

County of Summit Developmental Disabilities Board

MINUTES

Wednesday, February 17, 2010
5:00 p.m.

The **combined work session and regular monthly meeting** of the County of Summit Developmental Disabilities Board was held on Wednesday, February 17, 2010 at the Summit DD administrative offices located at 89 East Howe Road, Tallmadge, Ohio 44278. The **work session** convened at 5:00 p.m.

BOARD MEMBERS PRESENT

- William Ginter, President
- Joseph Siegfert, Vice President
- Cynthia Walker, Secretary
- Jacqueline Cooper
- Olivia Demas
- Randy Briggs
- Thomas Quade

ALSO PRESENT

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| Thomas L. Armstrong, Superintendent | Lindsay Bachman, Director of MUI |
| Lisa Kamlowky, Assist. Superintendent | Joe Eck, Labor Relations Manager |
| Holly Brugh, Director of Children’s Services | Bill Payne, Sr. Dir. of Board Svs. & Spts. |
| Tom Whitfield, CIO/CFO | Tom Jacobs, Dir. of Operations/SHDC |
| Harold Harrison, Director of HR | Carrie Roberts, Director of Adult Services – Community Employment Services |
| Jerilyn George, Director of SSA/Medicaid | Kevin McGee, Director of PCR & Specialty Businesses |
| Jean Fish, Dir. of Adult Svs.-Center Based | Billie Jo David, Director of Planning & Performance Excellence & Q.A. |
| Maggi Albright, Recording Secretary and others | |

I. RENEWAL OF PROPERTY, LIABILITY, FLEET/AUTOMOTIVE, UMBRELLA AND DIRECTORS & OFFICERS INSURANCE

The Summit DD needs to maintain risk protection for Board operations and the current policy expires March 31, 2010. Seibert Keck Insurance Company has proposed rates, as outlined in attachment #1, that represent a 16.93% increase in property & liability insurance, however the new Cuyahoga Falls and Barberton Centers have been added to the policy. The total premium for all insurances for the period April 1, 2010 through March 31, 2011 would be approximately \$191,776, which is a 3.02% increase over the previous policy. The premium is an estimate, as final figures will not be available until closer to the end of the current policy (3/31/2010). The rate level can be extended through March 30, 2012 if the Board chooses to do so.

WORK SESSION *(continued)*

I. RENEWAL OF PROPERTY, LIABILITY, FLEET/AUTOMOTIVE, UMBRELLA AND DIRECTORS & OFFICERS INSURANCE *(continued)*

KBM Management, Summit DD's independent insurance consultant, has reviewed the proposed premiums and coverage submitted by Seibert Keck Insurance Company and recommends renewal of the policies with Philadelphia Insurance Company. Philadelphia has an AM Best rating of A+ (Superior) which is the second highest rating available. The Board asked if limits of \$10 million dollars for the umbrella liability is sufficient for an organization of this size. Mr. Whitfield replied that KBM Management indicated that this level of coverage is ample, and noted that the Agency has not had claims under the umbrella policy since 2003. The Board indicated they would be interested in knowing the coverage levels carried by other county boards of our size. Mr. Armstrong indicated that staff would speak with the insurance consultant again regarding these issues and report the information through the Finance & Facilities Committee. Mr. Ginter requested that copies of the Directors & Officers Policy be distributed to Board Members. Mr. Whitfield replied that the document would be provided. Funds are available in the budget and the property, liability, fleet/automotive, umbrella and directors & officers insurance has been recommended for approval by the February Finance & Facilities Committee.

II. ALL STAR TRAINING CLUB (ATC) CONTRACT

The ATC contract provides academic, sports, social and emotional activities to eligible children ages 5-22 for up to six weeks during June 21st - July 31st. Services are provided by special education certified teachers and the ATC is a State of Ohio Autism provider that has served individuals with behavioral challenges that were not successful in other camp programs. Weekly costs per camper are \$225 including transportation. Camper contributions are based on a sliding fee scale. The Summit DD will provide funding of up to \$202 per camper, per week, based on expenditures. When identified in the IEP, the school pays for camp as part of the extended school year. If not identified in the IEP, the Board provides support as part of the core day service. The Summit DD has provided in-kind support to ATC through the use of facilities for the past two years. This is a new contract for 2010/2011 in the amount of \$54,540 per year for the total two-year contract not to exceed \$109,080. The contract will expand the number of children served by an additional 55, with ten of the children supported by the schools. The Board recalled that in past years staff were challenged to increase awareness to families that these camp programs exist. The Board indicated that if more than 55 children want to participate in this program that staff should notify the Board. Mr. Armstrong indicated that as part of the awareness strategy SSA's have ongoing dialogue with schools in an effort to connect families to services, and noted that there are approximately 30 camps in Summit County. The Board asked if geographic areas and demographics are analyzed relative to participation. Mr. Armstrong replied that staff will work with the provider to gather this information. Funds are available in the budget and the ATC contract has been recommended for approval by the February Finance & Facilities and Services & Supports Committees.

WORK SESSION *(continued)*

III. NORTHWEST OHIO DEVELOPMENTAL CENTER (NODC) CONTRACT

The NODC is a licensed and certified Intermediate Care Facility (ICF) operated by the Ohio Department of Developmental Disabilities (ODODD). NODC provides emergency crisis services for situations in which health and safety of a person served is not able to be ensured in their community. This contract would provide room and board, habilitation and assessment services to one high-risk/high-needs individual for the period April 20th through July 31, 2010. The additional contract amount would not exceed another \$58,752, with a per diem rate of \$576.00. The individual served has experienced crisis level situations and has demonstrated extremely aggressive behaviors unrelated to DD needs. The Board asked why Summit DD is the only funder if this individual has a dual diagnosis. Mr. Armstrong indicated that due to this individual's severe behavioral challenges, NODC has been the most appropriate setting in which to serve because of its resources. The Summit DD Board has been the sole funder in the past, however, Mr. Armstrong indicated that he met with the Director of the ADM Board as well as a local provider to collaborate on mental health services for individuals with developmental disabilities and to discuss how the services gap for these types of situations can be narrowed in the future. Mr. Armstrong noted that when an individual has a developmental disability, it is the Board's statutory obligation to ensure health and safety even if other agencies are not contributing. Several Board Members expressed concern about providing funding for services that are not directly related to an individual's developmental disability. Mr. Armstrong commented that these types of situations represent a state-wide issue that has been ongoing for decades relative to how to access other funding streams, other funding systems, and share financial responsibility between agencies. Mr. Armstrong explained that once an individual is determined eligible for county board services the board has a statutory obligation to ensure health and welfare. The state is responsible for determining eligibility for Intermediate Care Facility (ICF) services and staff are working with the NODC to get ICF service status for this individual. This individual has been served for about a year at NODC since there has not been a willing provider in Summit County that could meet his needs. A transition plan is currently under development so that this individual can be served in Summit County. The initial NODC contract amount was \$210,240 for a twelve month period. Mr. Ginter commented that funding may appear inequitable but he believes that this individual needs these services at this time while the transition plan is developed and that funding is based on need. Mrs. Walker indicated that since the Board has funded services for this individual through the NODC for almost a year, it would be beneficial to review an exit strategy and transition plan. Mr. Armstrong remarked that he shares the Board's concerns and frustration relative to the Board being the only funding source for this individual and he hopes that collaboration with the ADM Board and others will provide other funding options for this individual as well as other similar situation in the future. He indicated that a progress report will be provided to the Board at the March meeting. Mr. Armstrong noted that there are a number of individuals who are high cost to serve. In 2009, there were two individuals whose service costs exceeded \$200,000; six individuals whose service costs were between \$150,000-\$200,000; and 75 individuals whose service costs were between \$100,000-\$150,000.

WORK SESSION *(continued)*

III. NORTHWEST OHIO DEVELOPMENTAL CENTER (NODC) CONTRACT *(continued)*

The Board asked if there is a limit on the amount of funds a county board spends on services for one individual before another entity is required to contribute.

Mr. Armstrong replied that there is a ceiling of \$500,000 for I/O waivers relative to funds spent on services for one individual but there is not a requirement for other entities to contribute. Funds are available in the budget and the Northwest Ohio Developmental Center Contract has been recommended for approval by the February Finance & Facilities Committee and the February Services & Supports Committee.

IV. CENTER FOR MARKETING AND OPINION RESEARCH (CMOR) CONTRACT

The request is to contract with CMOR to conduct the 2010 Service Satisfaction Survey. The survey will evaluate the satisfaction of its customers in key service areas, making valid comparisons with statewide and national data through national core indicators. In addition, the oversample for providers will allow for statistically valid comparisons of persons served and parent/guardian satisfaction by provider of service. There will be 200 persons served and 384 parents/guardians in the baseline survey and 350 additional persons served and 400 additional parents/guardians surveyed for provider satisfaction results. The surveys will be conducted in May/June with the final report available in August. The satisfaction data will be shared on the provider portal. The Board indicated that they would be interested in knowing the number of hits on the provider portal when that information is available. The total cost is \$43,500, which is an increase of \$2,000 over the 2009 contract due to 100 additional interviews that will be conducted to retain the 5% margin of error for parents/guardians and 7% margin of error for persons served. Hourly rates for services have not increased since the Agency began contracting with CMOR in 2007. Funds are available in the budget and the CMOR contract has been recommended for approval by the February Services & Supports Committee.

V. BID AWARD RECOMMENDATION OF TANK PRO FOR REPLACEMENT ABOVE GROUND FUEL STORAGE TANK

During a recent annual inspection of the twelve year old 8,000 gallon above ground fuel storage tank located between the Weaver Learning Complex and the Tallmadge Center, the inspector detected that two of the three layers have been breached. It was recommended that the tank be replaced as soon as possible to avoid external leaking. A Request For Proposal (RFP) was conducted with six bids received. Tank Pro provided the lowest bid that met specifications. The recommendation is to award the contract to Tank Pro to replace the above ground fuel storage tank. The cost to replace the tank would not exceed \$112,025. The Board asked if other sites for the tank have been considered. Mr. Armstrong replied that the location of the tank is not ideal but it is the best location due to space so that buses can be fueled and have enough room to turn around. That area will be fenced to be more aesthetically pleasing. Funds are available in the budget and the February Finance & Facilities Committee recommend that the contract be awarded to Tank Pro.

WORK SESSION *(continued)*

VI. NINTH STREET EMERGENCY RESPITE SERVICES-CONNECTIONS IN OHIO CONTRACT

The Ninth Street home provides staff services and supervision 24 hours per day, seven days per week on an emergency basis for individuals without other placement options. The home has capacity to serve four individuals at a time for a total of 1,460 beds per year. The recommendation is to contract with Connections In Ohio to provide emergency respite care services at the Ninth Street home for the period March 1, 2010 through February 28, 2011 in an amount not to exceed \$300,643. The current contract period is March 1, 2009 through February 28, 2010, in the amount of \$300,643. It should be noted that the cost to operate the home under this contract was \$235,666 through December 2009. The contract is billed according to actual staff hours utilized. This allows for staff numbers to be easily adjusted to meet the needs of individuals served. The Board pays for staff hours utilized and pays a vacancy rate equivalent to one staff when the home is empty. Over the past twelve months, the home served 16 individuals and was occupied 349 days. The Board asked for average utilization statistics of this home. Mr. Armstrong replied that this information will be provided at the March Board Meeting. Funds are available in the budget and the Connections in Ohio Contract has been recommended for approval by the February Finance & Facilities Committee and the February Services & Supports Committee.

VII. DECEMBER FINANCIAL STATEMENTS

December cash receipts reflect an overall unfavorable variance of \$883,880 primarily due to day array and non-medical transportation revenue less than expected due to receiving 70% versus 100% reimbursement for Board operated services. Expenditures reflect an overall unfavorable variance of \$232,193 for December mostly due to salaries coming in at \$294,575 more than budget. The ending fund balance for December was \$52,485,319, which is a favorable variance of \$11,164,508 year-to-date. The Board asked if the Finance & Facilities Committee review forecast numbers. Mr. Armstrong replied that the Committee reviews annual budget information. The Board indicated that there may be value in having the Finance & Facilities Committee review forecast information relative to the actual budget. The December Financial Statements have been recommended for approval by the January 2010 Finance & Facilities Committee.

VIII. JANUARY 2010 FINANCIAL STATEMENTS

January revenue reflects an overall favorable variance of \$1,043,533 due to reimbursements coming in \$558,047 more than budget due to non-medical transportation and day array revenue catching up from 2009. Expenditures reflect an overall favorable variance of \$498,668 for the month primarily due to contract services coming in at \$463,022 less than budget. The ending fund balance for January 2010 was \$51,130,083 which is a favorable variance of \$1,542,201 year-to-date.

The work session adjourned at 5:58 p.m.

BOARD MEETING

The **regular monthly meeting** of the County of Summit Developmental Disabilities Board convened at 5:58 p.m.

I. SUPERINTENDENT CAUCUS

Mr. Armstrong announced that Karen Salerno is retiring effective March 1, 2010 due to health reasons. Mrs. Salerno has 25 years of service with the Board and her contributions have been numerous and have had a tremendous impact on the lives of the individuals and their families served by the Board. On behalf of the Board and staff, he expressed his gratitude for all Mrs. Salerno's hard work, effort and service.

II. PUBLIC COMMENT

Tom Berry, a parent and Board Member of The Arc of Summit and Portage Counties, thanked everyone for the beautiful new Barberton and Cuyahoga Falls work centers. He indicated that the two new centers represent The Arc's vision for persons served. Mr. Ginter replied that the Board has been working on the model of smaller community centers and The Arc has been instrumental in convincing the Board that this was the right direction. He indicated that the Board is very pleased to see this concept come to fruition.

III. APPROVAL OF MINUTES

- A. JANUARY 13, 2010 (Annual Organizational Meeting and Combined Work Session and Regular Meeting)

R E S O L U T I O N

No. 10-02-01

Mrs. Cooper moved that the Board approve the minutes of the January 13, 2010 Annual Organizational Meeting and Combined Work Session and Regular Meeting, as presented in attachment #8. The motion, seconded by Mr. Briggs, was unanimously approved.

BOARD MEETING (continued)

IV. BOARD ACTION ITEMS

A. FINANCE & FACILITIES COMMITTEE

- 1. BID AWARD RECOMMENDATION OF TANK PRO FOR REPLACEMENT ABOVE GROUND FUEL STORAGE TANK

R E S O L U T I O N
No. 10-02-02

Mr. Briggs moved that the Board approve a contract with Tank Pro in an amount not to exceed One Hundred Twelve Thousand Twenty Five Dollars (\$112,025.00) for the replacement of the above ground fuel storage tank, and that the Superintendent be authorized to sign said contract. The motion was seconded by Mr. Quade.

Mr. Siegferth asked if the current location is really the only place available for the replacement above ground fuel storage tank. Mr. Armstrong replied that staff can look into this matter further to determine if a more suitable are can be located.

The motion was unanimously approved.

- 2. NINTH STREET EMERGENCY RESPITE SERVICES – CONNECTIONS IN OHIO, INC. CONTRACT

R E S O L U T I O N
No. 10-02-03

Mr. Quade moved that the Board approve a contract with Connections In Ohio, Inc. to provide respite care services at the Ninth Street Emergency Respite Home, for the period March 1, 2010 through February 28, 2011, in an amount not to exceed Three Hundred Thousand Six Hundred Forty Three Dollars (\$300,643.00), and that the Superintendent be authorized to sign said contract. The motion, seconded by Mrs. Demas, was unanimously approved.

- 3. DECEMBER FINANCIAL STATEMENTS

R E S O L U T I O N
No. 10-02-04

Mr. Siegferth moved that the Board approve the December Financial Statements, as presented in attachment #7. The motion, seconded by Mr. Quade, was unanimously approved.

BOARD MEETING *(continued)*IV. BOARD ACTION ITEMS *(continued)*A. FINANCE & FACILITIES COMMITTEE *(continued)*

4. JANUARY 2010 FINANCIAL STATEMENTS

R E S O L U T I O N

No. 10-02-05

Mrs. Walker moved that the Board approve the January 2010 Financial Statements, as presented in attachment #11. The motion, seconded by Mr. Siegfert, was unanimously approved.

V. SUPERINTENDENT'S REPORT

A. 2009 MUI YEAR END REPORT

The Operating Plan measure for the MUI Department was MUI's reported to ODODD within 24 hours of discovery 95% of the time. The MUI Department achieved the goal of 95%. The MUI metric had a goal of 90% of MUI investigations reports are filed on time, however, the actual percentage achieved was 78% due to numerous staffing changes within that department. Mr. Armstrong noted that the Agency was cited by the ODODD in this area. He commented, however, that under the direction of Lindsay Bachman, he fully expects that reporting in this area will dramatically improve. There were a total of 1,029 MUI's during 2009, which is an increase of 208 compared to 2008. It should be noted that the category of neglect reflects an increase of 77% over 2008 and it is believed that this is due to Investigative Agents receiving additional training on identifying neglect while investigating other categories. The Board asked if there are unfavorable trends or if there is anything else of which they should be aware. Mrs. Bachman replied that the number of substantiated cases is the number the Board should focus on versus the total number of cases investigated. She noted that target training on areas where numbers have increased will be the focus in 2010. The Board asked why there are so many incidents of physical abuse that were not substantiated. Mrs. Bachman replied that there are approximately 100 more certified providers than there were in 2008 and greater emphasis has been placed on reporting and on timely reporting. She noted that trainings on how to distinguish a MUI versus a UI (unusual incident) will also be conducted in 2010. The Board indicated that they would like to see trend data when it is available. Mrs. Bachman replied that she is currently collecting data from providers and will present that information to the Board as soon as it is available. Mr. Armstrong noted that in 2008 the Agency served 3,900 individuals and in 2009 the Agency served 4,030 individuals.

BOARD MEETING *(continued)*

V. SUPERINTENDENT'S REPORT *(continued)*

B. 2009 OPERATING PLAN RESULTS

The 2009 Operating Plan results report the status of 2009 objectives. There were 25 objectives in 2009 and 20 were reported as meeting or exceeding stated goals. Some fourth quarter highlights include:

- ▶ 96 individuals received new residential services (the goal was 75) which reduces the residential waiting list to 57 individuals
- ▶ 4,033 lives touched (the 2012 goal was 3,999)
- ▶ 86% of all adults receiving services are funded on a waiver
- ▶ The value of waiver dollars is an estimated \$61.8 million, compared to \$39.8 million in 2008

Several areas that were reported below target include:

- ▶ The projected goal for the number of individuals served in day array programs was 1,915 and the actual number served was 1,753. A new Census format has been developed which eliminates duplicate counts, resulting in more accurate projections. The 2010 projections were adjusted to 1,811, based on 2009 year-end data, which includes 58 new individuals served in 2010.
- ▶ The projected goal for the number of children served was 947. The actual number of children served was 797. The new Census format will generate more accurate projections in the future. The 2010 projections were adjusted to 817 children served, based on 2009 year-end data, which includes 20 new children in 2010.
- ▶ The projected goal for the number of individuals to receive transportation services was 1,933 with the actual number of people served being 1,762. The new Census format will generate more accurate projections in the future. The 2010 projections were adjusted to 1,820, based on 2009 year-end data, which includes serving 58 new individual in 2010.

VI. PRESIDENT'S COMMENTS

Mr. Ginter read a thank you card received from Linda Bordenkircher which expressed her appreciation for the acknowledgement at the January Board Meeting of her 12 years of service on the Board. Her card stated her gratitude for the opportunity to serve and she indicated that her service on the Board has been a very meaningful part of her life.

There was dialogue previously that it would be beneficial to have a veteran Board Member as a mentor for new Board Members as someone the new Board Member can consult to get perspective and direction when needed to make a smooth transition. Mr. Ginter advised that Mr. Siegferth has agreed to be the mentor for Mr. Quade.

BOARD MEETING *(continued)*VI. PRESIDENT'S COMMENTS *(continued)*

Mr. Ginter stated that he has personally had the privilege of working with Karen Salerno while he has served on the Board for the past ten years. Mrs. Salerno has made numerous contributions that have positively impacted the lives of the individuals and families receiving services. She embraced change with energy and was instrumental during the introduction of waivers, assisting to make the Summit DD Board one of the best county DD boards in the State of Ohio. He noted that it would be impossible to overstate Karen's numerous contributions to this Agency.

VII. EXECUTIVE SESSION

R E S O L U T I O N

No. 10-02-06

Mrs. Walker moved that the Board enter into Executive Session in compliance with the Sunshine Laws, Ohio Revised Code 121.22, Section G, Subsection (1) for purposes of discussing employment of a specific employee. Upon reconvening, the Board may or may not conduct additional business. The motion was seconded by Mrs. Demas.

Roll call vote: Quade-yes, Cooper-yes, Ginter-yes, Briggs-yes, Siegfert-yes, Demas-yes and Walker-yes. The motion was unanimously approved.

The regular session of the Board meeting adjourned at 6:30 p.m.

The Board entered into Executive Session at 6:35 p.m.

The Board meeting reconvened at 6:55 p.m.

There being no further business, the Board Meeting adjourned at 6:55 p.m.

Cynthia Walker, Secretary