TUSCARAWAS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

DATE: Regular Meeting, Monday, June 24, 2024
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	(excused)
Thomas Fantin		x	(excused)
Andrea Legg	x		
Donna Wayt		x	(excused)
Ryan Yoss	x		

1.2 REVIEW OF TuscBDD MISSION AND VISION

- **Mission:** Enhancing Lives
- **Vision:** Inspiring Innovation

1.3 ADDITIONS, DELETIONS, CORRECTIONS TO AGENDA

- Motion 1 under Committee Reports was deleted due to lack of a quorum for the Ethics Committee Meeting
- Motion 3 under New Business was revised.
- Motion 5 under New Business was added, and all remaining motions were renumbered.
- Motion 15 under New Business was revised.

I. APPROVAL OF MINUTES

1. Recommendation to adopt a motion to approve the minutes of the May 28, 2024 Board meeting and the May 28, 2024 Ethics Committee meeting.

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

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	absent		
Thomas Fantin	absent		
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 May was provided for review. The noteworthy items were highlighted in the report. Tyler Smith explained that TCM revenues have surpassed our projected revenues at this point in the year as well as being higher than this time last year. Ohio Department of Education revenues are lagging behind prior year figures due to increased payments during the first part of calendar year 2023 to meet a state fiscal year annual allotment; however, we are on target to reach our expected annual allotment for 2024. The refunds and reimbursements line item continues to show increased revenue when compared to prior years due to the local school district contributions. On the expenditure side, travel and staff development had a spike in the month of May that was expected due to the OACB spring conference. Contract services appears to be ahead of where we should be at this point in the year; however, that is simply due to paying some annual bills up front.

Recommendation to adopt a motion to approve the financial statement as presented which includes the approval of total expenditures in the amount of $631,412.97 for the month of May.

Motion: **Andrea Legg** Second: **Lucinda Bihari**

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

The President declares the motion **carried**.

III. COMMITTEE REPORTS

IV. OLD BUSINESS BEFORE THE BOARD

V. NEW BUSINESS BEFORE THE BOARD

1. Usual and Customary Rate

This rate is approved on an annual basis and remains unchanged from last year as this matches the Medicaid rate for these services.

Recommendation to adopt a motion to approve the usual and customary rate for targeted case management services for July 1, 2024 to June 30, 2025 of $19.50 per 15-minute unit.

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

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

2. Starlight School Dean of Students Position and Table of Organization Revision

Nate Kamban explained that the Principal role is being reduced to three days per week for the 2024-2025 school year. The Dean of Students position is being added to expand the leadership capacity at the school and help with succession planning. The overall vision for Starlight School will continue to focus on increasing academic rigor as these two roles work together. Ben Kolbrich, BCBA, will be stepping in to this role to focus on behavioral services in the school, assist with data collection as students enter and exit the program, and oversee ODE goals.

Recommendation to adopt a motion to approve the position description for Starlight School Dean of Students, thereby adding this position to the table of organization and authorizing the Superintendent to fill the position.

Motion: **Andrea Legg** Second: **Lucinda Bihari**

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

3. Position Description Revisions

The Early Intervention Manager position currently on the Table of Organization is being revised to a 260-day Early Intervention Director position. The Early Intervention Developmental Specialist part-time position is changing from a 140-day to a 180-day role to allow for a larger caseload and enable the EI Director to have a smaller caseload to focus on management of the department and special projects. All position descriptions in the EI department are being revised to change the supervisor title and remove references to PLAY project and Routines Based Interview, both of which are obsolete. The onsite work location *of the EI department will also change to the SSC effective 8/1 to help alleviate space constraints at the school. The Behavior Support Supervisor position description is changing from a 260-day to a 210-day role along with updating the format and terminology. The Administrative Assistant – Service & Support Position Description is being revised to allow remote work as approved by Supervisor, and the Secretary – Service & Support Position Description is being revised to allow up to one day per week remote work and the addition of the expectation that this role be flexible as needed to cover evening events and close the office when needed.*

Recommendation to adopt a motion to approve the revisions to the following position descriptions as presented:

- **Early Intervention Director (formerly titled Early Intervention Manager), effective July 29, 2024**
- **Early Intervention Developmental Specialist, 180 Day (formerly titled Early Intervention Developmental Specialist – Part Time), effective July 29, 2024**
- **Early Intervention Developmental Specialist, effective July 29, 2024**
- **Speech Language Pathologist – Early Intervention, effective July 29, 2024**
- **Behavior Support Supervisor, effective July 29, 2024**
- **Administrative Assistant – Service and Support, effective June 24, 2024**
- **Secretary – Service and Support Center, effective June 24, 2024**

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

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

4. Revision to Salary Ranges for Non-Union Employees

Recommendation to adopt a motion to approve the revision to the salary ranges for non-union employees to include the addition of a salary range for the position of Starlight School Dean of Students as well as adjustments due revisions to various positions descriptions and a Department of Labor ruling affecting some exempt positions as presented.

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

	Yea	Nay
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	excused	

Thomas Fantin	excused		
Andrea Legg	x		
Donna Wayt	excused		
Ryan Yoss	x		The President declares the motion **carried**.

5. <u>Request from Dana DiGenova to Enter Into Secondary Employment as an Independent Provider</u>

Review of request from Dana DiGenova to pursue secondary employment as an independent provider while retaining her job as a Board employee. This request does not qualify as a direct service contract that requires it to be brought before the Ethics Committee; therefore, it is being presented to the full Board to have record that there is no conflict of interest and confirm that the state of Ohio does not interpret "an entity that provides specialized services" as outlined in ORC 5126.0221 to include independent providers. Dana signed an affidavit confirming that she had been approached by families to consider serving as an independent provider due to her experience as a mother of a child with developmental disabilities, and she has not used her position as a Board employee to obtain this work.

Recommendation to adopt a motion to approve the request to allow Dana DiGenova to pursue secondary employment as an independent provider.

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

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

6. <u>East Central Ohio Educational Service Center (ECOESC) Resolution</u>

Annually, we are able to purchase the following services affordably through the ESC: Resident Educator Mentor, Special Olympics, Occupational Therapy, Outreach and Assessment, Preschool Supervision, and Special Activities.

Recommendation to adopt a motion to approve the following resolution:
Be it resolved, by the Tuscarawas County Board of Developmental Disabilities, that we hereby enter into an agreement with the ECOESC for the purchase of services for the 2024-2025 contract year.

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

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

7. ECOESC Contract for Shared Space and Services

Nate Kamban shared that this agreement outlines TuscBDD's partnership with ESC and outlines how we share space and employees. This partnership has provided us with a sustainability plan by sharing costs for key positions and has ultimately allowed Starlight School to be fully utilized in a shared model based on integration and proper placement of students.

Recommendation to adopt a motion to approve the contract between the Tuscarawas County Board of DD and the East Central Ohio Educational Service Center Board of Education (ECOESC) for shared space and services for their respective school programs for the 2024-2025 school year per the terms and conditions of the contract as submitted and approved by the Tuscarawas County Prosecutor's Office.

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

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

8. Personnel Policy Revisions

The Flexible Work Options Policy, formerly titled Remote Working, was revised to address all available options rather than just remote work and language was enhanced based upon a review of policies from other county boards. The Expense Reimbursement policy was revised to change the meal reimbursement policy and limitations to match those of Tuscarawas County for simplification of employee understanding and processing of requests through the county. The Insurance Benefits policy was revised to better match the change to our new insurance benefits, and the Paid Personal Leave policy was revised to clarify how part-time employees earn personal time. Revisions were made to the Dress and Hygiene policy to clarify the items most often asked about by employees and supervisors, and the Cell Phone and

Agency Phone Usage policy was revised to have language reflect the new cell phone laws in Ohio.

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

- **2.9 Flexible Work Options,** *formerly titled Remote Working*
- **4.6 Expense Reimbursement**
- **4.8 Insurance Benefits**
- **5.6 Paid Personal Leave**
- **6.18 Dress and Hygiene**
- **6.24 Cell Phone and Agency Phone Usage**

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

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

9. Superintendent Development Plan

Nate Kamban provided the Board with an overview of the accomplishments of his Superintendent Development Plan for last year and confirmed that he completed the five goals outlined in the plan. Nate provided Board members with a summary of the results collected from his 360 evaluation. Nate then reviewed the details of next year's plan with the Board. He explained that continuing education hours are necessary to maintain his DODD Superintendent certificate, and this development plan outlines his commitment to accumulate 25 additional CEU hours over the course of the next year. He also committed to continued prioritization of state and regional meetings, statewide conferences and leadership development, and another opportunity to be evaluated by the leadership team. Nate requested to continue with a fifth goal that prioritizes his commitment to continue Spanish language courses to further improve his ability to communicate with the Latino population and continue to develop TuscBDD's ability to serve and support this underserved population.

Recommendation to adopt a motion to approve the Superintendent Development Plan for July 1, 2024 through June 30, 2025 as presented.

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

	Yea	Nay
Kathleen Arthurs	x	

Lucinda Bihari	x	
Julie Brinkman	excused	
Thomas Fantin	excused	
Andrea Legg	x	
Donna Wayt	excused	
Ryan Yoss	x	The President declares the motion **carried**.

10. Supplemental Appropriations

Nate Kamban explained that various supplemental appropriations are needed in order to allow the final transfer of insurance proceeds and payment of remaining roofing project invoices. Allocations also need to be increased in supplies, contract services, and repairs to handle various expenditures that were either carried over from calendar year 2023 or were not anticipated in 2024. Supplemental appropriations are also needed to increase allocations to two grant line items to match actual allocations for the 2024-2025 grant year.

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

FROM: **UNAPPROPRIATED BALANCE (E-1420-S050-S40)**	TO: **TRANSFERS OUT (E-1420-S050-S32)**	AMOUNT: **$75,447.67**
FROM: **UNAPPROPRIATED BALANCE (E-1240-N010-N05)**	TO: **CONTRACT PROJECTS (E-1440-N010-N01)**	AMOUNT: **$75,447.67**
FROM: **UNAPPROPRIATED BALANCE (E-1420-S050-S40)**	TO: **SUPPLIES (E-1420-S050-S18)**	AMOUNT: **$9,250.00**
FROM: **UNAPPROPRIATED BALANCE (E-1420-S050-S40)**	TO: **CONTRACT SERVICES (E-1420-S050-S22)**	AMOUNT: **$89,392.06**
FROM: **UNAPPROPRIATED BALANCE (E-1420-S050-S40)**	TO: **REPAIRS (E-1420-S050-S31)**	AMOUNT: **$5,250.00**
FROM: **UNAPPROPRIATED BALANCE (E-1640-T004-T10)**	TO: **CONTRACT SERVICES (E-1640-T004-T05)**	AMOUNT: **$2,446.84**
FROM: **UNAPPROPRIATED BALANCE (E-1720-T025-T20)**	TO: **CONTRACT SERVICES (E-1720-T025-T05)**	AMOUNT: **$7,153.74**

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

	Yea	**Nay**
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	excused	
Thomas Fantin	excused	
Andrea Legg	x	
Donna Wayt	excused	

Ryan Yoss	x	The President declares the motion **carried**.

11. Transfer of Funds

Recommendation to adopt a motion to approve the following transfer of funds:

FROM:	TO:	AMOUNT:
GENERAL FUND TRANSFERS OUT (E-1420-S050-S32)	**CAPITAL IMPROVEMENT TRANSFERS IN (R-1240-N010-N06)**	**$75,447.67**

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

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

12. Starlight Enterprises, Inc. – Contract for Adult Day Habilitation Services and Transportation Services to Persons without Waivers

Nate Kamban explained that this is the standard contract with all providers that permits the county board to pay the Medicaid rate for persons without waivers. This is being renewed for a three-year period.

Recommendation to adopt a motion to approve the contract with Starlight Enterprises, Inc. 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: **Kathleen Arthurs** Second: **Lucinda Bihari**

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

13. Henry Heating Cooling & Plumbing HVAC Preventative Maintenance Agreements

This contract is for HVAC preventative maintenance and locks in our rate for this service for a three-year period. The contract reflects an increase of 6.6% for all buildings combined.

Recommendation to adopt a motion to approve the HVAC preventative maintenance agreements with Henry Heating Cooling & Plumbing for the TuscBDD Service and Support Center, TuscBDD Workshop, and Starlight School per the terms and conditions of the agreements as submitted and approved by Tuscarawas County Prosecutor's Office.

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

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

14. Donation

Recommendation to adopt a motion to accept the following donation, and to utilize it for its specific purpose as designated by the donor:

- In-kind donation of four movies from an anonymous donor for use by the TuscBDD FANS Network

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

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

15. Starlight School Playground Bid Acceptance

Nate Kamban shared that bids for the Starlight School playground project were received from The RG Smith Company, Inc. and ParkVision. The bids were reviewed internally and then forwarded to the Kleingers Group for further review. Kleingers Group confirmed that both bids met the standards outlined in the bid specifications, with Park Vision's being the lowest and best. The ARPA grant from DODD is providing $465,000 towards this project with another $49,000 being received from donations from the Rainbow Connection, the Ruth Carlson

Starlight Foundation, and the New Philadelphia VFW. The balance that remains, which is approximately 25% of the overall cost of the project, will be supported with local TuscBDD funds.

Recommendation to adopt a motion to approve accepting the bid from ParkVision for the Starlight School Playground Project for a total of $680,420 which constitutes the lowest and best bid in accordance with Ohio Revised Code 307.86 to 307.92 per bid specifications.

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

	Yea	Nay	
Kathleen Arthurs	x		
Lucinda Bihari	x		
Julie Brinkman	excused		
Thomas Fantin	excused		
Andrea Legg	x		
Donna Wayt	excused		
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**
    - **DODD Accreditation Changes**: DODD is making some key changes to the accreditation process to make it a bit less cumbersome. The size of their review sample will be reduced resulting in less files to review when they are onsite. Additionally, Early Intervention will receive only a brief review during accreditation since the state agency that oversees EI is switching from DODD to the Department of Children and Youth. The scoring is also switching to a weighted model. This means that counites can receive more citations in areas that have less of an impact on the lives of individuals served, but citations in areas that have a bigger impact on the lives of individuals service will have a greater impact on how a county fares in accreditation.
3. **Local Issues**
    - **Technology First Home:** Thanks to funding from DODD for technology and housing from Starlight Enterprises, Inc., this home is tentatively expected to launch in early August. We are currently working to gather donations to furnish and landscape the home. At the present time, Andreas Furniture has agreed to donate a dining room set and recliner, and Schoenbrunn Landscaping is providing landscaping services. A

ribbon cutting ceremony will be held in August to promote this home and thank all those who were involved in partnering with us to make this a possibility.

- **Merakey Respite Program:** Merakey has decided to not operate their summer program this year due to staff turnover. It is uncertain if they will continue in the fall. Starlight School staff are currently seeking to serve some of the youth who would have attended Merakey. Meetings have also been held with Advocates for Success (AFS) to see if they would be willing to serve some of these youth as well since they operate another youth respite program that has been successful.

4. **Good News Moment**
   - Nate Kamban recognized AFS and Consumer Support Services (CSS) for their partnership with the non-English speaking ARPA grant project. Through this partnership, four individuals from the local Latino population are working at these provider agencies. This has gone so well that CSS has requested to hire an additional employee from this local community. Hopefully this is an opportunity to help alleviate the workforce crisis at a local level.

VIII. MISCELLANEOUS

1. Major Unusual Incident (MUI) Report
2. Newspaper Articles

IX. PUBLIC PARTICIPATION

X. EXECUTIVE SESSION

1. Recommendation and motion to enter into and conduct an executive session in accordance with Revised Code 121.22(G) for the purpose of consideration of the following matters: The employment of a public employee. A majority of the quorum of the Board determined by roll call vote is required to hold an executive session. A roll call vote will be taken.

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

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

Time in: **6:26** p.m.

2. Recommendation and motion to adjourn executive session and return to the open

meeting. A roll call vote will be taken.

Motion: **Lucinda Bihari** Second: **Andrea Legg**

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

Time out: **6:57** p.m.

XI. ADJOURNMENT

1. Adopt a motion to adjourn.

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

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

Time: **6:57** p.m.

"This is a true and accurate record of the meeting of June 24, 2024."

Thomas Fantin

Thomas Fantin, President

Julie Brinkman

Julie Brinkman, Recording Secretary

This is not a verbatim transcript of the June 24, 2024 Board meeting.

2024-0624 minutes