TUSCARAWAS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

DATE: Regular Meeting, Monday, August 28, 2023
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

	Present	Absent	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt		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 3 under New Business was revised.
- Motion 12 under New Business was revised.

I. APPROVAL OF MINUTES

1. Recommendation to adopt a motion to approve the minutes of the June 26, 2023 Board meeting.

Motion: **Julie Brinkman** Second: **Kathleen Arthurs**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

II. FINANCIAL REPORT

1. **Monthly Reconciliation**

The financial report for June and July was provided for review. The noteworthy items were highlighted in the report. Tyler Smith reported that Targeted Case Management (TCM) revenue is trailing slightly behind 2022 but is doing well considering a significant transition between employees which caused some delays. ODE revenue continues to increase due to serving a larger number of students than the previous year. Refunds and reimbursements are up over the prior year due to revenue we receive to reimburse us for FCFC salaries as we serve as their administrative agent and revenue received from the CY2019 cost report settlement. Tyler reviewed expenditures and commented that increases are noted in contract services largely due to inflation. Supported Living costs have increased due to services provided by REM at the youth stabilization home, and FSS costs are up due to higher utilization by families this 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: **Andrea Legg** Second: **Ryan Yoss**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

2. Recommendation to adopt a motion to approve salaries in the amount of $472,711.43 and expenditures in the amount of $442,678.74 for the months of June and July.

Motion: **Ryan Yoss** Second: **Julie Brinkman**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

III. COMMITTEE REPORTS

ETHICS COMMITTEE:

1. Presentation of Items Approved by the Ethics Committee

Six direct service payments were presented for allowable expenses that were within the limits set by the FSS policy and procedure. One payment involved a Board member's family; however, there is no chance for preferential treatment or unfair advantage.

Recommendation to adopt a motion to approve 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: **Kathleen Arthurs**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	abstain		The President declares the motion **carried**.

IV. OLD BUSINESS BEFORE THE BOARD

V. NEW BUSINESS BEFORE THE BOARD

1. Non-Bargaining Staff Compensation

Nate Kamban confirmed that this increase is in line with the Board's long-term financial plan and is consistent with the increase approved in the union contract. In accordance with policy, we do a market study of wages to ensure they remain competitive every three years; however, this was not a year that was set to occur.

Recommendation to adopt a motion to authorize a 3% increase for non-bargaining staff effective on September 1, 2023 in accordance with the Non-Bargaining Unit Employee Compensation Policy.

Motion: **Andrea Legg** Second: **Ryan Yoss**

	Yea	Nay
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	

Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

2. Supplemental Appropriation

An additional appropriation was needed for Supported Living due to an emergency situation involving two individuals. The cost to serve them has been split between TuscBDD and Tuscarawas County Job and Family Services (TCJFS). Nate added that TCJFS will be assuming guardianship soon, and the individuals will then be able to be placed on waivers. Once that happens, we will continue to split the remaining match cost with TCJFS.

Recommendation to adopt a motion to approve the following supplemental appropriation:

- **$100,000 from *S050-S40 Unappropriated Balance* to *S050-S41 Supported Living***

Motion: **Julie Brinkman** Second: **Kathleen Arthurs**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

3. Transfer of Funds

This transfer is required annually to bring the balance in the Family Support Services Fund up to match the allocation that was included in the budget.

Recommendation to adopt a motion to approve the following interfund transfer from the General Fund to the Family Support Services (FSS) Fund:

- **$35,000.00 from *S050-S32 Transfers* to *U030-U02 Transfers In***

Motion: **Kathleen Arthurs** Second: **Andrea Legg**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

4. Resolution to Establish ESSER – Planned Respite & In-Home Supports Fund

Nate Kamban explained that this is the grant that operates the youth respite program and provides for more mental health services at our school. Since these are federal funds, it was necessary to have a separate fund for accounting purposes.

Whereas, the Tuscarawas County Board of Developmental Disabilities (TuscBDD) entered into a grant agreement with the Ohio Department of Developmental Disabilities (DODD), dated March 10, 2023; and

Whereas, the American Rescue Plan (ARP) Act of 2021 authorized the third round of emergency coronavirus relief to schools across the country through the Elementary and Secondary School Emergency Relief (ESSER III) Fund, Assistance Listing Number (ALN) 84.425U; and

Whereas, section 3.5 of said agreement requires grant funds are "to be recorded separately in the books and records of TuscBDD;" and

Whereas, Ohio Rev. Code § 5705.09(F) authorizes the establishment of "a special fund for each class of revenue derived from a source other than the general property tax, which the law requires be used for a particular purpose."

Therefore, be it resolved, by the Tuscarawas County Board of Developmental Disabilities, that we hereby request the Tuscarawas County Board of County Commissioners establish an ESSER – Planned Respite & In-Home Supports Fund to provide a separate accounting for receipts and expenditures for the grant monies received for the operation of a Therapeutic Respite program at TuscBDD's Starlight School, as is required through section 3.5 of the aforementioned grant agreement.

Motion: **Ryan Yoss** Second: **Kathleen Arthurs**

Roll Call:	**Yea**	**Nay**	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

5. Personnel Policy Revision

Language was added to this policy to specify how full-time employees scheduled to work 40 hours per week who are eligible to work a flexible schedule handle weeks that contain a holiday. All such employees receive eight hours of holiday pay for all agency-observed *holidays and are permitted, with proper approval, to either adjust their schedule or use vacation/personal time to maintain 40 hours during work weeks that contain a holiday. This change provides flexibility to those employees since they are no longer required to revert back to a five-day work week during holiday weeks.*

Recommendation to adopt a motion to approve the revisions to the following Personnel Policy as presented:

- **4.2 Hours of Work and Scheduling**

Motion: **Ryan Yoss** Second: **Andrea Legg**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

6. Master Housing Contract with Summit Housing Development Corporation

Summit Housing Development Corporation is the housing corporation that we worked with to purchase our two youth respite homes. Nate Kamban shared that capital housing money flows from the state through the county board to the housing corporation that then purchases the houses on our behalf. Summit Housing has been great to work with, and this agreement will allow this relationship with Summit Housing to continue for two more years.

Recommendation to adopt a motion to approve the Master Housing Contract between TuscBDD and Summit Housing Development Corporation per the terms and conditions of the contract as submitted and approved by Attorney Steve Postalakis as presented.

Motion: **Julie Brinkman** Second: **Kathleen Arthurs**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

7. Addendum to Agreement for Youth Stabilization Home Direct Services with REM Ohio, Inc.

We originally entered into an agreement with REM Ohio, Inc. (REM) to provide staffing to operate both youth respite homes; however, they have only been able to secure staffing for one home despite their efforts to get the second home staffed. Another provider has confirmed that they have staff available to have the home operational by the end of September. This addendum is required to specify that REM will serve as the provider of the one home and outlines the details related to the need for REM to return a vehicle that was purchased for the home they will not be operating. All county boards involved in this project confirmed this is the best way forward to enable the second home to be operational and youth to be served.

Recommendation to adopt a motion to approve the addendum to the Agreement for Youth Stabilization Home Direct Services between all partnering county boards and REM Ohio, Inc. as presented and approved by the Tuscarawas County Prosecutor's Office .

Motion: **Ryan Yoss** Second: **Andrea Legg**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

8. Agreement for Youth Stabilization Home Direct Services with Horizons, Inc.

Horizons is willing and able to serve as the provider for the second youth stabilization home. Nate shared that during some recent staffing shortages at the existing home staffed by REM, Horizons stepped in and worked collaboratively with REM to help cover shifts.

Recommendation to adopt a motion to approve the Agreement for Youth Stabilization Home Direct Services between all partnering county boards and Horizons, Inc. who will serve as the provider for one Youth Stabilization Home as presented and approved by the Tuscarawas County Prosecutor's Office.

Motion: **Kathleen Arthurs** Second: **Julie Brinkman**

	Yea	Nay
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	

Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

9. Health Insurance Discussion and Recommendation

Aultcare's initial quote was a 37% increase for health insurance, which would result in a 35% increase after the 2% prepayment discount. This is unsustainable for both the Board and employees. Amy Adam then provided an overview of the work done to look at various options or possible plan design changes as well as meeting with Tuscarawas County officials to consider whether we could join back with the Tuscarawas County Consortium due to the small size of our group. The Tuscarawas County Consortium was willing to consider allowing us to join effective January 1, 2024, and will present us with an official resolution for our Board to pass once the their two committees have voted on this matter. A meeting was held with the Insurance Committee, made up of both union and non-union representatives, to review the work that was done internally, and the members were very appreciative of the option under consideration to join the county and ultimately have more affordable options for employee health insurance. In order to maintain existing benefits through December 31, 2023, Aultcare has agreed to reduce the increase from 35% to 32.5% combined with the Board's consideration to temporarily adjust the TuscBDD/employee insurance contribution percentages from 85/15 to 87.5/12.5 through December 31, 2023 to help absorb some of the impact of this increase until employees can choose from the various plan options offered by Tuscarawas County.

Recommendation to adopt a motion to approve making no change to the existing health insurance plan for coverage from September 1, 2023 through December 31, 2023 and accepting the 32.5% increase from Aultcare while also approving a temporary adjustment to the TuscBDD/employee insurance contribution percentages from 85/15 to 87.5/12.5 through December 31, 2023. This percentage will revert back to 85/15 effective January 1, 2024.

Motion: **Andrea Legg** Second: **Julie Brinkman**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

10. Dental Insurance Renewal

Recommendation to adopt a motion to renew the Met Life dental plan for dental insurance benefits for TuscBDD employees with a 5% rate increase, effective September 1, 2023.

Motion: **Julie Brinkman** Second: **Ryan Yoss**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

11. <u>Vision Insurance Renewal</u>

Recommendation to adopt a motion to renew the Met Life vision plan for vision insurance benefits for TuscBDD employees with no rate increase, effective September 1, 2023.

Motion: **Ryan Yoss** Second: **Andrea Legg**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

12. <u>Agreement with WM Commercial Roofing for Construction Services for the Roof Repair Project</u>

A hailstorm in June resulted in the worst hail damage to roofs on this side of Ohio, according to the insurance consultant. Dew Litty worked with a local company to handle temporary, emergency repairs while the insurance company fully assessed the damage and developed a project scope. Thankfully, the project is covered by insurance except for a $1,000.00 deductible. This project would be subject to competitive bidding; however, the County Commissioners determined that a real and present emergency exists due to actual physical disaster to structures per Ohio Revised Code 307.86 (A)(2) and provided us with an exemption from competitive bidding to expedite the process. A total of three quotes were gathered from vendors for comparison from WM Commercial Roofing, HRN Construction & Restoration, and Hicks Roofing. After a comparison of all quotes and references, WM Commercial Roofing is recommended as the vendor for Board approval. Nate Kamban is working with legal counsel to develop an agreement and make sure this project is handled appropriately.

Whereas, the Board has identified a need to repair the roofs of four buildings which were damaged by a severe hailstorm (the "Project"); and

Whereas, based on the need to immediately move forward with the Project, the Board of Commissioners of Tuscarawas County declared an emergency pursuant to R.C. 307.86(A)(2) and therefore the Project is outside the statutory bidding requirements; and

Whereas, the Facilities Director solicited competitive proposals from multiple qualified roofing contractors; and

Whereas, WM Commercial Roofing (the "Contractor") is a qualified roofing contractor and provided a proposal for the work in the amount of $1,275,610.53 ("Contract Sum"); and

Whereas, the Superintendent recommends approving the selection of the Contractor as being in the best interest of the Board for the Project, and requests authorization to work with legal counsel to negotiate and execute an agreement with the Contractor for the Project; and

Whereas, the Superintendent requests authority to enter into change orders on behalf of the Board in a total amount not to exceed 10% of the Contract Sum; change orders in excess of that amount will be brought to the Board for its approval.

Now, therefore, be it resolved:

1. The Board approves the selection of the Contractor as the firm in the best interest of the Board for the Project and authorizes the Superintendent, working with legal counsel, to negotiate and execute an agreement with the Contractor in an amount not to exceed $1,275,610.53.
2. The Board further authorizes the Superintendent to sign change orders related to the Project in a total amount not to exceed 10% of the Contract Sum; should a change order exceed this amount individually or as the aggregate of change orders for the work, the change order will be brought to the Board for approval prior to the work being performed.

Motion: **Ryan Yoss** Second: **Kathleen Arthurs**

Roll Call:	**Yea**	**Nay**	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

13. Donations

Recommendation to adopt a motion to accept the following donations, to deposit them in the County Treasury under U25 or S50, as appropriate, and to utilize them for the specific purpose as designated by the donors:

- $100.00 Bronze Sponsorship Donation from The Commercial and Savings Bank to TuscBDD for the Healthy Human Connections Conference
- $130.00 from the First National Bank of Dennison to TuscBDD

Motion: **Kathleen Arthurs** Second: **Ryan Yoss**

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	x		
Thomas Fantin	x		
Andrea Legg	x		
Donna Wayt	absent		
Ryan Yoss	x		The President declares the motion **carried**.

14. <u>Memberships and Contract Services</u> *(discussion only)*
A list of all dues and memberships for 2023 was included in the Board book. Also included was a list of all contract services comparing what has been spent in 2023 to the two previous years. This information is shared with the Board in January and August as an opportunity for the Board to stay informed of the memberships TuscBDD belongs to and its contractual relationships. Contract services for 2023 is projected to increase by approximately 19% over 2022, largely due to inflation. Nate Kamban mentioned that ECOESC costs have decreased this year due to a reduction of hours for a contracted position, while MEORC costs have increased due to the dually diagnosed treatment team project.

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**
   - **DSP Wage Increase:** The DSP wage increase passed as a part of the state budget. This wage, which is currently $13.76, will increase to $18.00 on January 1, 2024, and then to $19.00 on July 1, 2024. There will be a mechanism required to hold providers accountable for reporting that the funding went to employees. This wage increase is provided 80% from the state funds and 20% from county board dollars.
   - **Hybrid Board Meetings**: County boards are permitted to hold hybrid Board meetings effective October 3, 2023. County boards must adopt a policy and adhere to specific parameters set in the budget that will be outlined in the policy.

OACB will be sharing a draft hybrid board meeting policy soon.

- **Parents as Paid Caregivers:** The provision to allow this was included in the state budget. A clear assessment tool is being developed to determine if a family meets the criteria for this service with a maximum of 40 hours permitted per week. Parents who serve in this capacity must be employed through an agency provider. The decision regarding if they meet criteria is not subject to appeal rights.
- **DODD Waiver Modernization:** DODD is working with outside consultant, Deloitte, to modernize the waiver system and make it more user friendly. Their goals include streamlining the billing process for providers, creating a single assessment to develop individual budgets, making shared living more responsive to needs, and increasing availability of technology.

3. **Local Issues**

- **Merakey and Ohio Guidestone Therapeutic Program Update:** Plans are in progress to launch four weekly after-school sessions and a Saturday session for respite. The start date may be delayed due to the loss of a staff person. Wages for this position are being matched with classroom assistant wages in the county.
- **Workshop Rental Options:** There is currently no available space open to rent in the workshop; however, we have received requests from multiple providers who may be interested should space ever become available. Nate Kamban contacted legal counsel to discuss development of a fair and appropriate manner for soliciting interest from potential tenants.
- **Labor/Management Meeting:** A labor/management meeting was held in August to proactively discuss issues they anticipate this school year. The meeting was positive and was led by the new Starlight School Principal, Ashley Daugherty, as they processed through issues of concern for this year of transition. Ashley will be communicating frequently with each classroom to provide more opportunities for teachers and classroom assistants to connect with management.
- **October Board Member In-Service:** The final, in-person Board member in-service for 2023 will be held after the October Board meeting. The topic will be strategic planning as the Board reviews the draft strategic plan and provides input prior to its official adoption.
- **Superintendent Evaluation and Board Assessment:** Lisa Sidoti will be emailing an evaluation tool to the Board members soon to assess the Superintendent's job performance. Board members will also receive survey links to evaluate the strengths and weaknesses as a Board and conduct a self-evaluation of their personal experience as a Board member. These are conducted annually to gather valuable feedback.

VIII. <u>MISCELLANEOUS</u>

1. **Recognition/Good News**

- Christi Otte, FCFC Manager, was recognized for her outstanding commitment to helping families in need. Nate Kamban shared that we received feedback from an employee of a local social services agency who was very complimentary of Christi's work and professionalism.

- Amy Adam, Human Resources Director, was recognized for implementing several new programs for employees that were very well received. The first "Bring Your Buddy to Work Day" was held in August and was a huge hit with staff and their buddies. This was a great opportunity to introduce kids and grandkids to this organization and the individuals we are so fortunate to support. Amy also organized an employee and family outing at an Akron Rubber Ducks game in August, and all of this was planned while working hard to identify new health insurance options for TuscBDD.

2. **Major Unusual Incident (MUI) Report**

IX. PUBLIC PARTICIPATION

X. ADJOURNMENT

1. Adopt a motion to adjourn.

Motion: **Kathleen Arthurs** Second: **Julie Brinkman**

	Yea	Nay
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	x	
Donna Wayt	absent	
Ryan Yoss	x	

The President declares the motion **carried**.

Time: **6:36** p.m.

"This is a true and accurate record of the meeting of August 28, 2023."

Thomas Fantin

Thomas Fantin, President

Julie Brinkman

Julie Brinkman, Recording Secretary

This is not a verbatim transcript of the August 28, 2023 Board meeting.

2023-0828 minutes