

TUSCARAWAS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

DATE: Regular Meeting, Monday, October 24, 2022

PLACE: Service & Support Center, 610 Commercial Avenue SW, New Philadelphia, Ohio.

TIME: 5:30 p.m.

CALL TO ORDER: President

1.1 ROLL CALL: Executive Administrative Director

	<u>Present</u>	<u>Absent</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson		x	(excused)
Ryan Yoss	x		

1.2 REVIEW OF TuscBDD MISSION AND VISION

- **Mission Statement:** The Mission of the Tuscarawas County Board of Developmental Disabilities is to enhance the lives of individuals with disabilities through quality services and community partnerships.
- **Vision Statement:** The Vision of the Tuscarawas County Board of Developmental Disabilities is for a community that recognizes the importance and potential of all citizens.

1.3 ADDITIONS, DELETIONS, CORRECTIONS TO AGENDA

- Motion 1 under Committee Reports to approve the 2023 budget was moved to New Business to be included in the motion related to the additional provider rate contribution, and the former motion 2 under Committee Reports was renumbered to motion 1.
- Motions 1 and 9 were added under New Business, and all remaining motions were renumbered accordingly.
- Motions 3 and 5 were revised under New Business.

I. APPROVAL OF MINUTES

1. Recommendation to adopt a motion to approve the minutes of the September 26, 2022 Board meeting.

Motion: **Julie Brinkman**

Second: **Kathleen Arthurs**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Julie Brinkman	x	
Thomas Fantin	x	

inclusion costs. The year-to-date costs for developmental center invoices is less than the 2021 total. As of this point in the year, TuscBDD still has a net gain but that is expected to change as we approach the end of the year. Comments or questions were welcomed from the Board members on the information contained in the report.

Recommendation to adopt a motion to approve the financial statement as presented.

Motion: **Kathleen Arthurs**

Second: **Donna Wayt**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

2. Recommendation to adopt a motion to approve salaries in the amount of \$374,986.05 and expenditures in the amount of \$222,522.57 for the month of September.

Motion: **Ryan Yoss**

Second: **Andrea Legg**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

III. COMMITTEE REPORTS

ETHICS COMMITTEE:

1. Presentation of Items Approved by the Ethics Committee

Tabitha Affolter, a family-selected respite provider, was presented to Ethics Committee for review. All registry and background checks were conducted with no findings to report. One direct service payment was presented for an allowable expense that was within the limits set by the FSS policy and procedure. There were no ethical concerns or conflicts to be presented.

Recommendation to adopt a motion to approve the respite care provider contract with Tabitha Affolter and the list of direct service payments as presented in accordance with standards in ORC §5126.033 as reviewed and approved by the Ethics Committee.

Motion: **Julie Brinkman**

Second: **Donna Wayt**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	
Donna Wayt	x	
Stephanie Wilson	absent	
Ryan Yoss	x	

The President declares the motion **carried**.

IV. OLD BUSINESS BEFORE THE BOARD

V. NEW BUSINESS BEFORE THE BOARD

1. Additional County Board Provider Rate Contribution and 2023 Budget Approval

Nate Kamban reviewed the scenario that providers are experiencing statewide with staff shortages and high turnover due to provider wages remaining stagnant and unable to keep up with the current hiring market. The state has proposed a large increase in the Medicaid reimbursement rate for providers with a portion of that increase being funded by county boards in the Governor’s biennium budget. County boards have been asked how much more of an increase they can afford to offer to providers above the 6.5% already agreed to in 2021. County boards will be surveyed to determine a percentage increase that could be supported statewide and are being asked to consider an increase of either 10% or 13%. The various 2023 budget scenarios were reviewed with the Board to reflect the existing 6.5% increase for providers compared to either a 10% increase or a 13% increase along with the impact that each of those rates would have on our ten-year forecast. The reality is that the more that is expected from the county board’s budget for higher Medicaid reimbursement rates, the less that county boards will have to spend on local programs and initiatives. Nate shared the fact that with either of the higher rates, TuscBDD will need to plan to go before the voters to seek a replacement levy within the next ten years. Nate also discussed the other highlights of the 2023 budget with the Board including rationale for the increases and decreases in certain budget categories. Much of the budget adjustments were due in large part to the increase that is expected of county boards for this provider rate contribution which will impact the Board’s ability to fund things like school inclusion costs. Reduction will also be necessary to our local provider support program due to the larger increase for providers funded by county boards at the state level. The Board expressed their support of a 10% provider rate contribution based on the information available at this time.

Recommendation to adopt a motion to approve the proposed budget for 2023 as recommended by the Finance Committee to include approval for the provider rate contribution of 10% from TuscBDD as requested by the state.

Motion: **Kathleen Arthurs**

Second: **Julie Brinkman**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

2. Position Description Revision

This position description was revised to reflect that it is an unclassified position on a management contract and is considered exempt from overtime. All duties remain unchanged.

Recommendation to adopt a motion to approve the revision to the following position description as presented:

- Family and Children First Council Manager

Motion: **Andrea Legg**

Second: **Julie Brinkman**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

3. Johnson Controls Fire Protection LP Agreement

The agreement with Johnson Controls is for fire alarm system inspection, maintenance, and monitoring. Johnson Controls' price for service went up by a significant amount, and Mark Schott contacted the company to question the large increase and express extreme dissatisfaction. Johnson Controls then provided a slight reduction in price for the essential package, and the best option would include entering into an agreement to lock in the price for a five-year period. The Board questioned if any other company could provide this service, and Drew Litty explained that the equipment is proprietary to Johnson Controls. Another company could work with the equipment but could not perform any repairs or ensure compliance.

Recommendation to adopt a motion to authorize the Superintendent to enter into a contract between the Tuscarawas County Board of DD and Johnson Controls Fire Protection LP for fire alarm system inspection, maintenance, and monitoring per the terms and conditions of the finalized five-year agreement as submitted and approved by the Tuscarawas County

Prosecutor's Office.

Motion: **Kathleen Arthurs**

Second: **Julie Brinkman**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss		x	The President declares the motion carried .

4. 2023 Vacation Conversion Plan

This plan is brought to the Board on an annual basis and is a requirement of the Ohio Public Employees Retirement System. This allows all applicable positions on a management contract the opportunity to convert up to two weeks of vacation to cash on an annual basis.

Recommendation to adopt a motion to approve the 2023 Vacation Conversion Plan as presented for January 1, 2023 through December 31, 2023.

Motion: **Julie Brinkman**

Second: **Donna Wayt**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

5. Allocation of Funds for the Nonfederal Share of Medicaid Services

Nate Kamban explained that this is a routine motion required annually to confirm that TuscBDD has sufficient funds to pay for the Medicaid match for those we serve in the upcoming budget year.

Recommendation to adopt a motion to approve the following resolution:

The Tuscarawas County Board of Developmental Disabilities (TuscBDD) shall in its calendar year 2023 budget, allocate the sum of \$3,075,173 to be used to pay the nonfederal share of the Medicaid Home and Community Based Services (Level One, Individual Options, and SELF waivers) and Case Management services provided to individuals who the TuscBDD determines under section 5126.041 of the Ohio Revised Code are eligible for TuscBDD

services.

The Board will make additional funds available if needed to assure that these services will be available in a manner that conforms to all applicable state and federal laws. The payment of the nonfederal share represents an ongoing financial commitment for such services of the TuscBDD.

Motion: **Kathleen Arthurs**

Second: **Andrea Legg**

Roll call:

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	
Donna Wayt	x	
Stephanie Wilson	absent	
Ryan Yoss	x	

The President declares the motion **carried**.

6. Ohio Association of County Boards (OACB) Delegate Assembly

Recommendation to adopt a motion to approve the following nomination as the delegate from Tuscarawas County for the OACB Delegate Assembly being held on November 30, 2022 at 6:00 pm:

Delegate: **Kat Arthurs**

Alternate: **Nate Kamban**

Motion: **Ryan Yoss**

Second: **Kathleen Arthurs**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	
Donna Wayt	x	
Stephanie Wilson	absent	
Ryan Yoss	x	

The President declares the motion **carried**.

7. Ohio Association of County Boards (OACB) Delegate Assembly Resolutions

- a. **Proposed Resolution 2022-01** Summary & Rationale: To provide minor changes and updates to the OACB By-Laws as outlined in the rationale and full resolution located in the Board book.

Recommendation to adopt a motion to recommend our delegate vote in favor of proposed

resolution 2022-01.

Motion: **Andrea Legg**

Second: **Donna Wayt**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	
Donna Wayt	x	
Stephanie Wilson	absent	
Ryan Yoss	x	

The President declares the motion **carried**.

- b. **Proposed Resolution 2022-02** Summary & Rationale: The Lucas County Board of Developmental Disabilities believes that all county boards should work diligently with their appointing authorities to ensure at least one person with developmental disabilities is appointed as a board member of each county board of developmental disabilities by 2027, or as quickly as is readily achievable. This resolution would therefore ensure that Ohio's County Boards of Developmental Disabilities will work in conjunction with the Ohio Advocacy Taskforce and the Ohio Association of County Boards of Developmental Disabilities to educate and inform appointing authorities of the abilities and contributions of Ohioans with developmental disabilities and how including them in county board decisions as voting members of county boards will enrich and strengthen county boards of developmental disabilities statewide. The resolution submitted for consideration and adoption by the Delegate Assembly was passed by the Lucas County Board of DD at its public board meeting in September, and mirrors a resolution unanimously passed by the Board of Trustees of the Ohio Association of County Boards of Developmental Disabilities at its September 19, 2022 meeting, which established the trustees' position in support of the statements and commitments therein. *A copy of the full resolution is located in the Board book.*

Recommendation to adopt a motion to recommend our delegate vote in favor of proposed resolution 2022-02.

Motion: **Julie Brinkman**

Second: **Kathleen Arthurs**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	
Donna Wayt	x	
Stephanie Wilson	absent	
Ryan Yoss	x	

The President declares the motion **carried**.

8. Donations

Recommendation to adopt a motion to accept the following donation, to deposit it in the County Treasury under U25 or S50, as appropriate, and to utilize it for its specific purposes as designated by the donor:

- \$4,920.00 from the Charlotte M. Johnson Charitable Trust to Starlight School

Motion: **Donna Wayt**

Second: **Ryan Yoss**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

9. Sacred Ground LLC – Contract for Adult Day Habilitation Services and Transportation Services to Persons without Waivers

Sacred Ground LLC is a provider in Holmes County that is currently serving an individual who is moving from Holmes County to Tuscarawas County. This individual prefers to continue to use this provider after they move. This standard contract for services to persons without waivers outlines that TuscBDD will pay the provider the same rate as if this person had a Medicaid waiver. Nate confirmed that a revision was made to the standard insurance expectations in the contract since this provider is only serving one individual and they met the minimum insurance requirements of the state. This was reviewed by legal counsel, and they confirmed we can make revisions of this nature on a case-by-case basis.

Recommendation to adopt a motion to approve the contract with Sacred Ground LLC for adult day habilitation services and transportation services to persons without waivers per the terms and conditions of the contract as submitted and approved by the Tuscarawas County Prosecutor’s Office.

Motion: **Andrea Legg**

Second: **Kathleen Arthurs**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

VI. PERSONNEL

1. Personnel Actions: none

VII. REPORTS OF THE SUPERINTENDENT

1. **Ohio Department of Developmental Disabilities Pipeline Newsletters** – These can be accessed online at <http://dodd.ohio.gov/pipeline/Pages/Pipeline-Quarterly.aspx> (*Copies are also available upon request.*)
2. **State Issues**
 - **Multi System Youth (MSY) Discussion:** A discussion was held regarding the intensive behavior support rate add-on for intermediate care facilities (ICFs) to serve youth. This rate does not cover all requirements of rule to offer this service and is so difficult to obtain that it is underutilized. Nate Kamban has been asked to serve on this state level workgroup that is putting together a bullet point list on issues with the rule to then request potential rule changes and make it easier for providers to obtain this rate.
3. **Local Issues**
 - **Healthy Relationships & Sexuality Training Updates:** Interest in this training opportunity continues to grow, and we have reached out to MEORC to conduct a LEAN process facilitation review to determine a long-term sustainability plan. Our goal is to balance this growing project with the demands placed upon each team member as they carry out their primary job responsibilities. Nate Kamban shared that this team will also be presenting on this topic at the OACB Annual Convention.
 - **Starlight School & ECOESC Partnership:** Nate will be spending more time in the next few weeks working with team members from Starlight School and the ECOESC to discuss long-term plans for youth with intensive needs. Time will be spent discussing areas of potential partnerships and cost-sharing opportunities to enable long-term sustainability. Nate plans to provide the Board with an update on these conversations at the November Board meeting.
 - **Star of Excellence Award:** Holly Lawver shared that the Starlight School team developed a Star of Excellence Award to recognize a public school employee for their outstanding service to youth with disabilities in the public school setting. The first award will be presented to an employee of the Claymont City School District in early November.
 - **Hardin County Board of DD Visit & OACB Presentation:** Staff from Hardin County Board of DD recently visited the Starlight School to learn more about the Starlight School Specialized Services model. Nate thanked Holly and her team for organizing a comprehensive visit that included an opportunity for Hardin County to witness an outreach visit at Claymont City Schools. Nate also shared that members of the team will be providing an overview of the evolution of the Starlight School at this year's OACB Annual Convention.
 - **UI/MUI Annual Training:** Board members are required to be trained on the

subject of UIs/MUIs on an annual basis. Lisa Sidoti is finalizing the annual training packet and will email it out to Board members to complete online. This will complete all remaining requirements for Board member in-service training for 2022.

- **Levy Campaign Updates:** Nate recognized Kerri Silverthorn for her ongoing efforts with the levy campaign as well as many other staff members who have volunteered their time at various events. We have received a lot of positive feedback from the community with many sharing that they have already voted in favor of our levy via early voting. Be on the lookout in the newspaper for letters to the editor in support of our levy on behalf of agency partners.

VIII. MISCELLANEOUS

1. Major Unusual Incident (MUI) Report

IX. PUBLIC PARTICIPATION

X. ADJOURNMENT

1. Adopt a motion to adjourn.

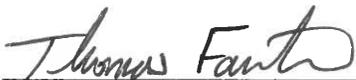
Motion: **Julie Brinkman**

Second: **Kathleen Arthurs**

	<u>Yea</u>	<u>Nay</u>	
Kathleen Arthurs	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	x		
Stephanie Wilson	absent		
Ryan Yoss	x		The President declares the motion carried .

Time: **6:38** p.m.

“This is a true and accurate record of the meeting of October 24, 2022.”



Thomas Fantin, President



Julie Brinkman, Recording Secretary

This is not a verbatim transcript of the October 24, 2022 Board meeting.

2022-1024 agenda