

County of Summit Developmental Disabilities Board

MINUTES

Wednesday, April 21, 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, April 21, 2010 at the Summit DD administrative offices located at 89 East Howe Road, Tallmadge, Ohio 44278. The **work session** convened at 5:02 p.m.

BOARD MEMBERS PRESENT

Joseph Siegferth, Vice President
Cynthia Walker, Secretary
Jacqueline Cooper
Randy Briggs
Thomas Quade

BOARD MEMBERS EXCUSED

William Ginter, President
Olivia Demas

STAFF PRESENT

Thomas L. Armstrong, Superintendent
Lisa Kamlowky, Assist. Superintendent
Holly Brugh, Director of Children's
Services
Tom Whitfield, CIO/CFO
Harold Harrison, Director of HR
Jerilyn George, Director of SSA/Medicaid
Jean Fish, Dir. of Adult Svs.-Center Based
Eldridge Black, Transportation Admin.
Maggi Albright, Recording Secretary
and others

Lindsay Bachman, Director of MUI
Joe Eck, Labor Relations Manager
Bill Payne, Sr. Dir. of Board Svs. & Spts.
Tom Jacobs, Dir. of Operations/SHDC
Carrie Roberts, Director of Adult Services
– Community Employment Services
Kevin McGee, Director of PCR &
Specialty Businesses
Billie Jo David, Director of Planning &
Performance Excellence & Q.A.

I. *I AM THE SUMMIT DD* PRESENTATION

The Agency recognized the need to increase it's name recognition and services/brand awareness to citizens in Summit County since a recent poll indicated that about half survey respondents have no opinion of the Agency. The strongest way for people to become aware of the Agency is through family and friends so staff recently launched a new campaign called "*I Am The Summit DD*". This campaign will spotlight personal stories of individuals served and staff and will help spread the word about the existence of the Agency and the services and supports that are available for eligible individuals in Summit County. The external objective of this campaign is to raise positive Agency awareness, increase recognition and spread the word about services and supports that are available. The internal objective is to impact employee perspectives that Summit DD employees are valued. Some of the strategies include conducting public relations campaigns and employee pride programs.

WORK SESSION *(continued)*

I. *I AM THE SUMMIT DD* PRESENTATION *(continued)*

The Board recognizes the importance of trying to get more than 50% of Summit County residents to know about the Agency and its services and asked how this percentage compares to other county boards relative to county-wide recognition. Additionally, what is the target percentage that is trying to be achieved. Mr. McGee responded that the annual Operating Plan metric for 2009 was 48% and in 2010 there is ½% increase in that percentage. Relative to how this percentage compares to other county boards, Summit County has one of the higher percentage of recognition, however, percentages could vary widely depending on how survey questions are worded. The Board asked if staff are reviewing strategies utilized by other county boards who may have had higher percentages. Mr. McGee replied that he collaborates regularly with other county entities both in and out of Summit County to share information and ideas. Mr. Quade asked if there is risk in running this new campaign at the same time other levy agencies are on the ballot since some voters may think that the Summit DD has a levy going on the ballot when it does not. Mr. McGee noted that staff are waiting to launch the yard sign campaign until after May so that there is no confusion with other agencies that do have levies on the ballot. Mr. Siegfert commended staff on the strategic alignment of the internal and external objectives.

II. FAMILY & CHILDREN FIRST COUNCIL (FCFC) DEVELOPMENTAL EVALUATION CONTRACT

This contract is to provide developmental evaluations to determine part C early intervention eligibility for children birth to age three, which allows Summit DD Early Intervention staff to provide comprehensive services directly to families. The contract period is from July 1, 2010 through December 31, 2011 with the amount in 2010 not to exceed \$72,000 and in 2011 the amount is not to exceed \$99,000. The cost per evaluation is \$300 and represents 15 evaluations in 2010 and 20 evaluations in 2011. Statistics show that of the evaluations completed, 75% of those children become Board eligible. Funds are available in the budget and the contract has been approved by the April Finance & Facilities Committee and the April Services & Supports Committee.

III. SUMMIT HOUSING DEVELOPMENT CORPORATION (SHDC) CONTRACT

An ad-hoc committee was chartered to codify the roles of the Summit DD Board and the SHDC Board relative to overall responsibilities for long range planning of housing needs for individuals with developmental disabilities and to better define the relationship between the two boards. The ad-hoc committee consists of two SHDC Board Members, two Summit DD Board Members (Bill Ginter and Joe Siegfert), Superintendent Armstrong and other Summit DD staff. SHDC currently has 77 homes serving 250 tenants.

WORK SESSION *(continued)*

III. SUMMIT HOUSING DEVELOPMENT CORPORATION (SHDC) CONTRACT *(continued)*

The proposed two-year contract is from July 1, 2010 through June 30, 2012 and serves as the beginning of a transition plan for SHDC to become totally independent, hiring their own Executive Director, eventually having all staff being employed by SHDC, working in collaboration with the Summit DD Board to develop a rent structure that will allow transparency and with Summit DD taking the lead on strategic direction relative to housing needs. The Summit DD would retain its obligation to ensure health and safety. The contract has been approved by the SHDC Ad-Hoc Committee, however SHDC will have independent legal counsel review the contract to ensure that they are comfortable with the language and to get an outside perspective.

Mr. Armstrong noted that the County Prosecutor will also approve the contract as to form. The Board asked if the meetings have been cordial and productive.

Mr. Armstrong replied that participants on this committee have been cooperative and the meetings have been very productive.

IV. BLAUGRUND HERBERT & MARTIN CONTRACT

The request is to enter into a contract with Blaugrund Herbert & Martin for legal representation for the period January 1, 2010 through December 31, 2010 in an amount not to exceed \$75,000. Even though this is a non-contract year relative to the labor agreements, legal representation will be necessary to address the unfair labor practice (ULP) charges that are active stemming from recent negotiations with the three OEA locals. The hourly rate for services under this contract is \$195.00, which is the same hourly rate paid in 2009. Funds are available in the budget and the contract has been recommended for approval by the March HR/LR Committee.

V. POLICIES

The proposed revisions to Policy #2420 and Policy #2500 represent best practice and will help to monitor and minimize leave of absence abuse. Both revised policies have been reviewed and recommended for approval by the March HR/LR Committee.

A. REVISED POLICY #2420 – EMPLOYMENT RESTRICTIONS/CONFLICT OF INTEREST

The proposed revisions to this policy would prohibit staff from working a second job during an approved leave of absence unless the secondary job represents military or public service, as approved by the Superintendent. Mrs. Kamlowky noted that at the March Board Meeting, Board Members requested clarification to the language of points #3 and #7 of this policy. She stated that language has been improved to address the concerns raised at the last meeting. Revised Policy #2420 has been recommended for approval by the March HR/LR Committee and was reviewed and recommended for approval by the April HR/LR Committee after the changes were implemented.

WORK SESSION *(continued)*

V. POLICIES *(continued)*

B. REVISED POLICY #2500 – FAMILY AND MEDICAL LEAVE ACT

The proposed revisions to this policy prohibit employees from working a second job during an approved Family and Medical Leave Act (FMLA) leave. This policy was updated to clarify language, which was addressed at the April Board Meeting. Revised Policy #2500 has been recommended for approval by the March HR/LR Committee and was reviewed and recommended for approval by the April HR/LR committee after the changes were implemented.

VI. ABOVE GROUND FUEL STORAGE TANK FOLLOW-UP

The April Finance & Facilities Committee reviewed additional options relative to the placement of the above ground fuel storage tank and there does not appear to be a better location than where the tank is currently located. Staff have also looked at other options for fueling the 28 buses that regularly utilize the on-site tank, such as partnering with other county entities, but don't believe this would be cost effective due to the empty miles that would be incurred getting to and from another fueling location. Staff have tried to secure better pricing from the purchasing co-op but that is only optional if the Board has a bigger fuel storage tank and could purchase in larger volume. Additionally, it is typically not feasible on a regular basis to fuel the buses at gas stations since gas stations are not designed for commercial vehicles. The April Finance & Facilities Committee recommends replacing the existing above ground fuel storage tank with the same size tank to be placed in the existing location and to design an enclosure for the tank to make the area more visually appealing. The Board agreed with this recommendation and staff will move forward with the original Board approval to proceed with the replacement of the tank.

VII. MARCH FINANCIAL STATEMENTS

Revenue for the month of March represents an overall unfavorable variance of \$148,820 primarily due to a delay in non-medical transportation. Expenditures reflect an overall favorable variance of \$468,665 for the month due to the timing of supplies expenses, real property improvements being more than expected and contract services being less than expected. The ending fund balance for March was \$40,925,331, which is a favorable variance of \$2,059,754 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 5:35 p.m.

I. SUPERINTENDENT'S CAUCUS

Mr. Armstrong reported that Nancy Gordon resigned her position with the Board as Transportation Administrator. He advised that Eldridge Black, currently a manager in the Transportation Department who has shown great initiative, has been appointed as the interim Transportation Administrator. The Board asked if Mr. Black's position would be filled. Mr. Armstrong replied that the intention is to fill Mr. Black's position with a temporary position until permanent decisions are made in the near future.

II. APPROVAL OF MINUTES

A. MARCH 17, 2010 (Combined Work Session and Regular Meeting)

R E S O L U T I O N

No. 10-04-01

Mrs. Cooper moved that the Board approve the minutes of the March 17, 2010 combined Work Session and Regular Meeting, as presented in attachment #7. The motion, seconded by Mr. Quade, was unanimously approved.

III. BOARD ACTION ITEMS

A. FINANCE & FACILITIES COMMITTEE

1. MARCH FINANCIAL STATEMENTS

R E S O L U T I O N

No. 10-04-02

Mr. Quade moved that the Board approve the March Financial Statements, as presented in attachment #6. The motion, seconded by Mr. Briggs, was unanimously approved.

B. HR/LR COMMITTEE

1. BLAUGRUND, HERBERT & MARTIN CONTRACT

R E S O L U T I O N

No. 10-04-03

Mrs. Walker moved that the Board approve a contract with Blaugrund, Herbert & Martin for legal services for the period January 1, 2010 through December 31, 2010, in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00), and that the Superintendent be authorized to sign said contract. The motion, seconded by Mrs. Cooper, was unanimously approved.

BOARD MEETING (continued)

III. BOARD ACTION ITEMS (continued)

B. HR/LR COMMITTEE (continued)

2. REVISED POLICIES

RESOLUTION

No. 10-04-04

Mr. Briggs moved that the Board approve revised Policies #2420 – Employment Restrictions/Conflict of Interest and #2500 – Family and Medical Leave Act, as revised and presented in attachment #4. The motion, seconded by Mr. Quade, was unanimously approved.

IV. SUPERINTENDENT'S REPORT

A. 2009 MUI TRENDS & PATTERNS REPORT

The overall number of MUIs for Board run programs decreased from 107 in 2008 to 92 in 2009. Relative to core day programs and transportation, although the number of Transportation MUIs increased by 11 in 2009, it is believed that better training and reporting continues to be the primary reason for the increase. Neglect MUIs increased by 12 in 2009, with 8 occurring in Transportation. In all neglect cases, lack of supervision was the predominant issue. Staff will continue to review ISPs more closely and Investigative Agents received additional training on identifying neglect when investigating MUIs in other categories. Missing persons MUIs decreased by 6 to a total of 0 in 2009. Changes in supervision levels and programmatic changes seemed to address this issue. Unapproved behavior supports reflect a decrease of 23 in 2009. Training on Positive Intervention Culture strategies was ongoing in 2009 with new techniques implemented. Relative to residential services, unscheduled hospitalizations increased in 2009 across most agencies. This can be attributed to an aging population and the medical involvement of some persons served. Some agencies also experienced an increase due to psychiatric hospitalizations, which can be attributed to the severity of mental health diagnosis and an increase in need for psychiatric services. Misappropriation increased across many agencies, with the exception of Evant, Hope Homes and Hattie Larlham, who all showed decreases in this category. Policies have been updated and oversight increased. More detailed language is being added to ISP's to better describe financial services. Neglect, Peer to Peer Abuse and Unapproved Behavior Support MUIs increased in about half the provider agencies. The increases have been attributed to insufficient staff training, increase in aggressive behaviors of persons served, ineffective behavior support plans and the need to ensure the health and safety of other residents. Staff have been retrained on the needs of individuals served, including supervision levels, behavior support plans and positive intervention culture strategies.

BOARD MEETING *(continued)*

IV. SUPERINTENDENT'S REPORT *(continued)*

A. 2009 MUI TRENDS & PATTERNS REPORT *(continued)*

Mrs. Bachman commented that there will be a focus on quarterly analysis and noted that trainings will be targeted to areas where there are increases. Additionally, the ISP will be more descriptive so that all team members have a clear understanding of the needs of those they serve.

B. FIRST QUARTER OPERATING PLAN REPORT

The first quarter Operating Plan Report reflects that 13 of the 14 objectives are reported as meeting or exceeding goals. Some of the highlights during the first quarter include:

- ▶ The active waiting list for residential services is currently at 22; there were 50 individuals on this waiting list at the end of 2009. There is currently no waiting list for in-home supports. 13 individuals received new in-home supports and 8 individuals received new 24/7 residential services.
- ▶ Work was available 99.54% of the time at Summit DD work centers.
- ▶ 89% of all adults served are currently funded on a Medicaid waiver, compared to 86% in 2009.

The area that fell below the first quarter target goal was the percentage of MUIs that are reported to the Ohio Department of Developmental Disabilities (DODD) within 24 hours of discovery. The current performance is 72% and the stated goal was 95%. Mr. Armstrong reported that the MUI Department is undergoing a total reorganization which included turning over all staff in that department. Some staff left to pursue other opportunities while some left in lieu of disciplinary action. Additionally, the department is now being directed by Lindsay Bachman, who is solidifying the department's more aggressive role to ensure the health and welfare of persons served. Part of the reorganization includes implementing a formal intake process. Another change was to discontinue the practice of "ruling out" potential MUIs. The MUI Unit is now entering all MUIs, per rule definition. As a result of this change, there has been an increase in the number of investigations.

C. CENSUS

The Census report was included in Board packets for review. Mr. Armstrong noted that the Agency is currently serving approximately 3,634 individuals, which is ahead of levy projections.

BOARD MEETING *(continued)*

IV. SUPERINTENDENT'S REPORT *(continued)*

D. MENTAL HEALTH SERVICES UPDATE

Mr. Armstrong advised that he met with Bill Harper, Executive Director of the Alcohol, Drug Addiction and Mental Health (ADM) Board and had good dialogue around the processes and how the two organizations make decisions locally. Both organizations believe changes need to occur and have committed to holding additional discussions around this topic. Mr. Armstrong commented that he is very encouraged by the dialogue that has taken place so far. Both organizations are committed to working collaboratively and creatively to find solutions. There was discussion about a shared funding pool but dollar amounts have not yet been discussed. Mr. Armstrong advised that he would keep the Board informed of additional progress in this area.

E. CULTURAL COMPETENCY COMMITTEE

The Cultural Competency Committee was formed to develop strategies relative to the best practice of finding eligible individuals in Summit County who may have communication barriers, cultural differences and who may not know services exist through the Board. At the most recent committee meeting, there were individuals from the Asian community, Hispanic community and from the International Association of Refugees. An overview of services was provided.

V. PRESIDENT'S COMMENTS

In Mr. Ginter's absence, Mr. Siegferth presided over the April Board Meeting. He reminded all about the upcoming open houses at the two new work centers and invited everyone to stop by the new Cuyahoga Falls Center open house and ribbon cutting ceremony on April 28th at noon and the new Barberton Center open house and ribbon cutting ceremony on that same date at 5:00 p.m.

VI. EXECUTIVE SESSION

R E S O L U T I O N

No. 10-04-05

Mrs. Cooper 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 Mr. Quade.

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

BOARD MEETING *(continued)*

The regular session of the Board Meeting adjourned at 5:50 p.m.

The Board entered into Executive Session at 5:55 p.m.

The Board meeting reconvened at 6:11 p.m.

There being no further business, the Board Meeting adjourned at 6:11 p.m.

Cynthia Walker, Secretary