

MINUTES – combined work session and regular meeting
Thursday, March 23, 2017

Summit County Developmental Disabilities Board

MINUTES

Thursday, March 23, 2017
5:00 p.m.

The **combined work session and regular monthly meeting** of the Summit County Developmental Disabilities Board was held on Thursday, March 23, 2017 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

Randy Briggs, Board President
Dave Dohnal, Vice President
Denise Ricks, Secretary
Tom Quade
Joe Siegferth
Meghan Wilkinson
Allyson Lee

ALSO PRESENT

John J. Trunk, Superintendent
Lisa Kamlowsky, Assistant Superintendent
Holly Brugh, Director of SSA &
Children's Services
Billie Jo David, Director of Communications
& MUI
Maggi Albright, Recording Secretary

Joe Eck, Director of Labor Relations &
Risk Management
Drew Williams, Director of Community
Supports & Development
Mira Pozna, Director of Fiscal
Russ DuPlain, Director of IT &
Facilities
and others

I. INTRODUCTION OF NEW BOARD MEMBER – ALLYSON V. LEE

Mr. Trunk introduced Summit DD's newest Board Member, Allyson V. Lee and welcomed her to the Board. Mrs. Lee was appointed to the Board by Probate Judge Elinore Stormer for a term ending December 31, 2018. She has lived in Summit County for approximately 32 years and is currently the Director of Head Start/Early Head Start at Akron Summit Community Action. Mrs. Lee is a graduate of the University of Akron. Mrs. Lee stated she looks forward to the opportunity to serve on the Board and getting to know everyone.

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WORK SESSION *(continued)*

II. ASSIGNMENT OF BOARD MEMBERS TO ETHICS COMMITTEE

In order for the full Board to perform the duties of the Ethics Committee, the Board would need to adopt a policy specifying the Board is not willing to enter into direct services contracts with any person who is a Board Member, a former Board Member or a member of the immediate family of a Board Member or former Board Member. While it is unlikely that such a situation would arise within the current Board composition, adopting such a policy would remove existing flexibility so it is not recommended. The recommendation is to have the Board appoint three Board Members to serve as the Ethics Committee, with the preference of appointing Board Members who will not have any interest in direct services contracts during the next two-year period.

III. ORIANA HOUSE ALTERNATIVE ENVIRONMENT PROGRAM (AEP) CONTRACT

Summit DD has partnered with the Oriana House since October 2012 to provide an Alternative Environment Program (AEP), which is a pretrial diversion option to house individuals with developmental disabilities who are facing certain criminal charges in lieu of awaiting trial/disposition in the Summit County jail. In past years, the contract has ensured the availability of four beds (3 male and 1 female) in a restrictive, structured, residential environment. However, the female bed has never been used and, at most, only two male beds have been used at one time. Recently, the need arose for a female placement and Oriana House has made the accommodation. The contract supports services provided to individuals when they are placed in the AEP such as case management, crisis counseling, social skills group, medication compliance, hygiene, nutrition and recreation. In 2015, 261 bed days were used and 171 bed days were used in 2016. Mr. Briggs noted this program is in conjunction with the courts and probation department. The courts make the determination whether someone is eligible to enter into this program. The request is to enter into a contract for the period February 1, 2017 through December 31, 2017 in an amount not to exceed \$87,036. The contract reduces the number of beds to two male beds at a cost of \$50,000 per year and funds 200 bed days. The support services are at a cost of \$185.18/day. Funds are available in the budget and the Oriana House AEP contract has been recommended for approval by the February Finance & Facilities and Services & Supports Committees.

IV. SOUTHERN CENTER LEASE AGREEMENT

Summit DD will be discontinuing operations at the Southern Center at the end of June 2017. Ownership of this facility is currently being transferred from the County to Summit DD. The Greater Summit County Early Learning Center (GSCELC) would like to enter into a five-year lease agreement for this building beginning August 1, 2017. GSCELC is a highly rated public conversion school serving grades K-4.

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WORK SESSION *(continued)*

IV. SOUTHERN CENTER LEASE AGREEMENT *(continued)*

The lease would generate \$40,000/year in revenue and would also ensure the building is not vacant. GSCELC has signed a Letter of Intent agreeing to the terms of a five-year lease. The lease agreement has been reviewed and recommended for approval by the February Finance & Facilities Committee.

V. LEVY BUDGET FORECAST

Current levy funding, which generates more than 80% of funding for services, expires on December 31, 2018. The continuation of funding is critical to ensure that 4,700 adults and children with developmental disabilities receive the services and supports needed to live their lives to the fullest. This levy is Summit DD's only operating levy. The request is to approve the budget forecast, presented in attachment #3, for a renewal of the existing 4.5 mill levy, for the period 2019-2024, to be placed on the ballot in November 2017. Houses valued at \$100,000 pay approximately \$11.50/month. It is recommended by the Social Services Advisory Board (SSAB) that the fund balance be no less than three months operating expenses and two quarters of waiver match. The levy supports Early Intervention (EI) services for more than 1,000 children and families from birth to age six and provides inclusion support to more than 100 private childcare centers that support over 280 children with special needs alongside typically developing children. More than 2,000 adults receive supports in community and facility-based settings, which includes transportation to and from their day program. In addition, more than 1,700 adults receive residential services. Levy funds are also used to provide monitoring and oversight of more than 500 private providers and to complete more than 1,300 MUI investigations. Local levy funding is used as Medicaid match to access \$70 million dollars of additional federal funding, which is invested directly into the local economy. Based on historical trend data, it is projected that the number of adults and children supported by the Board will continue to grow by approximately 5% (80-100 people) each year throughout the levy cycle. Growth will be in the areas of EI, SSA, transition support for school-age youth, inclusion support for community programs and in oversight and monitoring. Levy projections are based on actual expenditures from 2012-2016 as well as known and projected future budget impacts. The projections are predicated on the following assumptions:

Revenue

- Preliminary estimate of levy renewal proceeds was calculated and provided by the Summit County Fiscal Office
- Medicaid reimbursement revenue realized by the Board is decreased as individuals choose private providers
- Other revenue areas remain relatively flat throughout the levy cycle

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WORK SESSION *(continued)*

V. LEVY BUDGET FORECAST *(continued)*

Expenditures

- Staff reductions are consistent with the current *Our Journey Forward* timeline and are offset by exit cost payouts and a 2.5% annual increase
- Employee benefits are consistent with staffing levels and include additional unemployment costs resulting from staff reductions
- Medicaid costs are increased as individuals choose private providers and new waiver growth
- Additional resources are added to direct service contracts for school-age youth transitioning into adulthood and provider support to achieve Long Range Plan goals
- Most other cost areas are decreased as individuals select other providers

Current projections continue to reflect deficit spending through the end of the next levy cycle. Detailed analysis of expenditures is performed with the annual budget preparations to meet the goals of the Long Range Plan within budget priorities.

Mrs. Lee asked what make up the indirect service costs. Mr. Trunk responded this line item is for contracts for such things as copiers, professional fees, administrative support services, general operations, etc. If the levy does not pass, EI support will be discontinued for more than 1,000 children from birth to age six, more than 650 Special Olympics athletes will lose support and adults will be placed on waiting lists for necessary services, including residential supports and day programs. The levy budget forecast has been reviewed and recommended for approval by the March Finance & Facilities Committee.

VI. LIABILITY INSURANCE COVERAGE

Summit DD must maintain risk protection for Board operations and the current insurance policies expire March 31, 2017. Exposure has decreased over the previous twelve months due to the closure of Akron Center, sale of equipment and reduction in the number of vehicles in service. The recommendation is to approve insurance coverages for the period April 1, 2107 through March 31, 2108. Property and general liability, fleet/automobile liability and umbrella liability insurance would be through Selective Insurance Company in an amount not to exceed \$83,883. Directors and Officers and employment practices liability insurance would be through Selective Insurance Company in an amount not to exceed \$32,508. Cyber liability insurance would be through Illinois National Insurance Company in an amount not to exceed \$10,692. Total insurance premiums would not exceed \$127,083. Selective Insurance Company has an A+ superior rating. Illinois National Insurance Company has an A excellent rating. Mr. Briggs commented that the premium cost savings of approximately 10% is pretty good. Funds are available in the budget and the insurances have been recommended for approval by the March Finance & Facilities Committee.

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WORK SESSION *(continued)*

VII. FEBRUARY FINANCIAL STATEMENTS

February ended with deficit spending in the amount of \$11,544,776. Revenue for February included an increase in the property tax budget by the County Executive's office to reflect a revised tax collection estimate in the amount of \$92,000 and quarterly Title XX grant reimbursement in the amount of \$52,300. Expenditures in February included payment of the shared pool agreement through Cluster in the amount of \$110,700, payment of waiver administrative fees in the amount of \$313,300, payment to the Arc of Ohio for administration of the People Together Program in the amount of \$25,000, payment of annual OACB dues in the amount of \$75,000, payment to ComDoc for customized technical support of the document management system in the amount of \$77,100 and payment to Altura Communications for annual phone system maintenance in the amount of \$33,600. The fund balance at the end of February was \$44,453,583. Mr. Briggs asked what the fund balance should be at the end of the year. Mrs. Pozna replied that it should be \$32 million dollars, which is based on the calculation of three months operating expenses and two quarters of waiver match. The February Financial Statements have been recommended for approval by the March Finance & Facilities Committee.

VIII. REVISED POLICY 2006 – WEAPONS AND VIOLENCE-FREE WORKPLACE

Board Policy 2006 currently prohibits the possession of firearms in privately owned vehicles on Board property. Senate Bill 199, which became effective March 21, 2017, prohibits Summit DD from having or enforcing a policy that precludes people who are otherwise authorized to carry firearms from having a firearm and/or ammunition in their privately owned vehicle when it is parked on an employer's property, subject to specific conditions which include:

- Firearm(s) and/or ammunition must remain in the privately owned vehicle
- Firearm(s) and/or ammunition must be locked in a glove box, trunk or other container inside the vehicle when the person authorized to carry the firearm is outside of the vehicle
- The vehicle must be properly parked in an authorized location

There was discussion at the HR/LR Committee relative to having the authority to question visitor and staff about firearms in order to ensure compliance with this policy. Language was added on page two in the first paragraph to reflect that discussion. Mr. Briggs asked if the Board can require people to register if they have a firearm. Mrs. Kamlowsky replied that she found nothing in law that prohibits the Board from asking. Mr. Briggs stated he believes the Board has the right to know if there are firearms on the property and who is in possession and then has the discretion to conduct further investigation to determine if individuals in possession have the proper license to carry in order to protect staff and constituents. Mr. Briggs asked if it is a violation of this policy if staff or visitors do not report that they are in possession. Mr. Quade added that if it is and it is not reported, what are the repercussions.

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WORK SESSION (continued)

VIII. REVISED POLICY 2006 – WEAPONS AND VIOLENCE-FREE WORKPLACE (*continued*)

Mr. Briggs commented that people who do not report should be prohibited from being on Board property. Mrs. Kamlowsky stated the policy is currently not written with that language, however, if the Board would like the policy to read that way, it can be rewritten. Mr. Quade stated he believes that having an awareness of a potential risk is legitimate. Mr. Briggs added people should disclose even if they may have a firearm. Mrs. Wilkinson stated, with all due respect, the people who are willing to disclose are not the ones with which the Board should be concerned. Mr. Quade said the Board should not under appreciate the magnitude of violence. Mr. Briggs said that people who don't intend violence won't have a problem disclosing. Mrs. Wilkinson stated she disagrees and added this could promote hostility and some may feel discriminated against if they are required to disclose. She said there should be more conversation on this topic. Mrs. Lee added that she can certainly see both sides of the argument and noted that she would be in favor of considering disclosure and added that things are good until something bad happens and that perhaps the Board should lean toward disclosure of everyone. She asked how it will be handled with law enforcement on the property and asked if language needs to be included to exempt law enforcement officers. Mr. Trunk replied the Board contracts with law enforcement to be on site daily and there is language that speaks to law enforcement and military personnel as exceptions. Mr. Briggs asked if there is time sensitivity around revising this policy. Mr. Trunk replied there is no immediate need to approve this policy. Mr. Briggs stated the Board will not take action on this item tonight. Mrs. Kamlowsky indicated she would review the law again, redraft the policy and bring the revised policy back to the HR/LR Committee next month.

The work session adjourned at 5:39 p.m.

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BOARD MEETING

The **regular monthly meeting** of the Summit County Developmental Disabilities Board convened at 5:39 p.m.

I. PUBLIC COMMENT

Leslie Frank, a parent and Summit DD staff, welcomed Mrs. Lee to the Board. She asked if the Greater Summit County Learning Center (GSCLC) is a charter school. Mr. Trunk replied that by GSCLC's definition, they are a conversion school. Ms. Frank stated she attended an intake meeting at Community Connections and the individual loved the program and wanted to begin right away even though the start date is April 3rd. She also toured UDS and said it was nice to see former staff employed there and noted the individuals working at UDS seemed very happy. Ms. Frank commented her daughter is back in Summit County and there has already been a MUI. She said that when MUIs have occurred involving her daughter in other counties she has not been included; the MUI Department has included her and she is thankful to be kept informed. Ms. Frank noted she drove by one of the Board facilities at night and noticed the Summit DD signs are lit at night and stated how nice it looks.

II. APPROVAL OF MINUTES

A. FEBRUARY 23, 2017 (combined work session and regular meeting)

R E S O L U T I O N

No. 17-03-01

Mrs. Wilkinson moved that the Board approve the minutes of the February 23, 2017 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. ORIANA HOUSE ALTERNATIVE ENVIRONMENT PROGRAM (AEP) CONTRACT

R E S O L U T I O N

No. 17-03-02

Mr. Quade moved that the Board approve a contract with the Oriana House for an Alternative Environment Program (AEP) for the period February 1, 2017 through December 31, 2017, in an amount not to exceed Eighty Seven Thousand Thirty Six Dollars (87,036.00), as presented in attachment #1, and that the Superintendent be authorized to sign said contract. The motion, seconded by Mr. Dohnal, was unanimously approved.

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BOARD MEETING *(continued)*

III. BOARD ACTION ITEMS *(continued)*

A. FINANCE & FACILITIES COMMITTEE *(continued)*

2. SOUTHERN CENTER LEASE AGREEMENT

RESOLUTION

No. 17-03-03

Mr. Dohnal moved that the Board enter into a five-year lease agreement with Greater Summit County Early Learning Center in the amount of Forty Thousand Dollars (\$40,000.00) annually, within the parameters as outlined in attachment #2, and that the Superintendent be authorized to sign said lease agreement. The motion, seconded by Mrs. Ricks, was unanimously approved.

3. LEVY FUNDING CYCLE: JANUARY 1, 2019 THROUGH DECEMBER 31, 2024 – NOVEMBER 7, 2017 BALLOT ISSUE

RESOLUTION

No. 17-03-04

Mr. Quade moved that the Board approve the request and proposal for a six (6) year renewal tax levy, as presented in the resolution form in attachment #8. The motion, seconded by Mr. Dohnal, was unanimously approved.

4. LIABILITY INSURANCE COVERAGE

RESOLUTION

No. 17-03-05

Mrs. Ricks moved that the Board approve liability insurance coverage for the period April 1, 2017 through March 31, 2018, for the total amount not to exceed One Hundred Twenty Seven Thousand Eighty Three Dollars (\$127,083.00), as presented in attachment #4. The motion, seconded by Mr. Siegferth, was unanimously approved.

5. FEBRUARY FINANCIAL STATEMENTS

RESOLUTION

No. 17-03-06

Mrs. Lee moved that the Board approve the February financial statements, as presented in attachment #5. The motion, seconded by Mrs. Wilkinson, was unanimously approved.

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BOARD MEETING (continued)

III. BOARD ACTION ITEMS (continued)

B. OTHER

1. ASSIGNMENT OF BOARD MEMBERS TO ETHICS COMMITTEE

R E S O L U T I O N

No. 17-03-07

Mr. Quade moved that the Board appoint the following Board Members to serve as the Ethics Committee in 2017:

1. Randy Briggs
2. Joe Siegferth
3. Allyson Lee

The motion, seconded by Mr. Dohnal, was unanimously approved.

IV. SUPERINTENDENT'S REPORT

A. LEVY UPDATE

Mr. Trunk advised that the following six community members have agreed to serve at the Levy Steering Committee: Phil Kaufmann, Ken Babby, Shon Christey, Bill Considine, Ron Fowler and Sarah Kline. He indicated the group will be meeting in April. The legislation approved by the Board tonight will go to County Council and will then be presented to the SSAB to make a recommendation to County Council about moving forward with the request. County Council approves a resolution to put the levy on the ballot and then it goes to the Board of Elections for approval by August 9th for the November 7th election.

B. EXECUTIVE SUMMARY – PROVIDER SATISFACTION

Summit DD conducts a monthly satisfaction survey of individuals and parents/guardians to determine levels of satisfaction with Summit DD as an administrator of services, satisfaction with the services they are receiving and relative levels of choices in their decision making. Random sample of interviews take place at the same time as the interviews with parents/guardians of those who completed their ISP meetings each month. After each month's data is collected, results are made available on an online dashboard. Reports are delivered each quarter with fourth quarter results included in the year-end report. The final sample for 2016 consisted of a total of 881 parents/guardians, 553 parents of adults, 328 parents of children and 896 individuals receiving services. Satisfaction with Summit DD as an Agency remains high with 73.7% of individuals reporting they are very happy and 85.1% of parents/guardians reporting high satisfaction.

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BOARD MEETING *(continued)*

IV. SUPERINTENDENT'S REPORT *(continued)*

B. EXECUTIVE SUMMARY – PROVIDER SATISFACTION *(continued)*

Approximately 83.4% of individuals report high satisfaction with their SSA and 89.6% of parents/guardians report high satisfaction with the SSA. In the area of choices and friendships, most individuals feel that they choose how to spend their free time and their daily schedule. 88% of individuals report that they have friends that are not staff or family. One area that needs further attention is an individual's ability to choose their roommates. Currently, only 39% of individuals feel that they can choose their own roommates. In the area of decision involvement and communication, a high percentage of individuals and parents/guardians feel that they helped to create the ISP and that the ISP is easy to understand. One area that can be improved is talking about the budget for services with individuals and families. Approximately 65% of individuals indicated they have talked about the budget. About 80% of parents/guardians indicated they do not know how much money is spent on services. Area identified for improvement will be incorporated into the strategic planning process. Mr. Quade asked how many providers are compared. Mrs. David replied that it depends on the service but noted that six or more were needed to be on the provider list and indicated that for transportation there were 20-30, residential was 15 and day program was approximately 10 independent. Mr. Quade asked if there were natural breaks on the satisfaction scale. Mrs. David replied there are and you can see them when the scale is lined up. Mr. Dohnal asked if parents are able to access this data when looking for providers. Mrs. David responded that some of the sample sizes are small so it can be hard to interpret the data, however, staff will begin having conversations about how to use the data. Mrs. Lee applauded staff for setting the bar high and noted that scores of 7-8 are not too bad; she asked how the benchmark of 9-10 was established. Mrs. David replied that these are top box scores based on the American Customer Satisfaction Index and compared to benchmark.

C. MISCELLANEOUS

Evant is a provider in Summit County that operates a group home model funded and monitored by the State (intermediate care facilities) serving approximately 100 individuals, along with a waiver program serving about 40 individuals. After months of additional monitoring, supervision and investigations, with which Summit DD assisted, it has been determined by DODD that services will be transferred to another provider. An agreement is being finalized with a new provider to take over the group home side of the operation.

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BOARD MEETING *(continued)*

IV. SUPERINTENDENT'S REPORT *(continued)*

C. MISCELLANEOUS *(continued)*

The 40 individuals in the waiver program will exercise their free choice of provider and the Board is assisting to assure a smooth, seamless transition. Mr. Dohnal asked if this is public information. Mr. Trunk replied that it is and noted that the Evant Board will be making their exit plan public at its meeting next week to give individuals and families as much notice as possible.

Mr. Trunk stated discussions with METRO are finalized and the individuals who utilize SCAT and were being charged a higher rate will now be charged the \$2.00 rate like other riders. The Memorandum of Understanding (MOU) will be updated. METRO has a region-wide planning group that reviews public transportation needs and Summit DD has been invited to be part of that group. Mr. Trunk thanked Mr. Briggs for his support and involvement with this issue.

Mr. Trunk reminded everyone that Summit DD's 2nd Annual Appreciation Breakfast and Awards Ceremony will be held on March 30th at Quaker Station. He stated it was a fantastic event last year and a large crowd is expected again this year. The keynote speaker is County Executive Ilene Shapiro.

V. PRESIDENT'S COMMENTS

Mr. Briggs commented that he has had the pleasure of attending a number of meetings recently involving Board collaboration. He stated the Board's voice is out there and being heard and Summit DD is getting more seats at the table and more invitations to participate and build a better, stronger Summit County. Summit DD is becoming a major voice in the community because of the good, hard work of staff. The seeds that have been sown are growing and this will benefit individuals going forward. He thanked the Superintendent, management team and staff for their hard work and efforts and said to keep marching forward.

VI. EXECUTIVE SESSION

R E S O L U T I O N **No. 17-03-08**

Mrs. Ricks moved that the Board enter into Executive Session in compliance with Sunshine Laws, Ohio Revised Code 121.22, Section G, Subsection (1) to consider the employment of a public employee. Upon reconvening, the Board may or may not conduct additional business. The motion was seconded by Mr. Dohnal.

Roll call: Wilkinson-yes, Quade-yes, Dohnal-yes, Briggs-yes, Ricks-yes, Lee-yes, and Siegferth-yes.

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BOARD MEETING *(continued)*

The regular session of the Board Meeting adjourned at 6:17 p.m.

The Board entered Executive Session at 6:22 p.m.

The Board Meeting reconvened at 6:27 p.m.

VII. ADDITIONAL ACTION ITEM

A. EMPLOYMENT CONTRACT – BILLIE JO DAVID

RESOLUTION No. 17-03-09

Mr. Quade moved that the Board approve a contract of employment for Billie Jo David, Director of Communications and MUI, for the period May 3, 2017 through May 2, 2019. The motion, seconded by Mr. Dohnal, was unanimously approved.

There being no further business, the Board Meeting adjourned at 6:29 p.m.


Denise Ricks, Secretary