

TUSCARAWAS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

DATE: Regular Meeting, Monday, October 28, 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

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

1.2 REVIEW OF TuscBDD MISSION AND VISION

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

1.3 ADDITIONS, DELETIONS, CORRECTIONS TO AGENDA

I. APPROVAL OF MINUTES

1. Recommendation to adopt a motion to approve the minutes of the September 23, 2024 Board meeting.

Motion: **Kathleen Arthurs**

Second: **Julie Brinkman**

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

The President declares the motion **carried**.

II. FINANCIAL REPORT

1. Monthly Reconciliation

The financial report for September was provided for review. The noteworthy items were highlighted in the report. September was a very typical month both for revenue and

expenditures. Property tax rollback was the top revenue source for the month. On the expenditure side, contract services was the top expenditure line item followed by other expenses and non-waiver services. The ODE revenue continues to lag compared to 2023; however, this revenue source seems to have adjusted based on our higher enrollment numbers as receipts are more consistent. The annual payment for the fire alarm system monitoring for all buildings was paid out of contract services as well as legal fees for various projects and educational items. A new curriculum to increase academic rigor was purchased out of other expenses for the school as well as our renewal fee to ONI for our shared guardianship agreement. The invoice for Medicaid match and administrative fees was received, and as predicted, both exceed the amounts that were originally budgeted. We continue to work with MEORC to more accurately budget for this expense for 2025.

Recommendation to adopt a motion to approve the financial statement as presented which includes the approval of total expenditures in the amount of \$647,927.78 for the month of September.

Motion: **Donna Wayt**

Second: **Julie Brinkman**

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

III. **COMMITTEE REPORTS**

FINANCE COMMITTEE:

1. 2025 Proposed Budget

The Finance Committee met on October 28, 2024 to review the budget and make their official recommendation to the Board. A copy of the proposed 2025 budget was included in the Board book for review. Nate Kamban noted that, as planned in our long-range forecast, TuscBDD is at the point in our levy cycle where we are now seeing deficit spending, especially in light of the growth in Medicaid match. Effort was put into looking at ways to maximize revenue and continue with partnerships that increase our fiscal sustainability as an agency as well as estimating future expenditures as conservatively as possible. Based on our current projections, we may need to pursue a levy as soon as 2027. Nate mentioned that county boards anticipate that the state will provide additional assistance with Medicaid match due this growing expense, but those details are not finalized.

Recommendation to adopt a motion to approve the proposed budget for 2025 as recommended by the Finance Committee.

Motion: **Julie Brinkman**

Second: **Kathleen Arthurs**

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

The President declares the motion **carried**.

ETHICS COMMITTEE:

2. Presentation of Items Approved by the Ethics Committee

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**

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

The President declares the motion **carried**.

IV. OLD BUSINESS BEFORE THE BOARD

V. NEW BUSINESS BEFORE THE BOARD

1. 2025 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 2025 Vacation Conversion Plan as presented for January 1, 2025 through December 31, 2025.

Motion: **Kathleen Arthurs**

Second: **Ryan Yoss**

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

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

This motion is required annually in order for TuscBDD to confirm they have sufficient funds to meet our obligations 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 2025 budget, allocate the sum of \$4,377,811 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: **Ryan Yoss**

Second: **Julie Brinkman**

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

3. Personnel Policy Revisions

The revisions to these policies consist of a change from referring to specific job titles throughout the personnel manual to a broader reference to departments wherever specific titles are not necessary. This will allow for more longevity of policy usage, regardless of future changes to job titles.

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

- **2.1 Equal Employment Opportunity**
- **2.2 Americans with Disabilities Act**
- **2.3 Workplace Accommodation**
- **2.4 Prohibited Discrimination Harassment/Inappropriate Conduct**
- **2.9 Flexible Work Options**
- **2.13 Inspection and Release of Employment/Payroll Records**
- **2.14 New Employee Orientation**
- **2.15 Licensure, Registrations, and Certifications**
- **2.18 Reporting Violations of State, Local, or Federal Laws, and Whistleblower Claims**
- **2.20 Ethics**
- **2.22 Title IX Sex Discrimination and Sexual Harassment**
- **3.2 Performance Evaluation**
- **3.3 Training**
- **3.4 Education/Certification/Licensure Assistance Program**
- **3.5 Student Loan Reimbursement**
- **4.1 Pay Periods and Paycheck Distribution**
- **4.5 Payroll Deductions**
- **4.7 Workers' Compensation**
- **5.12 Family and Medical Leave**
- **5.14 Voluntary Sick Leave Pool**
- **6.1 General Standards of Conduct and Expected Job-Related Behavior**
- **6.5 Safety, Security, Health, and Injury**
- **6.9 Use of TuscBDD Vehicles and Driving on TuscBDD Business**
- **6.10 Employee Driver Abstracts and Insurability Requirements**
- **6.11 Secondary Employment**
- **6.15 Drug and Alcohol Testing**
- **6.18 Dress and Hygiene**
- **6.21 Employee Use of Public Records; Recording Meetings**
- **6.22 Internet, Technology, and Email**
- **6.23 Social Media**
- **6.24 Cell Phone and Agency Phone Usage**
- **6.27 Workplace Violence**
- **6.28 Conviction of a Felony**

Motion: **Julie Brinkman**

Second: **Kathleen Arthurs**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	x	
Thomas Fantin	x	
Andrea Legg	absent	

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

4. Advocates for Success, LLC – Contract for Adult Day Habilitation Services and Transportation Services to Persons without Waivers

This contract with providers outlines the provisions necessary for TuscBDD to pay the Medicaid rate for those without waivers. This is a standard contract for all providers and is renewed every three years.

Recommendation to adopt a motion to approve the contract with Advocates for Success, 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: **Ryan Yoss**

Second: **Julie Brinkman**

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

5. ALCO Services, LLC – Contract for Adult Day Habilitation Services and Transportation Services to Persons without Waivers

Recommendation to adopt a motion to approve the contract with ALCO Services, 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: **Donna Wayt**

Second: **Kathleen Arthurs**

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

6. Supplemental Appropriations

A large supplemental appropriation is necessary to cover the Medicaid match invoice since the state estimating tool for Medicaid match produced an estimate that was significantly off, and our waivers are being used at a higher percentage than anticipated. Additional appropriations are needed for Repairs to fix the drains in the parking lot and in Contract Services to cover the administrative services fee for Medicaid match based on that larger invoice.

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

FROM: E-1420-S050-S40 Unappropriated Balance	TO: E-1420-S050-S36 MEDICAID MATCH	AMOUNT: \$677,641.27
FROM: E-1420-S050-S40 Unappropriated Balance	TO: E-1420-S050-S21 REPAIRS	AMOUNT: \$11,535.00
FROM: E-1420-S050-S40 Unappropriated Balance	TO: E-1420-S050-S22 CONTRACT SERVICES	AMOUNT: \$40,152.90

Motion: **Ryan Yoss**

Second: **Donna Wayt**

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

The President declares the motion **carried**.

7. 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 December 4, 2024 at 6:00 pm:

Delegate: **Kathleen Arthurs**

Alternate: **Nate Kamban**

Motion: **Kathleen Arthurs**

Second: **Julie Brinkman**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	
Lucinda Bihari	x	
Julie Brinkman	x	

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

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

- a. **Proposed Resolution 2024-01** 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 2024-01.

Motion: **Julie Brinkman**

Second: **Ryan Yoss**

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

- b. **Proposed Resolution 2024-02** Summary & Rationale: This resolution establishes the policy position of the Ohio Association of County Boards of DD on the potential elimination of subminimum wage employment practices by the State of Ohio or the United States federal government as authorized under Section 14c of the Fair Labor and Standards Act of 1938. The resolution documents the history and decline of subminimum wage practices in Ohio since the state became an Employment First state in 2012; highlights the conditions under which the Association believes such an elimination would be successful; and establishes that – if the Board of Trustees determines that any proposal to eliminate subminimum wage practices in Ohio suitable meets these conditions – the Association shall support the proposal as a priority advocacy issue and make all efforts to ensure the proposal’s adoption. *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 2024-02.

Motion: **Kathleen Arthurs**

Second: **Donna Wayt**

	<u>Yea</u>	<u>Nay</u>
Kathleen Arthurs	x	

Lucinda Bihari	x
Julie Brinkman	x
Thomas Fantin	x
Andrea Legg	absent
Donna Wayt	x
Ryan Yoss	x

The President declares the motion **carried**.

9. Provider Support Program 2025 Initiatives

The Provider Support Program initiatives for 2025 were revised based on input from providers and usage of the existing program, which continues to be underutilized. Kerri Silverthorn and Chris Sapp conducted a survey with providers and determined that the most helpful item to providers is the access to free fingerprinting and background checks. Providers also expressed an appreciation for the provider trainings.

Recommendation to adopt a motion to approve the Provider Support Program Initiatives for 2025 as reviewed and approved by Attorney Stephen Postalakis.

Motion: **Donna Wayt**

Second: **Julie Brinkman**

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

The President declares the motion **carried**.

10. Donations

Recommendation to adopt a motion to accept the following donations, to deposit monetary donations in the County Treasury under U25, S50, or N10, as appropriate, and to utilize them for their specific purpose as designated by the donor:

- \$4,200.00 from the Charlotte M. Johnson Charitable Trust to Starlight School
- \$50.00 from the First National Bank of Dennison to TuscBDD
- \$10,000.00 from DoverPhila Federal Credit Union to TuscBDD for the Starlight School Playground Project
- 3 Red Sunset Maple Trees (15 gal) and 2 Red Pointe Maple Trees (15 gal) from Stutzman's Lawn & Landscaping to TuscBDD for the Starlight School Playground Project

Motion: **Kathleen Arthurs**

Second: **Ryan Yoss**

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

The President declares the motion **carried**.

VI. PERSONNEL

1. Personnel Actions:

- a. Samantha Farmery – new hire – Business Manager, effective October 28, 2024

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. **Federal/State Updates**

- **Advance Partnership Symposium Wrap-Up:** Several TuscBDD staff members and Lucinda Bihari attended the 2024 Advance Partnership Symposium in Columbus. At this conference, providers, county boards, and representatives from DODD and OACB gathered to identify important areas of advocacy and collaboration. Nate Kamban mentioned that one such area discussed was the possibility for more lenient rules around housing, which currently limit the number of individuals with disabilities who can live near each other when utilizing state funds.

3. **Local Updates**

- **Starlight School Playground:** Progress continues on the playground with the installation of the equipment set to begin soon. We will soon determine the appropriate surface option to use between synthetic turf or poured-in-place rubber due to weather constraints. The project is anticipated to wrap-up in late November.
- **Autism Diagnosis Education Project (ADEP) Update:** Nate Kamban shared that ADOS evaluations started in September. Thanks to the Ohio Center for Autism and Low Incidence (OCALI) providing resources to EI teams across the state to create a diagnostic evaluation team, Kristi Blick was able to partner with Monika Mario of the ECOESC to administer the ADOS test. EI team members provide Monika with information in order to assist her in her evaluation efforts. Nurse Practitioner, Angela Simmerman, then serves as the medical consultant for the team to review the evaluation, meet with the child and family, and determine if an autism diagnosis is warranted.
- **Rainbow Connection, ECOESC, and TuscBDD Lending Library:** Thanks to funding that the Rainbow Connection provided to the ECOESC, they were able to create a lending library of numerous assistive and communication devices available to be

loaned out to public schools across the county to assist students. TuscBDD has partnered with ECOESC to allow them to host the lending library out of the basement of the TuscBDD Service and Support Center. Select TuscBDD staff will help to distribute the items. Representatives from the Rainbow Connection and public schools recently toured the library and were very appreciative of this resource which will reduce the need for families and schools to pay for devices. Nate Kamban also commented that he is pleased to see the basement of the Service and Support Center utilized in such a way to benefit the community.

- **OhioRISE Rental Request:** OhioRISE, a statewide entity that supports youth with intensive needs, has inquired about renting an office in the Service and Support Center. We currently have the space to accommodate one office space rental without jeopardizing space for our current staff. Not only is this a positive partnership as our SSAs often work closely with our OhioRISE care coordinators, but this also contributes to our financial sustainability as an agency.

4. **Good News Moment:**

- **Tech Home Open House & Partner Response:** Nate Kamban shared that he recently received an email from Cassie Elvin, former CEO of Starlight Enterprises, Inc, to recognize the positive collaboration on the Technology Home between TuscBDD and Starlight Enterprises, Inc. Two open houses have been held as well as multiple individual tours. Additional tours are scheduled for November as well as our first overnight stay.

VIII. **MISCELLANEOUS**

1. Major Unusual Incident (MUI) Report

IX. **PUBLIC PARTICIPATION**

X. **ADJOURNMENT**

1. Adopt a motion to adjourn.

Motion: **Kathleen Arthurs**

Second: **Ryan Yoss**

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

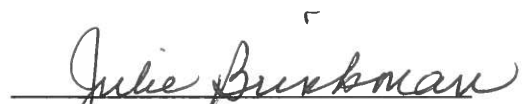
The President declares the motion **carried**.

Time: **6:07** p.m.

"This is a true and accurate record of the meeting of October 28, 2024."



Thomas Fantin, President



Julie Brinkman, Recording Secretary

This is not a verbatim transcript of the October 28, 2024 Board meeting.

2024-1028 minutes