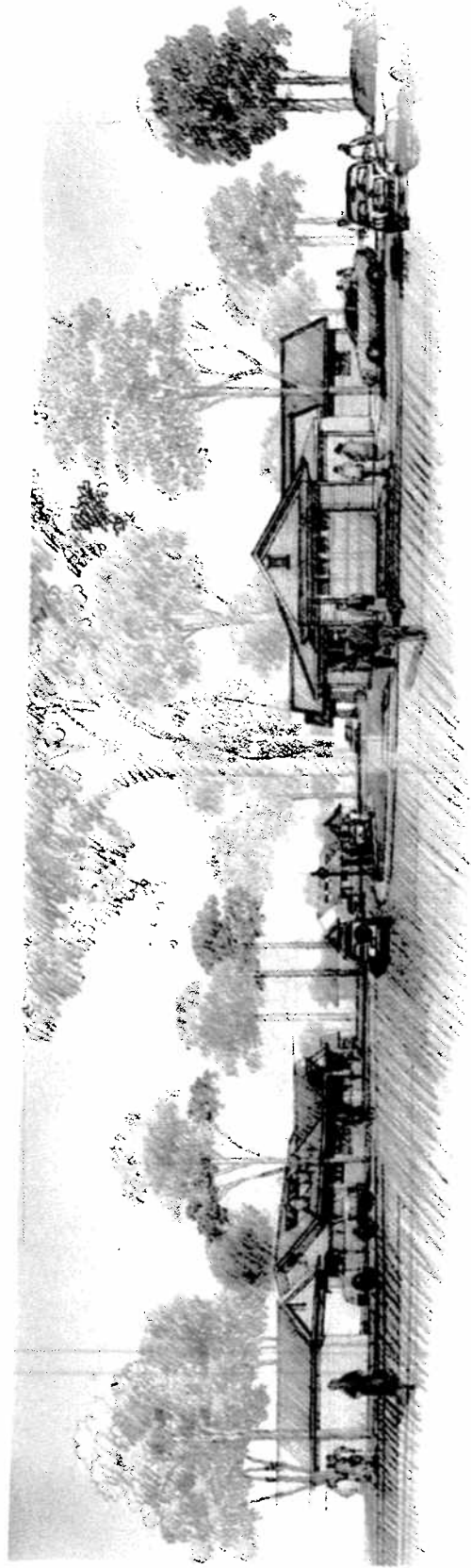
# Exterior Elevations



**ELEVATION - 5 BEDROOM OPTION 3**

Southeastern Virginia Training Center

# Cluster View



**VIEW OF TYPICAL CLUSTER**  
Southeastern Virginia Training Center