

MEDINA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
Regular Board Meeting Minutes
June 26, 2017

I. Call to Order

The MCBDD Regular Board Meeting was called to order by Board President, Ms. Thomas Fain, at 5:05 p.m. Other Board Members present included the following: Ms. Orlandi, Ms. Barnes Brown, Ms. Holmes, Mr. Perkins, and Mr. Carroll. Ms. Morrison was excused from this Board Meeting.

Staff present included the following: Ms. Finnerty, Ms. Lees, Ms. Hetkey, Ms. Majoros, Ms. Davis, Ms. Bohner, Mr. Dryer, Ms. Wilbraham, Ms. Brodzinski, Ms. Bates, Dr. Stanley Bryson, Ms. Koty, and Ms. Day.

Others present included the following: Mr. Arndt and parents, Ms. Manning, Ms. Moran, Ms. Albrecht, Ms. Drager, Mr. Tavernelli, Ms. Koenig, Ms. VanGilder, and Ms. Carroll. Also in attendance was Ms. Jessica Dragaar from Treasurer Josh Mandel's Office.

II. Executive Session

A Motion was made by Mr. Perkins, seconded by Ms. Barnes Brown, to enter into Executive Session for the following reasons:

- A. To consider matters to be kept confidential by Federal Law or Regulations or State Statute.
- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.
- C. Conferences with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action.

The Motion passed with a unanimous "yes" vote. The Board entered into Executive Session at 5:06 p.m.

The Board exited Executive Session at 5:54 p.m.

III. General Session

A. Pledge of Allegiance

B. Mission Statement Affirmation

C. Approval of Minutes

- 1. **Approval of the Minutes from the MCBDD Regular Board Meeting, May 22, 2017**

A Motion was made by Ms. Orlandi, seconded by Mr. Carroll, to approve the minutes from the MCBDD Regular Board Meeting on May 22, 2017.

The Motion passed with a unanimous "yes" vote.

2. Approval of the Minutes from the Board Retreat, June 15, 2017

A Motion was made by Ms. Barnes Brown, seconded by Mr. Perkins, to approve the minutes from the Board Retreat on June 15, 2017.

It was asked whether the Superintendent had been able to speak to Mr. Brown of Windfall Industries regarding his plan for the future. Ms. Finnerty stated that the Superintendent will be meeting with Mr. Brown in the near future. It was requested that the results of the meeting with Mr. Brown be included in the next Board Packet.

The following questions were raised:

Has any new information been received regarding the county board's ability to serve as the provider of last resort? Ms. Finnerty stated that no new information has been received.

When will the Board have more input on the Transformation Plan? Ms. Finnerty stated that the request for approval at this meeting is only to begin to formulate a plan. More information will be brought to the Board at a later date.

Ms. Orlandi abstained, all others voted "yes". The Motion passed.

D. Presentation

Jessica Dragaar, from Treasurer Josh Mandel's Office, gave a presentation regarding the STABLE Accounts. The following information was shared with the Board:

What is the ABL Account?

- The ABL Account creates a tax advantaged investment account for individuals with disabilities. The assets in the account do not affect eligibility for programs like SSI or Medicaid.

What is the STABLE Account? (**S=State, T=Treasury**)

- The STABLE Account is Ohio's ABL Plan that came from legislation passed in the summer of 2015, and is administered by the Treasurer of Ohio, Josh Mandel.

Benefits include the following:

- Financial independence for people with disabilities;
- A dramatic increase in the ability to save. Before ABL, individuals' benefits were at risk if they had around \$2,000.00 in savings; and
- Tax free earnings and a \$2,000.00 state tax deduction.

Who can have a STABLE Account?

- Individuals with a disability that occurred prior to age 26 (each individual can have only one STABLE Account.)
- Individuals who meet one of the following three criteria:
 - Are eligible to receive SSA or SSDI due to a disability;
 - Have a condition listed on the SSA's "List of Compassionate Allowances Conditions"; or

- Claim self-certification: Self-certification simply requires an individual to agree to certain statements during enrollment.

Enrollment

Enrollment is online, free, and takes about 20 minutes. Individuals will need \$50.00 minimum to open the account. The account can be opened by the individual with the disability or an authorized legal representative.

Investment Options

There are two investment Options: Vanguard mutual funds that range from aggressive to conservative, and one FDIC Insured option (principal protected).

Funding

The account can be funded by the following:

- Electronic funds transfer;
- Check; or
- Gifting.

There is a \$14,000.00 annual limit and a \$445,000.00 lifetime limit for contributions. Excess contributions will automatically be rejected.

How can you spend the STABLE funds?

- Funds can be spent on any qualified disability expenses (anything that relates to the disability and helps maintain or improve one's health, independence, or quality of life.)
- Non-qualified expenditures could affect benefits and cause tax penalties.
- Withdrawals are free and unlimited.
- STABLE will not question one's spending; yet benefit agencies, such as the IRS, may.
- Some options for spending are as follows: transfer to personal checking or savings; third party checks; or transfer to a STABLE Card. (The STABLE Card is a loadable debit card.)

SSI Considerations:

- Balances over \$100,000.00 count as a resource; however, SSI is merely suspended, not terminated. (Your account balance will not affect Medicaid benefits, though, regardless of the amount.)
- If one holds on to the money from one calendar month to the next, then housing expenditures and non-qualified expenditures count as resources.
- A beneficiary's own wages still count as income, even if contributed to a STABLE Account.

What happens if the account holder passes away?

- The account can pass to a sibling with a disability, or to the account holder's estate.
- If the beneficiary was on Medicaid, Medicaid can ask for payback in some cases. BUT, Medicaid does not get first chance at the funds. The money can be used to pay outstanding bills, funeral and burial costs, or deduction of Medicaid buy-in premiums that were paid (only from the date the account was opened).

Account Costs:

- Maintenance fees are \$30.00 annually for Ohio residents. All other states pay \$42.00 annually.
- Asset-based fees are between 0.19% and 0.34% for Ohio residents. Other states are 0.45% and 0.60%.

The following additional points were shared regarding the STABLE Accounts:

- There are currently no technical safeguards in place; however, Ms. Dragaar can research and provide more information, if needed.
- There is currently no financial guidance provided through the Treasurer's Office for individuals opening STABLE Accounts.
- The system will allow you to track your withdrawals and the purpose of each in case the information is needed, or requested later.

More information can be found at stableaccount.com, or you can email Customer Service at team@stableaccount.com.

E. Open Forum (Board Policy 2.4.4)

Barb Drager, parent, stated that she was concerned about a comment made by the Superintendent at the June 15 Board Retreat regarding several inquiries from outside agencies to rent space at the MCBDD. Ms. Drager asked if a public notice for rental space was sent out. She would like the Superintendent to contact her to discuss further. Ms. Drager also stated that she was concerned about the lack of a safety net for individuals regarding housing. She is concerned that there is housing for other populations, yet a shortage of housing for the DD population.

Fran Koenig, parent, stated that she was at the MCBDD Board Retreat on June 15. She stated that she feels there is not enough information coming from the Board. She feels everything is being thrown at the parents and no one is questioning anything. She stated that the Superintendent works for the Board, but she feels that what the Superintendent says goes. She stated that the Superintendent has not gotten back to her for six months and she wants her held accountable. It is very upsetting for parents.

Donna Moran, parent, stated that she gets the Superintendent's vision, but wants to know the Board's vision? She is interested in what the "Board" wants, not what the Superintendent wants. Space was discussed for DD buildings in other areas, e.g., Cuyahoga Falls DD has a building previously used for individuals that is now used for doctors' offices. Ms. Moran does not want the MCBDD building rented out to doctors.

Sally Albright, parent, stated "There is no housing available for our kids." She reviewed the website for the new senior apartment complex on Huntington St., and stated that they offer "disability access" to those 55 and over, but nothing about the DD population. Ms. Thomas Fain stated that if an individual with a disability was over the age of 55, they were welcome to apply for housing in that complex, just like anyone else over the age of 55. She also questioned why the Superintendent was not in attendance at the Board Meeting. Ms. Albright stated that the

Superintendent needs to be at the Board Meeting – she works for the Board, not the other way around. Ms. Thomas Fain stated that the Superintendent was ill and not able to attend. Ms. Thomas Fain also replied that the Board is in agreement with the Superintendent's vision, as it is also the vision of the Board. Ms. Albrecht asked the Board if the Superintendent was working from home and stated that she heard this from the MCBDD staff. She asked if working from home was approved by the Board. She asked if anyone was monitoring the Superintendent's attendance and if the attendance records were a public record.

Patti Manning, parent, stated that she is concerned for the children at the MCBDD, and hopes that we are as well. Ms. Manning stated that they hear things after the fact and she believes that stakeholders were left out of conversations regarding the MCBDD transformation. Ms. Manning stated it would have been better to have parents involved in the decision-making process (ex: Viaquest).

Charlotte Carroll, parent, stated that the parent meetings facilitated by Charlie Arndt are held too early. Her husband works downtown Cleveland, gets off of work at 5:30 p.m., and has a difficult time getting to the meetings. Ms. Carroll started attending Mr. Arndt's meetings and told him that she and her husband couldn't make the meetings at the current scheduled time. Ms. Carroll stated that minimal adjustments were made for this. Ms. Carroll also stated that the Cuyahoga County Board of DD Superintendent holds two public meetings per month, and that their website is more user-friendly than the MCBDD's. Ms. Carroll stated that housing for the senior population is more readily available than housing for individuals with disabilities. Ms. Holmes responded to Ms. Carroll and stated that housing is an issue across the board, and not only for people with disabilities. Ms. Thomas Fain stated that these concerns should be taken to Senators and Legislators, as the county board does not control the housing issues in Medina County.

Ms. Barnes Brown recommended that the MCBDD Transformation Plan go out to all stakeholders and that a public meeting be held for discussion and input. Ms. Barnes Brown stated that there used to be a committee for this type of project, and maybe one should be formed again. The parents also requested a copy of the Transformation Plan in order to give their input.

Ms. Elaine Orlandi, Secretary for Board, stated that she is a guardian and a grandmother for her grandson who has a disability. Ms. Orlandi stated that she cares about ALL of the individuals at the MCBDD. There is no federal funding for housing, so what are the parents going to do about it? Ms. Albright would like a date when they can expect the draft of the transformation plan. Ms. Albright stated that is it wonderful to have parents come to the meeting to express their opinions, and that a lot of people don't come because they are frustrated. She stated that you have six people that have to check their calendars, people on vacation, people sick, and it takes months to get a meeting. Ms. Albright is afraid, and wondered if the Board is aware of the culture at the MCBDD. Ms. Albright stated that your child would then be retaliated against if you speak up.

Ms. Finnerty clarified the difference between the two plans currently being worked on by the Management Team: the Transformation Plan based on Charles Arndt's recommendations, and the Provider Data Report that was created by Crystal Brodzinski, Transformation Manager, and Gene Goebel with data collected from providers. Ms. Manning would like to see the Provider Data Report. Ms. Finnerty stated that the Board just received it and it is still in draft format.

F. Old Business

1. Guardianship – Superintendent Davis-Kramp will be scheduling a Self-Advocate to speak to the Board. The Board would also like a parent and guardian as part of this presentation.

A concern was raised regarding where the line is drawn with decision making with the individual vs. the guardian. Ms. Finnerty stated that while the guardian should be involved in decision making, the MCBDD strongly feels that the individual should also have a part in the process.

2. Ms. Carol Feron's letter – Superintendent Davis-Kramp has made contact with Ms. Feron. Two meetings were scheduled and were cancelled by Ms. Feron. Another meeting has not been rescheduled at this time.

G. New Business

1. Transformation Plan Resolution #10-17 (ACTION)

A Motion was made by Mr. Perkins, seconded by Ms. Holmes, to authorize the Superintendent to prepare a Transformation Plan for Adult Services and Transportation services to be presented to the Board for final approval. The Transformation Plan will incorporate the recommendations made by Charles Arndt of Public Policy Impacts for People with Disabilities for transformation and divestiture of services provided by the MCBDD. The Transformation Plan will include a plan for development of a new non-profit entity and a call for proposals to current providers in Medina County.

The State of Ohio Department of Developmental Disabilities has issued directives that County Boards of Developmental Disabilities discontinue providing Medicaid funded Transportation and Adult Services. In order to comply with this directive, the MCBDD must develop a transformation plan to discontinue Adult Services and Transportation services billed to Medicaid Waivers, and arrange for the provision of these services.

Discussion:

The Board expressed concern regarding the wording of the resolution and requested that the following be added: the original date that Mr. Arndt presented the MCBDD Transformation Plan (at the March 13 Board Retreat), a statement indicating that the Transformation Plan would be distributed to all stakeholders and a discussion be held in a Public Forum before the plan is presented to the Board for final approval, and the addition of the reference to pages 39-40, points 1-11, of the Transformation Plan. Mr. Perkins also stated that approval of the final Transformation Plan is subject to the receipt of several other reports, including the cost breakdown of the plan.

A Motion was made by Mr. Perkins to amend the original motion to include the revisions listed above. Ms. Holmes seconded the Amended Motion.

The Amended Motion was approved with a unanimous "yes" vote.

2. Appropriation Transfer Resolution #11-17 (ACTION)

A Motion was made by Ms. Orlandi, seconded by Ms. Barnes Brown, to authorize the Medina County Auditor to make the following appropriation transfer:

\$5,000.00 from 3300-7700-0981 Reserve to 3300-7700-0560 Travel

To fund Travel and Training for three (3) or four (4) management staff to visit, observe, and gain education on the Job Paths Program in New York.

Discussion:

The trip would take place in August. The Board requested a report of the findings upon return.

The Motion was approved with a unanimous "yes" vote.

3. AFSCME CBA Resolution #12-17 (ACTION)

A Motion was made by Mr. Carroll, seconded by Ms. Holmes, to approve a Collective Bargaining Agreement between the Medina County Board of Developmental Disabilities and AFSCME Local 2868 and Ohio Council 8. The effective date of the Collective Bargaining Agreement will be June 1, 2017, through December 31, 2019.

On June 6, negotiations were held and a tentative agreement was reached. The AFSCME bargaining unit ratified the tentative agreement on June 21. The issues addressed support the Agency's long-term strategic and financial goals.

Discussion:

Ms. Davis stated to the Board that the contract was ratified on Wednesday, June 21.

The Motion was approved with a unanimous "yes" vote.

4. Policy Review and Approval (ACTION)

A Motion was made by Ms. Orlandi, seconded by Ms. Barnes Brown, to accept the changes requested to policy chapter 3.9-3.9.3, Title XX Eligibility and Reimbursement.

The Motion was approved with a unanimous "yes" vote.

H. Discussion Items

1. Future Planning – Superintendent Davis-Kramp included in the Board Packet the updated Future Planning information to include the creation of a non-profit as part of the Transformation Plan.
2. Data Report for Transformation Plan – This document contained information regarding providers in Medina County and was completed by Gene Goebel and Crystal Brodzinski, Transformation Manager. There are a few more components to this document that will be sent to the Board Members by the end of the week. It was

asked whether this document would also be sent to families. This must be discussed with the Superintendent prior to action being taken.

3. Senate's Omnibus Bill – Information was provided in the Superintendent's Report regarding the Omnibus Bill.
4. Board Member Terms – Ms. Lees stated that by the end of 2017, there are three Board Members whose terms are ending. They include the following: Sharon Holmes, who resigned effective July 31, 2017; Suzanne Barnes Brown whose term ends on December 31, 2017; and Elaine Orlandi whose term ends on December 31, 2017. Ms. Orlandi and Ms. Barnes Brown's seats are Commissioner appointed, and Ms. Holmes' seat is appointed by the Probate Judge. Please refer any candidates to Ms. Lees for more information, applications, or contact information for the Commissioners or the Probate Judge. Ms. Lees will send to the Board the list of requirements that must be filled by the Board candidates.

I. Reports Review

- Superintendent's Report – The following was discussed:
 - Trauma Informed Care is an important topic at this time. Staff are being trained in this area and we are sitting on a county committee, as well. There will be a presentation on Trauma Informed Care at the October Board Meeting.
 - Ms. Thomas Fain offered congratulations to Dr. Stanley Bryson for the PBIS Award.
- Financial Report - Ms. Bates reviewed the Financial Report. The following was discussed:
 - There is a one-time payment on the Expense Report for OACB Membership dues.
 - TCM billing is currently under budget on the Revenue Report due to SSA positions that were not filled in May.
- Voucher Reports – Ms. Bates reviewed the Voucher Reports. The following was discussed:
 - There are two one-time expenses for liability insurance on the Voucher Report.
 - There is a \$600.00 OSDA Membership charge on the Voucher Report for May 8. The Self Advocates are very involved in OSDA and participate in meetings and trainings provided by OSDA.
 - Mr. Carroll asked about the May 15 Voucher for Boogie Board eWriters. It was stated that they are an assistive technology device. The money came from Donated Funds.
- MCBDD Enrollee Statistics Report – The Enrollee Statistics Report was reviewed. There were no questions from the Board.
- Provider Report – The Provider Report was reviewed. It was asked if the total listed under May 2017 was the total of all waivers. Ms. Bates stated yes, but it also includes the local column.
- MUI Report – The MUI Report was reviewed. The following was discussed:

- April and May of 2017 both show 14 total MUIs. It was asked why those numbers are smaller than the average of 22 per month in 2016. The response was that the reduced number of MUIs indicates less reported Unscheduled Hospitalizations, as well as Unapproved Behavior Support incidents. Ms. Finnerty stated that it could be due to changes in the ISP regarding hospitalizations, and that staff are constantly improving with training regarding Unapproved Behavior Supports.
- Personnel Control Report – The Personnel Control Report was reviewed. There were no questions from the Board.

J. Public Relations

June marks the end of the busiest quarter of the year for Public Relations. More community events are attended in May through June than any other time of the year with approximately one event each week.

The MCBDD collaborated with Chris Berry from the Ohio Treasurer's Office to promote the STABLE Account. The goal was to create local connections in all 88 counties and create a larger pool for better service.

Homeowner's Association Publications were targeted to each local association in order to reach beyond those who know us.

A radio interview was conducted with Wadsworth Drive Time Radio. Special Olympics and volunteer needs were promoted. In addition, there was a question and answer session.

The Autism Summit is being held on October 13. Actor, Ed Asner, who is a grandfather of a child with Autism, will be speaking.

Upcoming Events

- The Ice Cream Social on Thursday, June 29, at 6:30-8:30 p.m.
- The Medina County Fair, July 31 – August 6.

Mr. Carroll asked if there was a way to recruit a financial advisor to volunteer their time to assist individuals with guidelines for the STABLE Accounts. Ms. Hetkey stated that we are not able to endorse a particular individual, but could provide a resource list. Ms. Hetkey also stated that financial agencies are contacted to attend the Access Fair, whether or not they attend is up to them.

IV. Adjournment

A Motion was made by Ms. Orlandi, seconded by Mr. Perkins, to adjourn the meeting at 8:10 p.m.

The Motion passed with a unanimous “yes” vote.

FOR APPROVAL

Sandra Thomas Fain
Board President
Medina County Board of DD

Elaine Orlandi
Secretary
Medina County Board of DD