

County of Summit Developmental Disabilities Board

MINUTES

Wednesday, September 23, 2009

5:00 p.m.

The **combined work session and regular monthly meeting** of the County of Summit Developmental Disabilities Board was held on Wednesday, September 23, 2009 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 J. Ginter, President
Jacqueline S. Cooper, Vice President
Olivia P. Demas, Secretary
Joseph Siegfert
Randy Briggs
Cynthia Walker

BOARD MEMBERS EXCUSED

Linda Bordenkircher

ALSO PRESENT

Thomas L. Armstrong, Superintendent
Lisa Kamlowky, Assistant Superintendent
Bill Payne, Sr. Dir. of Board Svs. & Spts.
Jerilyn George, Director of SSA and
Medicaid Services
Kevin McGee, Director of PCR and
Specialty Businesses
Maggi Albright, Recording Secretary

Billie Jo David, Director of Planning &
Performance Excellence
Tom Jacobs, Dir. of Operations/SHDC
Harold Harrison, Director of HR
Karen Salerno, Director of MUI
Tom Whitfield, CFO/CIO
Joe Eck, Labor Relations Manager
and others

I. RECOGNITION OF HOPE HOMES EMPLOYEES

In July, a fire broke out in the outside wall of the Summit Housing Development Corporation (SHDC) home on Tanglewood Ave. operated by Hope Homes and began to spread inward. Three individuals with disabilities reside at this house and were home at the time of the incident. Due to the focus and quick thinking of Valencia Young and Priscilla Jones, the Hope Homes staff on duty that night, the residents were evacuated to safety with no injuries. The home ultimately sustained approximately \$128,000 in damage. On behalf of the County of Summit DD Board, Mr. Ginter presented Ms. Young and Ms. Jones with plaques to recognize them for ensuring the health, safety and welfare of the individuals entrusted to their care. He commended the ladies for their calmness in this crisis situation and thanked them for being vigilant in their duty to protect those we serve.

WORK SESSION *(continued)*

II. SUMMIT COUNTY PROJECT 2010 – RUSS PRY, COUNTY EXECUTIVE

County Executive Russ Pry, Donna Skoda of the Summit County Health District and Pat Divoky of the Social Services Advisory Board (SSAB) attended the Board Meeting to discuss the progress of the Summit 2010 Project. Mr. Pry advised that based on contributions made toward the project previously; there are enough funds to cover expenses through the end of 2010 so levy agencies won't be asked to contribute additional dollars to the project in 2010. Mr. Pry commended the Board for the commitment they have demonstrated toward this quality of life project. Ms. Skoda reported that programmatic elements are being implemented so the project can continue to move forward. She noted that there will be an early childhood initiative and that data sharing is also progressing, although some barriers had to be overcome so that there was a comfort level relative to sharing information. Mr. Armstrong noted that Summit DD is a key resource relative to Early Intervention services for children and requested that Summit DD staff participate in the new early intervention initiative. The Board noted that financial support of this program is discussed each year and the Board feels that supporting this effort is consistent with the Agency's mission to support community programs so that the needs of persons served are addressed and met. The Board commended Mr. Pry and members of the project for working within the dollars that are currently available.

Ms. Divoky advised that the SSAB 6th Annual *Making a Difference* Human Services Forum will be held on October 16th at the Akron Urban League this year and the keynote speaker will be Dr. Bertice Berry. She encouraged all to attend.

Mr. Armstrong noted that the Summit DD Board sponsors this event every year and has pledged its support again this year by purchasing a platinum sponsorship; 16 staff and Board Members will represent Summit DD at this event.

III. 2010 FAMILY SUPPORT SERVICES (FSS) PLAN

Family Support Services is a locally funded program that provides therapeutic respite, environmental accessibility and adaptive equipment supports to persons served and their families who may not otherwise be able to access these services. The request is for approval of the 2010 FSS Plan in the amount of \$397,500 with \$40,000 of that amount as the plan administration fee. The projected number of individuals to be served under the 2010 plan is 361. The maximum amount each individual/family can access per year is \$1,100. Funds are available in the budget and the 2010 FSS Plan has been recommended for approval by the September Finance & Facilities Committee and the September Services & Supports Committee.

WORK SESSION *(continued)*

IV. FAMILY SUPPORT SERVICES (FSS) PLAN ADMINISTRATION – THE ARC OF SUMMIT AND PORTAGE COUNTIES CONTRACT

The request is to award a contract for administration of the 2010 Family Support Services Plan to The Arc of Summit and Portage Counties in the amount of \$40,000 to be paid in two equal installments in January 2010 and July 2010. The Arc will ensure that individuals are determined eligible for the services offered under the FSS Plan, assist with provider selection, establish co-pay amounts, disperse payment to participating providers, track the budget and report monthly utilization to Summit DD staff and survey the community to determine needs. The contract amount of \$40,000 has remains unchanged since 2008. Funds are available in the budget and the contract has been recommended for approval by the September Finance & Facilities Committee and the September Services & Supports Committee.

V. WEAVER INDUSTRIES DOCUMENT SCANNING CONTRACT

The request is to renew a two-year contract with Weaver Industries in the amount of \$79,872 for the period January 1, 2010 through December 31, 2011 for a paid training site for the Job Exploration Training (JET) Program. At this paid training site, five individuals receive office skills training on a rotating basis. Weaver Industries is the payroll administrator and Summit DD provides staffing. Individuals are paid based on the number of hours worked and the types of jobs they perform. The Board noted that the contract date is incorrect on page 4. Mr. Armstrong replied that the date will be correct prior to the contract being presented for approval next month. Funds are available in the budget and the contract has been recommended for approval by the September Finance & Facilities Committee and the September Services & Supports Committee.

VI. METRO MEMORANDUM OF UNDERSTANDING (MOU)

Since 2003, the Summit DD has paid Metro a premium rate for transportation services to/from facility-based programmatic sites. There are currently 49 individuals who utilize this service under the MOU at a rate of \$5.50 per trip. The rate paid to Metro is lower than the Medicaid rate. The request is to renew the MOU with Metro for the period January 1, 2010 through December 31, 2010 in an amount not to exceed \$120,000, which is a decrease of \$38,400 over 2008 based on actual use. Funds are available in the budget and the MOU has been recommended for approval by the September Finance & Facilities and Services & Supports Committees.

VII. UDS ICFMR TRANSITION SERVICES CONTRACT

As of July 2010, the Board is no longer accepting less than the daily waiver rate for provision of day services. Allowing different rates for the same service, one rate for individuals who live in an ICFMR and a different rate for individuals who have a waiver, may put the level of the Board's waiver reimbursement at risk. UDS has, in collaboration with REM and Evant, created a new day service program for individuals who reside in ICFMRs. It is scheduled to open in mid September 2009.

WORK SESSION *(continued)*

VII. UDS ICFMR TRANSITION SERVICES CONTRACT *(continued)*

The two ICFMR's in Summit County (Evant and REM) have chosen UDS as the day service provider. The daily rate per individual attending the UDS day service program will be \$60.76. The ICFMR will pay \$50.14 directly to UDS. In order to assist with the transition of these individuals to a new day service provider, the request is for the Board to pay the remainder of the daily rate (\$10.62). The contract period with UDS would be September 28, 2009 through June 30, 2010 and the total contract amount would not exceed \$130,000.00. The Board would also provide transportation services during the contract period. The Board asked what would prevent other providers from requesting program subsidies if this contract is approved. Mr. Armstrong replied that this is an area where the Board has had a long standing relationship supporting these individuals so he does not believe this will set a precedent with other providers and subsidizing in this situation will assist these individuals with the transition to the new service model. Funds are available in the budget and the UDS ICFMR transition services contract has been recommended for approval by the August Finance & Facilities Committee and the August Services & Supports Committee.

VIII. FUNDING REIMBURSEMENT FOR SUMMIT HOUSING DEVELOPMENT CORPORATION (SHDC) FOR ADMINISTRATIVE ASSISTANT/ACCOUNTING SERVICES

Summit MRDD previously provided an employee to SHDC to perform accounting and administrative assistant functions but that position was eliminated in January 2009. SHDC has hired an independent contractor to handle all accounting and administrative assistant functions and the request is for the Board to approve funding reimbursement to SHDC in an amount not to exceed \$52,800.00 for the remaining term of the contract, which expires December 31, 2009. The Board asked who determined what services were needed and what would be paid. Mr. Armstrong replied that the Executive Director of SHDC determined what services were necessary, selected the contract entity and negotiated the cost for services. The Board asked how it would be determined that \$52,800 is a reasonable amount to pay for such services. Mr. Armstrong suggested adding language to the contract that defines the SHDC Executive Director's scope and responsibility under the contract for these operating functions. Funds are available in the budget and the request has been recommended for approval by the August Finance & Facilities Committee.

IX. AUGUST FINANCIAL STATEMENTS

Cash receipts reflect an overall unfavorable variance of \$1,904,974 for August due to property taxes and reimbursements coming in at less than what was budgeted due to delayed payments by the Ohio Department of Developmental Disabilities (DODD). The Board asked why DODD is slow to pay. Mr. Armstrong replied that the budget process created angst in Columbus relative to federal dollars and there is difficulty agreeing about requirements under the Federal Stimulus Recovery Act. Expenditures reflect an overall favorable variance of \$192,454 for the month due to salaries, rentals and capital improvements being more than what was budgeted.

WORK SESSION *(continued)*

IX. AUGUST FINANCIAL STATEMENTS *(continued)*

The area of rentals was due to an invoice timing issue and capital improvements was due to the timing of the new work centers. The ending fund balance for August was \$57,965,659, which is a favorable variance of \$15,572,687 year-to-date. The August financial statements have been recommended for approval by the September Finance & Facilities Committee.

The work session adjourned at 5:35 p.m.

BOARD MEETING

The **regular monthly meeting** of the County of Summit Developmental Disabilities Board convened at 5:35 p.m.

I. APPROVAL OF MINUTES

A. AUGUST 19, 2009 (combined Work Session and Regular Meeting)

R E S O L U T I O N No. 09-09-01

Mrs. Cooper moved that the Board approve the minutes of the August 19, 2009 combined Work Session and Regular Meeting, as presented in attachment #8. The motion, seconded by Mrs. Demas, was unanimously approved.

II. BOARD ACTION ITEMS

A. FINANCE & FACILITIES COMMITTEE

1. UDS ICFMR TRANSITION SERVICES CONTRACT

R E S O L U T I O N No. 09-09-02

Mrs. Demas moved that the Board approve a contract with UDS to subsidize the transition of individuals residing in ICFMR's to UDS as their new day service provider, for the period September 28, 2009 through June 30, 2010, for the total contract not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00), and that the Superintendent be authorized to sign said contract. The motion, seconded by Mr. Briggs, was unanimously approved.

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

2. FUNDING REIMBURSEMENT FOR SHDC FOR ADMINISTRATIVE ASSISTANT/ACCOUNTING SERVICES

R E S O L U T I O N

No. 09-09-03

Mr. Siegferth moved that the Board approve a contract amendment with SHDC for administrative assistant/accounting services through December 31, 2009, in an amount not to exceed Fifty Two Thousand Eight Hundred Dollars (\$52,800.00), and that the Superintendent be authorized to sign said contract amendment. The motion, seconded by Mrs. Cooper, was unanimously approved.

3. AUGUST FINANCIAL STATEMENTS

R E S O L U T I O N

No. 09-09-04

Mrs. Walker moved that the Board approve the August Financial Statements, as presented in attachment #7. The motion, seconded by Mrs. Cooper, was unanimously approved.

III. SUPERINTENDENT'S REPORT

A. MUI REPORT

As a follow-up to the case that was reported to the Board in July involving a peer to peer sexual offense, the former house manager of the provider pled no contest to the charge of failure to report and was found guilty by the court. The former house manager received a two year suspended sentence and was ordered to pay fines and court costs. The other two former employees of the provider that was involved have pled not guilty and are awaiting pretrial.

B. RESIDENTIAL WAITING LIST

The Board is currently serving 820 individuals in 24/7 residential settings, which is comprised of congregate waiver/supported living settings, foster care, licensed ICFMR's and nursing homes. The current residential waiting list, which is defined as persons served requiring and willing to accept 24/7 residential placement within the next twelve months, has 95 individuals. There are approximately 800 individuals currently on the long term planning registry, which is defined as persons served who will need 24/7 residential placement sometime in the future.

BOARD MEETING *(continued)*

III. SUPERINTENDENT'S REPORT *(continued)*

B. RESIDENTIAL WAITING LIST *(continued)*

The plan to eliminate the residential waiting list assumes that 250 additional individuals will need 24/7 residential placement through the next levy cycle, with all 250 individuals being placed within the first five years. This assumption is based on the ability to get as many Medicaid waivers as the Board requests, that the Board can continue to provide in-home supports to those individuals and families that need them and that the Board can meet the needs of aging caregivers. SHDC currently operates 81 homes serving 270 individuals, with capacity for 297 individuals. The vacancy rate is 10% and the plan calls for filling the majority of those vacancies. The Board asked if the vacancy rate is typical. Mr. Armstrong replied that 8-10% is the national average for vacancies. He added that some homes needed to be reassessed for occupancy since they are not large enough and serve less than four individuals. Based on the projected need, SHDC would need to develop an additional six homes per year over the next five years. These projections are based on a number of assumptions, some of which include: cost of employee benefits growth held to 5%; projected under spending annual budgets by 5%; tangible personal property tax dollars being held harmless; waiver and cost to live inflation is held to 2% per year. Based on the assumptions, the total projected cost through the next levy cycle to eliminate the residential waiting list and maintain no residential waiting list status would be \$17,864,609. Based on the assumptions and assuming that current revenue and expenditures projections hold, the projected fund balance at the end of the next levy period would be \$21,701,136. The Board asked how children with Autism and/or significant disabilities related to Autism are being factored into this plan. Mr. Armstrong replied that there has been growth in requests for services from this population; some individuals meet Board eligibility criteria and some do not. Staff continue to work to connect individuals with Autism to their communities. The Board asked if staff are tracking the number of individuals with Autism who are eligible versus those who are not eligible. Ms. George replied that this information has not been tracked separately since some service needs are provided and the Board has served individuals with unspecified diagnosis that have now been diagnosed as Autism. The Board pointed out that this generation of individuals with Autism has not yet approached the need for residential placement and won't for about 10-12 years. The Board asked about individuals and families that are not being reached. Mr. Armstrong replied that statistically, the Board is close to serving the number of individuals that are anticipated to be eligible. He noted that staff are also looking at ways to broaden community outreach efforts to the Hispanic community and are also looking into interpreter services. Mr. Briggs suggested placing an article in the Bar Association newsletter since attorneys may come in contact with families who need services and supports.

BOARD MEETING *(continued)*III. SUPERINTENDENT'S REPORT *(continued)*

C. COMMUNICATION PLAN FOR NEW CELL PHONE POLICY

The new cell phone policy has been communicated to staff via the Superintendent's weekly e-mail and to the bargaining unit leadership with the appropriate ten day notice prior to implementation. Additionally, Mr. Harrison is presenting the policy during various staff meetings as well as publishing an article in the upcoming HR Connection. Employees are required to sign acknowledgement of receipt of various documents each year and the cell phone policy will become part of the packet of documents. Mr. Armstrong noted that bargaining unit leadership have expressed concerns relative to this new policy stating that the policy is in conflict with negotiated contract language. He advised that he will be meeting with bargaining unit leadership to further discuss this issue but he disagrees with that assumption.

IV. PRESIDENT'S COMMENTS

Mr. Ginter commented that he was impressed by the number of community activities in which the Agency is participating and how active the Agency has become in the community.

Additionally, the breadth of work being performed in the work centers is impressive and it goes beyond the scope of just keeping persons served working; it speaks to the dedication and commitment of quality staff at all levels of the organization and it clearly speaks to enhancing the lives of the individuals we serve.

V EXECUTIVE SESSION

R E S O L U T I O N
No. 09-09-05

Mrs. Cooper moved that the Board enter into Executive Session in compliance with the Sunshine Laws, Ohio Revised Code 121.22, Section G, Subsection (4) for purposes of discussing bargaining unit negotiations. Upon reconvening, the Board may or may not conduct additional business. The motion was seconded by Mrs. Walker.

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

The regular session of the Board meeting adjourned at 6:05 p.m.

The Board entered into Executive Session at 6:15 p.m.

The Board meeting reconvened at 6:30 p.m.

There being no further business, the Board meeting adjourned at 6:30 p.m.