

Scioto County Board of DD Meeting Minutes for January 17, 2013 at STAR, Inc.

Officer Nominating Committee Meeting

Time: 5:15pm-5:45pm

Place: STAR Conference Room

Committee Members Attending: Bill Rockwell, Rick Bolin, Stephanie Childers, Chair

Observer: Jim Krumer

Agenda:

- A. Welcome
- B. Review Mission of Nominating Committee
- C. Nomination of Officers to serve January 2013-December 2013

Minutes:

Stephanie Childers welcomed and thanked committee members for their willingness to serve as the Officer Nominating Committee. Mrs. Childers reviewed the mission of the Nominating Committee: to nominate officers to serve during the January 2013-December 2013 term. After a brief discussion Bill Rockwell nominated Rodney Barnett, President, Mike Thoroughman, Vice President, and Stephanie Childers, Recording Secretary. Motion seconded by Rick Bolin. Motion passed by unanimous consent.

A motion was made by Bill Rockwell with a second by Rick Bolin to adjourn the meeting of the Officer Nominating Committee. Motion passed by unanimous consent.

Prepared and submitted by:

Stephanie Childers, Recording Secretary

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Organizational Meeting

Prayer Leader: Ralph Clay

Pledge Leader: Rick Bolin

6:05 PM

1. **Roll Call:** Present were Rodney H. Barnett, J. Michael Thoroughman, Stephanie Childers, Richard L. Bolin, C. William Rockwell, Jr., and Jeffrey Kleha. Absent and excused was Klaire Purtee.

2. **Oath of Office:** Mr. Barnett introduced County Commission President Mike Crabtree and County Commission Vice President Doug Coleman. Mr. Crabtree came forward and administered the oath of office to two newly re-appointed board members, Mr. Barnett and Mr. Thoroughman.
3. **Report of the Officer Nominating Committee:** Chairperson Stephanie Childers reported that the Committee agreed to suggest that the Board retain the same slate of officers who served last year. Those officers were: Mr. Barnett as President, Mr. Thoroughman as Vice President, and Mrs. Childers as Recording Secretary. Mr. Bolin seconded the motion. There was neither discussion nor other nominations from the floor. The motion was approved in a unanimous vote.
4. **Superintendent Authorization for Revenue:** Mr. Thoroughman made the motion to authorize the superintendent to enter into agreements related to grants, subsidies and collaborative arrangements with the Ohio Department of Education, the Ohio Department of Developmental Disabilities, Title VI-B, Title XX, other federal grants and subsidies, Ohio Department of Health, the Ohio Rehabilitation Services Commission, the Carousel Center tenant contracts and other such activities and funding sources. Mrs. Childers seconded. The motion was approved unanimously.
5. **Monthly Meeting:** Mr. Bolin made a motion that the board meetings in 2013 be held at 7:00 PM on the third Thursday of each month at STAR, Inc., which is located at 2619 Gallia Street, Portsmouth. There was some discussion on the issue. In the end, Mr. Barnett seconded the motion. The motion carried with four members voting in favor of it and two voting against it.
6. **Rules governing meetings:** Mr. Kleha made the motion that the Board meetings be conducted in accordance with Ohio Revised Code Section 121.22 which is entitled 'Open Meetings – Exceptions', a part of Ohio's governmental "sunshine" laws and that parliamentary procedure be in accordance with Robert's Rules of Order. Mr. Rockwell seconded. There was some discussion about the implications of using these two documents together. Superintendent James Krumer explained that whenever Robert's Rules of Order conflicts with ORC Section 121.22, the law has precedence over the procedures. The motion was then approved unanimously.
7. **Standing Committees:** President Barnett proposed that there be four standing committee's this year. They are: Finance, Ethics/Policy, Personnel and Facilities. Mr. Kleha made the motion to approve the four committees. Mr. Bolin seconded. The motion was approved unanimously.

Superintendent James Krumer noted that the committee system is most effective when the full membership gives each committee the responsibility of exploring issues thoroughly and trusts that they will report back with sound suggestions for how to proceed. When committee meetings are scheduled far enough in advance of board meetings that minutes can be written and shared with all members, then non-committee members can vote on issues secure in the

knowledge that they have also have a good grasp of the information gathered by the committee.

Mr. Barnett then proposed assignments to each committee, with the understanding that the Board President was the third member of each committee. Also, in the event that the President could not attend a committee meeting, he has the prerogative to ask another board member to be his designee for that meeting. Mr. Barnett went on to say that sometimes non-committee members attended committee meetings and he commended their commitment and level of interest, but reminded all members that a fourth board member could not participate as a voting member of a committee because that would constitute a quorum of the full board. The proposed assignments were as follows: Mr. Thoroughman (Chair) and Mrs. Purtee on the Finance Committee, Mr. Kleha (Chair) and Mrs. Childers on the Ethics/Policy Committee, Mr. Bolin (Chair) and Mr. Rockwell on the Personnel Committee, and Mr. Rockwell (Chair) and Mr. Kleha on the Facilities Committee.

Mrs. Childers made the motion to accept the committee assignments, Mr. Rockwell seconded. The motion was approved unanimously.

8. Voting Method: The Board currently has two policies that discuss the voting method during meetings. Both make the roll call vote the only approved method. In order to streamline meetings and simplify the policies, Mr. Krumer recommended that the Board amend Board Policy Section 1:08 'Transaction of Business' to give the board the option of using a voice vote in addition to the roll call method. The second part of the recommendation was to abolish Board Policy Section 2:10 'Transaction of Business/Voting Method' as the majority of this policy, which are percentages required for the adoption of resolutions and policies on certain topics, is no longer supported by rule or law. There was some discussion on the matter before Mr. Kleha made the motion to accept the Superintendent's recommendation. Mr. Thoroughman seconded. And the motion was approved in a roll call vote. Later, the Board was reminded that the only motion that still requires a roll call vote by law is the one that allows the Board to enter into Executive Session.

9. Adjournment: Mr. Kleha made the motion to adjourn the organizational meeting at 6:33 PM. Mrs. Childers seconded. The motion carried with all members voicing a yea vote.

Prepared by Margaret Compton

Submitted respectfully by:

Stephanie Childers, Recording Secretary

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Regular Meeting

6:34 PM

1. **Roll Call:** Present were President Rodney H. Barnett, Vice President J. Michael Thoroughman, Recording Secretary Stephanie Childers, C. William Rockwell, Jr., Jeffrey Kleha and Richard L. Bolin. Absent and excused was Klaire Purtee.
2. **Agenda:** There were no changes to the agenda as received.
3. **Minutes:** Mr. Kleha made the motion to approve the minutes of the December 13, 2012 Personnel Committee meeting, the December regular meeting and the December 27 Personnel Committee meeting. The motion was approved unanimously.
4. **Expenses:** Finance Director Matt Purcell reporting

Mr. Purcell began his report by drawing the board members' attention to the General Fund reports. He also noted that he had just distributed a report on the Residential Fund and the Trust Fund. He thanked the Board for coming in early to consider a stack of forty or so 'then and now' statements and moral obligation letters. This large number accumulated during the annual period when the County Auditor's office stops paying bills in favor of doing year-end work, mid-December through mid-January. Mr. Rockwell made the motion to accept the report a part of which is the docket of expenses and the documents mentioned above. Mrs. Childers seconded the motion. It was approved unanimously.

The second part of Mr. Purcell's report was a request for an additional appropriation over and above what was approved at the December meeting. After reviewing the figures previously proposed, it was discovered that some items had not been accounted for originally. Mr. Purcell apologized to the Board for the oversight and explained how the additional \$281,500 would be allocated. Line items being added or bolstered included Family Resource Services, the Southern Ohio Council of Governments contract, the State Teachers' Retirement System fund and the Public Employees' Retirement System fund, equipment maintenance, and the contract with STAR, Inc. Mr. Kleha made the motion to approve the additional allocation. Mrs. Childers seconded. The motion was approved with no dissenting votes.

5. **Superintendent's Report:** James Krumer reporting
 - A. Recently casino tax revenues have been distributed to county governments and school boards around the state. County Boards of DD were not included in the original legislation designating the recipients of these new funds. Since a minority of County Boards still has schools, the state leadership will be pursuing getting County Boards a cut of the county government portion of the revenue. Mr. Krumer will be helping with that effort by getting a breakdown of the fund distribution in this county from the County Auditor.

- B. The Ohio Public Employees' Retirement System (OPERS) is offering to review the employment of independent government contractors to determine if they should have been county employees. If determined eligible, they would be entitled to an OPERS pension. This could mean that county boards will have to pay the employer's share of these individuals' retirement to OPERS. The cost is incalculable at this point. Mr. Krumer intends to keep the Board informed.
- C. An agency-wide safety committee has been convened and will be meeting regularly. One main concern is the security of the main entry doors to the Vern Riffe School building. Mr. Krumer is expecting the committee to soon make recommendations that include some construction. He assured the Board that safety and security are major concerns and are being treated seriously. Other entities are being involved and we sending a representative to ALICE training (an active shooter methodology) with county schools.
- D. CARF is something the Board will be hearing a lot about from now on. This stands for Council for the Accreditation of Rehabilitation Facilities. Staff and administration are working on the quality improvement plan that was developed when the Community Employment component was reviewed in August 2012. Other areas of the program can also be accredited and that is one of Mr. Krumer's goals. The foundation of the coming changes is the Board's Mission, Vision and Values.

Mr. Krumer recognized the considerable work and thought that went into the current Mission, Vision and Values by the board members. However, he also noted that he had not found any staff who could repeat them to him easily. The management team, with the help of Awareness Coordinator Shawn Jordan, have taken the current Mission, Vision, and Value statements and distilled them into a new format that Mr. Krumer explained kept the essence of the current statements, but made them easier to recite.

He distributed a handout that offered an alternative mission: Together, we build meaningful lives. The proposed vision statement is: We will be the leading resource in education and opportunities in our region. And the values are a series of words: Choice, Partnerships, Safety, Communication, Performance and Stewardship.

Mr. Rockwell made the motion to adopt the new Mission, Vision and Value statements. Mr. Bolin seconded. The motion was approved unanimously.

- E. The 2011 Annual Report was on tonight's agenda. Mr. Krumer explained that this is a minimalistic effort to meet minimum criteria and noted that the document should have been completed by December 31, 2012. However, the changes in leadership pushed the document's timetables off schedule. There was some discussion on the issue. Mr. Krumer notes that he has plans for publically debuting the 2012 Report and that more effort would be put into that publication.

- F. Mr. Krumer is serving on a subcommittee of the Superintendent's Association Executive Committee that is tackling the issue of 'a waiver is not a service;' it is a funding mechanism. There will be more explanation of this topic in the future.
- G. There are a few one-year employment contracts that are either past due or coming due. These do not need to come before the Board and Mr. Krumer is reviewing them. At this point he feels that multi-year contracts are not appropriate.
- H. The company providing our agency's phone service is going out of business. We were given very short notice and are rushing to find a replacement. However, this is an opportunity for looking into improving and expanding functionality and lowering costs, so decision are being weighed carefully. There may be some service disruption through the transition, but Mr. Krumer hopes to inform the Board and all other stakeholders in advance.

6. **Program Reports:** Mr. Barnett thanked the leadership team for the reports. Mr. Krumer had already explained that the reports this month were different from previous months because they were a synopsis of the progress made on the 2012 Annual Action Plan. Next month's reports will also be different to better meet board members expectations.

7. **Old Business:** None

8. **Committee Reports:** Mr. Thoroughman, chairman of the Personnel Committee, reported that at the December 27 meeting, the committee had discussed the need for service and support administrator assistants (SSAA), which could be contracted through Southern Ohio Council of Governments. This need has arisen due to the lack of success in hiring a full-fledged SSA. A second topic was that the Auditor's office had refused to allow payments for the supplemental insurance that the Board's new life insurance carrier was offering to be payroll deducted. Mr. Krumer was advised to get a prosecutor's opinion on this matter.

The Auditor's office had helpfully pointed out that the Board's plan to allow employees to be insured from between \$25,000 and a year's salary would push a few employees over the threshold of \$50,000 in employer-sponsored life insurance. This would cause these employees to have to pay taxes on the overage. The committee recommended that employees be given a choice on whether or not to have life insurance that would exceed \$49,999.00. Mr. Thoroughman made this a motion. Mrs. Childers seconded. The motion was approved unanimously.

9. **New Business:**

- A. Direct Service Contract: Donna Royse, Director of Service and Supports Administration, reported that only one contract was before the Board. She had reviewed it and found no ethics violations. There were sufficient funds to meet the obligations and the contract was in accordance with the individual's service plan. Mr. Bolin made the

motion to approve the contract. Mr. Rockwell seconded. The motion was approved unanimously. It was noted that next month, all direct service contracts would come before the Ethics/Policy Committee before coming before the Board.

- B. Waiting List Priorities: Mrs. Royse had prepared a slide presentation to help the board members better understand what they were being asked to do. She noted that there is one statewide waiting list for Medicaid waivers. Everyone who has requested a waiver is placed on the list using the date and time of the initial request. Each county board also keeps track of where the residents of their county are on this list. People can leave the waiting list and receive a waiver if they have a crisis – caregiver passes away, onset of new serious illness, etc. People can come off the waiting list because their date is at the top of the list – it is just their turn. But people can also come off the list and receive a waiver if they fit into a priority category. Most prevalent in our county are people with aging caregivers and people are eligible to have their adult day services refinanced through a waiver.

The waiting list is same list for each waiver administered by the Ohio Department of DD: Individual Options Waivers (no cost cap), Level One Waivers (\$5,000 cap) and the new SELF Waivers (\$25,000 cap for adults). The Board is being asked to determine the order of the priority categories Scioto County will use.

Mr. Kleha made a motion that the Board-approved categories for waiver distribution would be first, refinancing adult services and second, aging caregiver. Mr. Thoroughman seconded. The motion was approved unanimously. Mrs. Royse had already explained that IO waivers were only given out when none of the other waivers would meet the needs of an individual and that of the small number of SELF Waivers available, three were being given to children with intensive needs, in accordance with a State mandate.

- C. Policy Manual Revision:
- a. The Board had been given a proposal that would reduce and reorganize the current policy manuals into one manual with seven sections, down from 10. The personnel manual would be integrated, creating one comprehensive book. Mr. Childers made the motion to approve the new structure to organize Board policies. Mr. Thoroughman seconded. The motion was approved unanimously.
 - b. To begin the process of updating the Board's policies over the course of this year, 16 policies had been reviewed and recommended for abolishment. The first was the Staff Advisory Council Policy. Having been made aware that a number of people were in the audience to support the continuance of this policy, President Barnett opened the floor to comments.

Lois Elliott, current chair of the Staff Advisory Council (SAC), asked to be recognized. She read a prepared statement in support of the Council and its work and asked that the policy not be abolished until another document or structure was in place to ensure that the group could continue without the policy. There was much discussion. In the end the matter was tabled on a motion by Mr. Thoroughman which was seconded by Mr. Kleha. Mr. Kleha asked for an opinion from the County Prosecutor's office about whether the matter was suitable for discussion in executive session.

The other 15 policies before the Board were found to be unneeded due to being years out of date, redundant or no longer applicable. Mr. Rockwell made the motion to abolish these policies. Mr. Kleha seconded. The motion was approved unanimously. The policies were: Section 6:06 – Organization of Case Management, Section 6:08 – Certification and Training, Section 8:06 – Enrollee Records, Section 8:07 – Supportive Home Services, Section 8:10 – Discipline, Section 8:11 – Corporal Punishment, Section 8:18 – Reporting Child Abuse and Neglect, Section 8:21 – Parent Surrogate, Section 8:22 – Due Process, Section 8:29 – Advantage Struck Work Policy, Section 10:02 – Curriculum and Instruction, Section 10:04 – Instructional Materials and Equipment, Section 10:05 – Pupil Activity Programs, Section 10:07 – Selection of Materials, Textbooks and Instructional Resources, and Section 10:10 – Referenced Procedural Manuals and Handbooks.

The Behavior Support Policy was before the Board for amendment, which included renaming the policy "Positive Personal Support Policy" to better reflect the agency's implementation of the Positive Culture Initiative. Mr. Thoroughman made the motion to amend the policy as presented. Mr. Rockwell offered the second. The motion was approved unanimously.

- c. There are parts of four sections in the old structure of the policy manual that contain policies that directly relate to the conduct and authority of the seven-member board. After a brief discussion, it was agreed that these were a matter for the Ethics/Policy Committee to address.
- D. SO-COG contract: Mr. Bolin made the motion to approve the contract with Southern Ohio Council of Governments for 2013. Mr. Kleha seconded. The motion was approved unanimously. SO-COG provides some Investigative Agent services, medicine administration quality assurance, staff certification processing, provider compliance reviews, and now SSAAs.

10. Miscellaneous: None

11. Comments from the Floor:

- A. Shawn Jordan asked Board members to call her if they wanted copies of a 2013 Scioto County DD calendar that she had designed.
- B. The Maintenance and Repair Worker 2 position has been posted and is available on the Board's website, according to Mr. Purcell
- C. Mrs. Royse added to her earlier report remarking that the process of passing administration of the Transition (TDD) waiver to DoDD from the Ohio Department of Jobs and Family Services was not going well for all providers statewide, many of whom are reporting that ODJFS did not communicate well about the change. Mrs. Royse and her office are doing what they can to help, including offering two upcoming information sessions, January 29 and February 5.

The Board took a break at 8:30 PM.

- 12. Executive Session:** Mr. Rockwell made the motion to go into executive session at 8:40 PM regarding the employment of a public employee and for the discussion of a matter that is required by law to be kept confidential. Mr. Thoroughman seconded. The motion was approved in a unanimous roll call vote.

The Board returned to open session at 9:08 PM with a motion by Mr. Bolin and a second by Mr. Thoroughman. The motion was approved in a unanimous roll call vote.

Mr. Rockwell made a motion to abolish the part-time position of Adult Services Team Leader of Plan Coordination when it becomes vacant. Mr. Kleha seconded. The motion was approved in a unanimous roll call vote.

A motion was made by Mr. Kleha with a second by Mr. Thoroughman to enter into a contract with Gallipolis Developmental Center to serve an individual for up to 90 days. The motion was approved in a unanimous roll call vote. Members directed Mr. Krumer to provide reasonable updates to the Board on the progress and results of the contract.

- 13. Adjournment:** Mr. Bolin made a motion to adjourn. Mr. Thoroughman seconded. The motion was approved unanimously (approximately 9:30 PM).

Prepared by Margaret Compton and Stephanie Childers

Submitted by:

Stephanie Childers, Recording Secretary