

County of Summit Developmental Disabilities Board

MINUTES

Wednesday, November 18, 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, November 18, 2009 at the Summit DD administrative offices located at 89 East Howe Road, Tallmadge, Ohio 44278. The **work session** convened at 5:01 p.m.

BOARD MEMBERS PRESENT

William J. Ginter, President
Jacqueline S. Cooper, Vice President
Olivia P. Demas, Secretary
Linda Bordenkircher
Joseph Siegfert
Cynthia Walker
Randy Briggs

ALSO PRESENT

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

I. 2010 OPERATING PLAN

The 2010 Operating Plan identifies goals and objectives and is aligned with goal statements outlined in the Agency’s 2007-2012 Comprehensive Long Range Plan. The annual Operating Plan highlights the measures that will be met and projects that will be accomplished during the year to work towards achievement of the long range objectives. Some of the outcomes identified in the dashboard measures of the 2010 Operating Plan include:

- ◆ Provide congregate residential services to an additional 50 persons served from the residential waiting list and provide in-home supports to an additional 25 persons served.
- ◆ Serve 58 additional individuals in Adult Services.
- ◆ Serve 40 additional children and families through Early Intervention.

WORK SESSION *(continued)*

I. 2010 OPERATING PLAN *(continued)*

- ◆ Serve 73 additional individuals through Transportation services.
- ◆ Achieve the goal of 4,225 lives touched by the end of 2010, exceeding the levy plan goal of 3,999.

Some of the new projects for 2010 include:

- ◆ Reduce the congregate services waiting list to 50 individuals by the end of 2010.
- ◆ Systematize data collection for MUIs, identifying trends and patterns to measure the effectiveness of prevention plans and develop a baseline measure for repeat MUIs (five MUIs per individual within six months and ten MUIs per individual within six months).
- ◆ Evaluate vehicle options for Board transportation to identify optimum number of buses, vans and passenger vehicles needed to increase customer satisfaction to 93.2% and maintain 100% of trip times at less than 90 minutes.
- ◆ Develop reward and recognition programs for staff to increase employee satisfaction to 85%.

Relative to the MUI baseline measure, the Board asked if there are currently individuals who have this number of incidents in a six month period. Mr. Armstrong replied that there are and noted that when there is a situation where an individual has serious health issues, every time a hospitalization occurs it is a MUI. Additionally, an individual with behavioral challenges could reach this level of occurrences. The Ohio Department of Developmental Disabilities (ODODD) will be providing a report that summarizes incidents in Summit County. The Board asked that this report be shared with them when it is available. The Board asked why the number of individuals utilizing Board transportation is decreasing. Mr. Armstrong replied that data collection has improved and staff have more accurate census reporting by individual provider. Total number of individuals served and satisfaction ratings are broken down by individual provider versus the broader single category. Relative to the percentage of time paid work is available in Summit DD facilities, the Board asked why the 2010 goal is lower than actual performance in previous years and year-to-date. Mr. Armstrong agreed that the 2010 goal should be higher and indicated that the goal will be revised. Relative to the 2010 goal of the value of waiver dollars realized annually, by the end of 2010 it is anticipated that the Board will reach the goal of \$71,102,729 and will have requested 259 total waivers, which is the largest number of waivers requested so far. A public open house will be held on December 8th and the 2010 Operating Plan has been recommended for approval by the November Finance & Facilities Committee, the November Services & Supports Committee and the November HR/LR Committee.

II. WEAVER INDUSTRIES SPECIALTY BUSINESSES CONTRACT

The Weaver Industries Specialty Businesses Contract covers the employment of individuals with developmental disabilities working in Specialty Businesses, financial and accounting services for the businesses, equipment purchases to support the businesses, subsidizing projected operating expenses to the Specialty Business units and employing the store manager.

WORK SESSION *(continued)*

II. WEAVER INDUSTRIES SPECIALTY BUSINESSES CONTRACT *(continued)*

The two-year contract would be for the period January 1, 2010 through December 31, 2011 for a total contract amount not to exceed \$140,000.00. The Specialty Businesses have experienced significant growth since 2006 when 47 eligible individuals were employed compared to the 78 individuals that are currently employed. It is projected that 85 individuals will be served during 2010.

Mr. Armstrong noted that an ad-hoc committee was formed to review the space needs of the Clay Crafters and Custom Stitches programs but that was put on hold when larger space utilization questions arose (i.e., enclave needs, micro-enterprises, etc.). The committee has finalized its work and a final report with recommendations will be provided to the Superintendent within the next week. The Board requested to review the final report and recommendations when available. The Board asked if the 90-day termination clause in the contract is standard. Mrs. Kamlowky advised that it is typical with an agreement of this nature but she will review that area of the contract for improved language. Funds are available in the budget and the contract has been recommended for approval by the November Finance & Facilities Committee and the November Services & Supports Committee.

III. NEON CONTRACT

The Northeast Ohio Network (NEON) contract provides regular and special provider compliance reviews, quality assurance registered nurse (QARN) reviews, MUI investigations, pays bills and invests funds on behalf of the Board. The two-year contract period is January 1, 2010 through December 31, 2011 for the total contract amount not to exceed \$302,284, which is an increase of \$27,170 per year due to an increased number of reviews. The projected number of QARN reviews each year of the contract is 130. The hourly rate is \$42.50 for actual hours spent completing reviews, which represents no increase over the 2008/2009 contract rate. The projected number of compliance reviews will be 35 in 2010 and 40 in 2011, which is based on the number of waivers received. The MUI portion of this contract serves as a back-up during increased demand and allows for up to four investigations per week at a rate of \$39.50 per hour. This contract also provides that NEON will pay invoices and invest funds on behalf of the Board, according to investment policy. Funds are available in the budget and the contract has been recommended for approval by the November Finance & Facilities Committee and the November Services & Supports Committee.

IV. SUMMIT HOUSING DEVELOPMENT CORPORATION (SHDC) CONTRACT EXTENSION

The request is for a six month extension to the current SHDC contract to cover accounting and administrative assistant services for the period January 1, 2010 through June 30, 2010, in an amount not to exceed \$26,400. This extension will allow both the Summit DD Board and the SHDC Board to work on redefining the relationship and the roles of each board. Mr. Armstrong suggested that an ad-hoc committee consisting of two members of each Board along with staff be formed.

WORK SESSION *(continued)*

IV. SUMMIT HOUSING DEVELOPMENT CORPORATION (SHDC) CONTRACT EXTENSION *(continued)*

Mr. Ginter recommended that he and Mr. Siegfert represent the Summit DD Board on this committee. Mr. Siegfert agreed to serve on the ad-hoc committee. It was noted that three years ago SHDC had 44 homes and today there are 77 homes. Funds are available in the budget and the contract extension has been recommended for approval by the November Finance & Facilities Committee.

V. UNITED DISABILITY SERVICES (UDS) CONTRACT – TWINSBURG CENTER

The UDS Contract is for the operation of the Twinsburg Center, providing adult day support services to approximately 46 individuals, with capacity for 50. The contract period is January 1, 2010 through December 31, 2010. UDS bills Medicaid directly for persons served funded by a Medicaid waiver and the Summit DD Board reimburses UDS with local funds, at the UDS usual and customary rate or the Medicaid reimbursement rate – whichever is lower, for services provided to individuals without a waiver. Total rent for the Twinsburg facility is \$156,000/year. UDS pays Summit DD \$45,000 and the Board subsidizes \$111,000. If the reimbursement UDS receives from Medicaid exceeds the revenue projections upon which the rent was calculated then the rent amount paid by UDS to the Board will be adjusted. The Summit DD is in the fourth year of a ten year lease at \$10.00/square foot with no escalator. The Board suggested that given the current state of the economy, staff review the terms of the lease for possible renegotiation. Funds are available in the budget and the contract has been recommended for approval by the November Finance & Facilities Committee.

VI. HATTIE LARLHAM NURSING SERVICES CONTRACT

A Request For Proposal (RFP) was conducted for the nursing services contract with eight responses received. Bids were reviewed by a committee of staff and parents and the recommendation is to award the contract to Hattie Larlham. Hattie had the lowest overall bid, met all specifications of the RFP and satisfaction with this provider has been excellent. The contract would provide nursing services to 583 individuals in Adult Services and 111 kids in Children's Services. The contract in 2010 is in the amount of \$602,733, and in 2011 is in the amount of \$614,788, for the total two-year contract not to exceed \$1,217,521. The increase in cost from 2010 to 2011 is to cover a 2% increase in Hattie Larlham staff salaries. The Board asked if it is known whether the 2% increase goes directly to staff salaries. Mr. Armstrong replied that this information has not been verified and noted that Hattie Larlham is a private provider. The Board indicated that they don't believe it would be out of line for the Summit DD to require proof of the staff salary increase since it is stated as a basis for an increase to the contract. Funds are available in the budget and the contract has been recommended for approval by the November Finance & Facilities Committee and the November Services & Supports Committee.

WORK SESSION *(continued)*

VII. ARDMORE DIRECT SUPPORT SERVICES CONTRACT

The Ohio Revised Code (ORC) prohibits SSA staff from providing direct service supports to individuals served. Some individuals, however, require assistance in order to ensure their needs are met. This contract provides direct services to individuals with no other supports available. The contract is for the period February 1, 2010 through January 31, 2011, in an amount not to exceed \$45,000. A RFP will be conducted prior to the expiration of this contract to be consistent with the Agency's quality assurance practices. The Board asked why the contract does not reflect the Summit DD as an additional insured on Ardmore's policy. Mrs. Kamlowsky replied that she would review the contract and make the necessary modifications. Funds are available in the budget and the contract has been recommended for approval by the November Finance & Facilities Committee and the November Services & Supports Committee.

VIII. EQUIPMENT PURCHASE FOR BARBERTON AND CUYAHOGA FALLS CENTERS

The request is to utilize National Office for the majority of equipment and furniture purchases for the Barberton and Cuyahoga Falls Centers. National Office is a state contract vendor and purchasing co-op that provides substantial discounts up to 60% on some items. National Office was the main supplier for the Ellet Center and the Tallmadge Center multi-purpose room renovation and they have provided exceptional quality and customer service. They provide decorating and color selection expertise as well as space planning advice. Total cost of the equipment and furniture to be purchased from National Office for the two new sites is \$160,000. Funds are available in the budget and the contract has been recommended for approval by the November Finance & Facilities Committee.

IX. THE ARC OF SUMMIT AND PORTAGE COUNTIES – QUALITY ASSURANCE CONTRACT

The ODODD, Administrative Rule and Medicaid standards mandate that quality assurance reviews are performed to meet individual health, safety and welfare needs in accordance with Individual Service Plans (ISP). The request is to contract with The Arc of Summit and Portage Counties for the period January 1, 2010 through December 31, 2011 to complete 120 reviews annually at a cost not to exceed \$122,000 for the two year period. A rate of \$44.09 will be paid for actual time worked. There has been no price increase in this contract since 2008. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee and the October Services & Supports Committee.

X. BLICK CLINIC – COLLEGE FOR LIVING CONTRACT

The current contract with Blick Clinic for the College For Living Program ends December 31, 2009 and the request is to renew the contract for the period January 1, 2010 through December 31, 2011 in an amount not to exceed \$42,256 for the two-year period.

WORK SESSION *(continued)*

X. BLICK CLINIC – COLLEGE FOR LIVING CONTRACT *(continued)*

Blick has administered this program for the past 3-4 years and has been very successful, with satisfaction ratings of 66% excellent and 32% good. Blick has an emphasis on community instructors, offers new classes based on interest survey results and holds 48 classes per year. Registrations have increased by over 100% in the past two years and it is anticipated that 800 registrations will be received each year of the contract. The proposed two year contract amount represents an increase of \$4,648 per year due to increased participation. Even though this program has been very successful under the administration of Blick, the contract will be put through the RFP process in 2011 to be consistent with cost efficiency standards of how other Board contracts are monitored. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee and the October Services & Supports Committee.

XI. SUCCESS 4 KIDZ – CHILDREN'S SERVICES PT/OT CONTRACT

Success 4 Kidz (S4K) provides consultative physical therapy (PT) and occupational therapy (OT) to approximately 227 early intervention children birth to age three and 13 preschool children ages 1-5. The request is to renew the contract with S4K for the period January 1, 2010 through December 31, 2011 in an amount not to exceed \$368,000. The total two-year contract amount represents a 7% increase over the previous contract due to a 31% increase in the number of children to be served under the new contract. Even though parent and staff satisfaction ratings have been very good with this provider, the contract will be put through the RFP process in 2011 to ensure the Board's cost efficiency efforts. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee and the October Services & Supports Committee.

XII. WEAVER INDUSTRIES – EARTHCARE LAWN CARE SERVICES CONTRACT

Through a contract with Weaver Industries, Earthcare provides landscaping and grass cutting for the Bath Center, Southern Center and Tallmadge complex and employs 32 eligible individuals through the Board's Specialty Business Program. The request is to renew the contract with Weaver Industries for the period January 1, 2010 through December 31, 2011 in an amount not to exceed \$115,056. There is no cost increase over the previous contract. The Board asked what percentage of the business is supported by Summit DD facilities. Mr. McGee responded that Summit DD represents approximately half of Earthcare's business. The Board asked if private schools have been approached. Mr. McGee replied that private schools have been approached and noted that additional customers continue to be pursued regularly. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee and the October Services & Supports Committee.

WORK SESSION *(continued)*

XIII. WEAVER INDUSTRIES – JANITORIAL SERVICES CONTRACT

Weaver Industries is the payroll administrator for the janitorial services contract that employs 18 persons served, which includes the JET training crew. The request is to renew a two-year contract for the period January 1, 2010 through December 31, 2011 in an amount not to exceed \$138,728. The contract represents an increase of \$22,500 to cover the addition of janitorial services for Potomac and Canal Place. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee and the October Services & Supports Committee.

XIV. GARDINER TRANE HVAC CONTRACT

The Agency needs to have a qualified licensed contractor to handle all HVAC needs at its eleven facilities. Gardiner Trane is an approved Ohio State Term and Federal Supply Schedule contractor who has worked with the Agency since 2001. This contractor has been very professional and responsive. The request is to renew a two-year contract with Gardiner Trane for the period January 1, 2010 through December 31, 2011 in an amount not to exceed \$125,280. This cost represents no increase since the Board initially began working with this vendor in 2001. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee.

XV. PRIMARY SOLUTIONS CONTRACT – GATEKEEPER SYSTEM

Summit DD has utilized Gatekeeper as its main integrated software system for over eleven years with overall good satisfaction. The request is to authorize the Superintendent to sign annual Software Use and Support Renewal Agreements for 2010 and 2011. The 2010 contract is in the amount of \$48,598, which is a 2.55% increase over the 2009 cost. The contract stipulates that any additional cost increase for 2011 would not exceed the nationally posted CPI and also includes a 90-day cancellation clause. The Board asked how the 90-day termination clause is structured. Mrs. Kamlowsky responded that the Board can terminate the contract but Primary Solutions cannot. Funds are available in the budget and the contract has been recommended for approval by the October Finance & Facilities Committee.

XVI. OCTOBER FINANCIAL STATEMENTS

Cash receipts reflect an overall unfavorable variance of \$107,039 for the month primarily due to property taxes coming in at \$82,592 less than budget. The homestead and rollback revenue came in at \$181,048 more than expected for the month but was offset by tangible personal property tax distribution of \$264,000 that was not received. It was noted that EFMAP payments are now detailed as "4300 ARRA (American Recovery Reinstatement Act) Reimbursements". The Summit DD is scheduled to receive \$4,120,377 in November 2009 (\$3,087,954 for overpayment of match expenses and \$1,032,423 for EFMAP).

WORK SESSION *(continued)*XVI. OCTOBER FINANCIAL STATEMENTS *(continued)*

Expenditures for October reflect an overall favorable variance of \$507,863 due to locally funded service expenses less than budgeted. The Board asked if the two new centers are on budget and if change orders have been necessary. Mr. Jacobs replied that there have been change orders during the construction of the new centers but noted that both projects are within the dollars budgeted and will be completed on time. The ending fund balance for October was \$56,114,515, which is a favorable variance of \$11,884,265 year-to-date. The October Financial Statements have been recommended for approval by the November Finance & Facilities Committee.

XVII. 2010 HEALTH INSURANCE RATES

Action will not be requested tonight for 2010 health insurance, as the 2010 rates and health plan options received by the Summit County Health Insurance Department are still being reviewed. It appears that there is going to be a 14% increase in 2010 rates to current Medical Mutual health plans. This would mean a 20% increase to staff enrolled with Medical Mutual since the Board picked up 6% of the cost increase for 2009 only. The Summit DD Insurance Committee met to discuss the initial information received from the County and will be meeting again to review information about several other health plan options that the County will be offering. These alternative plan options would have higher deductibles and higher co-payments. The 2010 health insurance rates/plans are also being reviewed by the Superintendent's HR/LR Committee. A recommendation will be brought to the Board at a special board meeting in November. The Board noted that the decision not to take action on this topic tonight and instead hold a special board meeting was made in order to give staff and the committees as much time as possible to work through the options that are being presented by the County.

XVIII. POLICIES

A. REVISED POLICY #2400 - NON-DISCRIMINATION AND OTHER HARASSMENT

Policy #2400 has been revised to comply with provisions in federal, state and local laws and regulations relative to unlawful harassment and discrimination. Revised Policy #2400 has been recommended for approval by the November HR/LR Committee.

B. DELETION OF POLICY #2415 – SEXUAL HARASSMENT AND OTHER HARASSMENT

Policy #2415 is being recommended for deletion since language contained in this policy has been combined with revised Policy #2400. The deletion of Policy #2415 has been recommended for approval by the November HR/LR Committee.

The work session adjourned at 5:52 p.m.

BOARD MEETING

The **regular monthly meeting** of the County of Summit Developmental Disabilities Board convened at 5:52 p.m.

I. PUBLIC COMMENT

Tamika Williamson introduced herself as the parent of a four year old child eligible for services. She advised that her child has not, however, received the services needed. She commented that she has gone back and forth with her child’s SSA, Hyla Cushner, and has been told that her circumstances do not qualify for a due process hearing. She indicated that Ms. Cushner and Jill Boxler told her that her next course of action would be to bring her concerns to a Board Meeting. Mr. Armstrong advised that a Board Meeting is not the appropriate forum to work through this issue. He noted that there is an appropriate due process procedure when a family is dissatisfied with an eligibility determination. Mrs. Kamlowky, Ms. George and Leeanne Saro (Executive Director of The Arc of Summit and Portage Counties) met with Ms. Williamson privately to discuss the matter further.

II. APPROVAL OF MINUTES

A. OCTOBER 21, 2009 (combined Work Session and Regular Meeting)

R E S O L U T I O N
No. 09-11-01

Mrs. Bordenkircher moved that the Board approve the minutes of the October 21, 2009 combined Work Session/Regular Meeting, as presented in attachment #19. The motion, seconded by Mrs. Cooper, was unanimously approved.

III. BOARD ACTION ITEMS

A. FINANCE & FACILITIES COMMITTEE

1. THE ARC OF SUMMIT AND PORTAGE COUNTIES – QUALITY ASSURANCE CONTRACT

R E S O L U T I O N
No. 09-11-02

Mrs. Cooper moved that the Board approve a two-year contract with The Arc of Summit and Portage Counties for the provision of quality assurance reviews for the period January 1, 2010 through December 31, 2011, in an amount not to exceed One Hundred Twenty Two Thousand Dollars (\$122,000.00) for the two year period, and that the Superintendent be authorized to sign said contract. The motion, seconded by Mrs. Bordenkircher, was unanimously approved.

BOARD MEETING (continued)

III. BOARD ACTION ITEMS (continued)

A. FINANCE & FACILITIES COMMITTEE (continued)

2. BLICK CLINIC – COLLEGE FOR LIVING CONTRACT

R E S O L U T I O N

No. 09-11-03

Mrs. Demas moved that the Board approve a two-year contract with Blick Clinic for the College For Living Program for the period January 1, 2010 through December 31, 2011, in an amount not to exceed Forty Six Thousand Two Hundred Fifty Six Dollars (\$46,256.00) for the two year period, and that the Superintendent be authorized to sign said contract. The motion, seconded by Mr. Siegferth, was unanimously approved.

3. SUCCESS 4 KIDS – CHILDREN'S SERVICES PT/OT CONTRACT

R E S O L U T I O N

No. 09-11-04

Mrs. Walker moved that the Board approve a two-year contract with Success 4 Kidz for the provision of physical therapy/occupational therapy services for the period January 1, 2010 through December 31, 2011, in an amount not to exceed Three Hundred Sixty Eight Thousand Dollars (\$368,000.00) for the two year period, and that the Superintendent be authorized to sign said contract. The motion, seconded by Mrs. Bordenkircher, was unanimously approved.

4. WEAVER INDUSTRIES – EARTHCARE LAWN CARE SERVICES CONTRACT

R E S O L U T I O N

No. 09-11-05

Mr. Siegferth moved that the Board approve two-year contract with Weaver Industries for Earthcare lawn services for the period January 1, 2010 through December 31, 2011, in an amount not to exceed One Hundred Fifteen Thousand Fifty Six Dollars (\$115,056.00), and that the Superintendent be authorized to sign said contract. The motion, seconded by Mr. Briggs, was unanimously approved.

BOARD MEETING *(continued)*

III. BOARD ACTION ITEMS *(continued)*

A. FINANCE & FACILITIES COMMITTEE *(continued)*

5. WEAVER INDUSTRIES – JANITORIAL SERVICES CONTRACT

R E S O L U T I O N

No. 09-11-06

Mr. Briggs moved that the Board approve a two-year contract with Weaver Industries for janitorial services, for the period January 1, 2010 through December 31, 2011, in an amount not to exceed One Hundred Thirty Eight Thousand Seven Hundred Twenty Eight Dollars (\$138,728.00) for the two year period, and that the Superintendent be authorized to sign said contract. The motion, seconded by Mrs. Demas, was unanimously approved.

6. GARDINER TRANE HVAC CONTRACT

R E S O L U T I O N

No. 09-11-07

Mrs. Bordenkircher moved that the Board approve a two-year contract with Gardiner Trane for the provision of HVAC services, for the period January 1, 2010 through December 31, 2011, in an amount not to exceed One Hundred Twenty Five Thousand Two Hundred Eighty Dollars (\$125,280.00), and that the Superintendent be authorized to sign said contract. The motion, seconded by Mr. Siegferth, was unanimously approved.

7. PRIMARY SOLUTIONS CONTRACT – GATEKEEPER SYSTEM

R E S O L U T I O N

No. 09-11-08

Mrs. Cooper moved that the Board approve the Gatekeeper Software Use and Support Renewal Agreement for 2010 and 2011, in an annual amount of Forty Eight Thousand Five Hundred Ninety Eight Dollars (\$48,598.00), with the stipulation that any cost increases will not exceed the nationally posted CPI, and that the Superintendent be authorized to sign said renewal agreements. The motion, seconded by Mrs. Bordenkircher, was unanimously approved.

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

8. OCTOBER FINANCIAL STATEMENTS

R E S O L U T I O N

No. 09-11-09

Mrs. Demas moved that the Board approve the October Financial Statements, as presented in attachment #16. The motion, seconded by Mr. Briggs, was unanimously approved.

B. HR/LR COMMITTEE

1. POLICIES

R E S O L U T I O N

No. 09-11-10

Mr. Siegferth moved that the Board approve revised Policy #2400 – Non-Discrimination and Other Harassment, as revised and presented in attachment #18.

Be it further resolved that the Board adopt the recommendation to delete Policy #2415 – Sexual Harassment and Other Harassment, as presented in attachment #18. The motion, seconded by Mrs. Bordenkircher, was unanimously approved.

IV. SUPERINTENDENT'S REPORT

A. CENSUS

The September Census and Day Service Vacancy Report was included for review. The Board asked about the vacancies in Calico indicated on the report. Mr. Armstrong noted that an additional Calico classroom is being opened in response to the high demand for this service for 3-5 year olds. The numbers on the Vacancy Report represent the transitions that are occurring as well as requests for new services.

B. BUDGET CONTINGENCY PLAN UPDATE

Relative to the budget contingency plan, all but three positions have been resolved without layoff and management continues to look for options for the three remaining positions. The current budget plan ends July 1, 2011. The Board noted that the HR/LR Committee reviews the budget contingency plan each month. Mr. Armstrong commented that the budget contingency plan reaffirms the Board's commitment to retain staff and avoid layoffs.

BOARD MEETING (continued)

IV. SUPERINTENDENT'S REPORT (continued)

C. START TIMES - WORK CENTERS AND TRANSPORTATION ROUTES

With the opening of the two new work centers in March 2010 some individuals served will be transitioning to the center closest to their home. Since there will be approximately 200 individuals impacted by the opening of the two new centers, it provides the opportunity to increase efficiencies and resources while decreasing transportation times and providing door-to-door service to most individuals in employment services. In order to accomplish this, it will be necessary to change the program hours at some of the work centers by fifteen minutes. It is anticipated that this time change will cause minimal disruption. A committee consisting of staff, parents and a representative from The Arc has been reviewing this topic and has recommended implementing the adjustment of the fifteen minute time change. This topic has also been reviewed by the Person Served/Parent Advisory Committee (PAC). Letters communicating the time change are being drafted and will go to every family and SSA. There will also be parent/family meetings held at the sites to discuss specific individual issues families may have.

D. POLICY #2900 – DRIVER POLICY FEEDBACK

There was disagreement from bargaining union leadership relative to the Board's Policy #2900 – Driver Policy. They felt that language contained in the policy should have been negotiated. The Board noted that language in this policy follows the law in Summit County. Mr. Armstrong advised that management disagree with the bargaining union leadership's view on this issue and commented that negotiations were relative to issues of insurance and staff's inability to be insured. He advised the Board that three Unfair Labor Practice (ULP) charges have been filed with SERB by the three OEA affiliates. He commented that this also speaks to the poor relationship between bargaining unit leadership and management. Mr. Armstrong advised that a federal mediator is working with both groups on relationship building but OEA cancelled the last meeting and is declining, at this point, to continue to participate in the process. He is hopeful that the two groups re-engage with the federal mediator, but the relationship remains contentious.

E. 2010 BOARD MEETING SCHEDULE/2010 COMMITTEE MEETING SCHEDULE

Schedules for 2010 Board Meetings and 2010 committee meetings were included in packets.

BOARD MEETING *(continued)*

V. PRESIDENT'S COMMENTS

A. OACB DELEGATE ASSEMBLY - APPOINTMENT OF DELEGATE AND ALTERNATE

Mr. Ginter noted that there are three Board Members who are registered to attend the upcoming OACB Conference. He asked Mr. Siegferth if he would be willing to serve as the Summit DD delegate and asked Mrs. Demas if she would serve as the alternate. Both agree to serve in the capacities requested.

Relative to the concern expressed tonight by Ms. Williamson, Mr. Ginter thanked staff for reacting so quickly and commented that staff handled the situation well. Mr. Armstrong thanked Ms. Saro for offering her assistance with this matter.

Mr. Ginter reported that Jackie Cooper and Olivia Demas have been reappointed by County Council to serve additional terms on the Summit DD Board. Terms will commence January 1, 2010 and expire December 31, 2013. He thanked them for agreeing to serve for an additional term.

Mr. Ginter reported that Tom Quade will join the Board as the Summit DD's newest Board Member beginning January 1, 2010. His first County Council term will expire December 31, 2013. Mr. Quade is the legal guardian of his sister who receives services from the Board. He has also served on a variety of Summit DD committees. Mr. Quade has an extensive background in the healthcare and financial fields and his willingness to serve on the Summit DD Board is appreciated. Mr. Quade will be succeeding Mrs. Bordenkircher, who is term limited and will be completing her third four-year term on the Board at the end of December.

The Board Meeting adjourned at 6:23 p.m.

Olivia Demas, Secretary