

**Lucas County Board of Developmental Disabilities**

**September 23, 2019**

Place of Meeting: Administrative Services Building  
1154 Larc Lane, Toledo, Ohio

Time: 6:00 P.M.

Members Present: Mr. Mark Frye, President, presided  
Dr. Jeanne Brockmyer, Mr. Rick Henzler, Mr. Scott Noonan, Mr. Ron Volk and Ms. Linnie Willis

Members Absent: N/A

*Note: Preceding the Board meeting, the Board members participated in Board Training conducted by Mr. Randy Beach, Board and Leadership Consultant, Ohio Association of County Boards of DD, titled "Better Board and Board Member: Tips and Concepts."*

I. Call to Order/Welcome:

Mr. Mark Frye, President, called the meeting to order at 6:03 p.m. Mr. Frye then welcomed everyone and opened the floor for public comments. There were no public comments.

During the presentation of Special Recognition Awards, the Board recognized:

- A. The Toledo Zoo with the September, 2019 Special Recognition Award. Ms. Jo Jakeway, Volunteer Accessibility Supervisor; and two staff were present to accept the recognition award.
- B. Lisa Tucker, Accounting Clerk, as the September, 2019 Staff Person of the Month. Ms. Tucker was unable to attend to accept her recognition award.

II. Board Action Items:

A. Consent Agenda:

Mr. Frye opened the floor to Board members and asked if there were any topics to be removed from the Consent Agenda and placed on the Topics for Board Discussion section.

After hearing no topics be removed from the Consent Agenda, Dr. Brockmyer made a motion to approve the Consent Agenda dated September 23, 2019. Seconded by Mr. Noonan. Motion carried unanimously.

1. Board Meeting Minutes:  
To approve the August 26, 2019 Board Meeting Minutes.
2. No Correspondence  
There is no correspondence this month.
3. Limited Contracts  
There are no limited contracts for renewal this month.
4. Contracts:
  - a) Lucas County Department of Job & Family Services – To approve an agreement with Lucas County Department of Job and Family Services for the provision of on-site Eligibility Workers, for the term October 1, 2019 through September 30, 2020, in an amount not to exceed Forty-Two Thousand, Two Hundred Ninety-Eight Dollars (\$42,298.00).
  - b) Individual Budget Contract - R.W. – To approve a six month agreement, effective May 1, 2019 through November 1, 2019, in an amount not to exceed Forty Thousand, Three Hundred Fifty-Six Dollars (\$40,356.00).
5. Policy Amendments  
To approve the policy amendments as summarized in memo dated September 12, 2019.
6. Ethics Council Recommendation  
To accept the Ethics Council recommendation as noted in its minutes of August 26, 2019.
7. Preferred Properties, Inc. Amendment to Code of Regulations  
Topic discussed later in the meeting.
8. Architecture Contract Amendment  
To approve the additional fees to the Poggemeyer Design Group contract for the extra space, cabling and furniture at a cost not to exceed \$92,000.00.

B. Topics Requiring Board Discussion:

1. Finance Report **(Board Motion)**

Ms. Kim Shankleton, Director of Business Operations, highlighted the financials for August, 2019. After discussion, Mr. Henzler made a motion to approve the Financial Report for August, 2019. Seconded by Mr. Volk. Motion carried unanimously.

2. Resolutions and Vouchers **(Board Motion)**

Ms. Shankleton highlighted the payment schedules for August, 2019. After discussion, Ms. Willis made a motion to approve the payment schedules for August, 2019. Seconded by Mr. Noonan. Motion carried unanimously.

III. Presentation:

There was no formal presentation scheduled this month.

IV. Program Priorities and Goals Update:

A. Management Letter: Superintendent Lori Mariucci highlighted the management letter. She congratulated staff on a job well done on DoDD Accreditation last month; the Lucas County Board was awarded a 3-year Accreditation.

B. Statistics/Metrics: August 2019 figures were provided in the Metrics Report dated September 17, 2019.

C. Provider Community:

1. Provider Partnership Collaborative: Provider Partnership meeting minutes were not available at time of print.

2. Preferred Properties, Inc.: The Executive Director report for August 2019 was provided by Ms. Cheryl Wilson.

D. Supplemental Reports:

1. Family and Advocate Forum Summary – A summary of the September 10<sup>th</sup>, 2019 Family and Advocate Forum held at the Administration Building was provided.

2. MUI Unit Report – A status of August 2019 MUI unit activities were provided. There were 89 MUIs filed in August 2019. Eight hundred and ten (810) MUIs have been filed year-to-date.

V. Board Governance Matters:

- A. Board Member Comments/Questions/Assignments/Presentations: Mr. Scott Noonan commented on the phenomenal job that Pat Stephens, Director of Provider Supports Department, did at the recent Human Trafficking Annual Conference at the University of Toledo. There were over 1,200 attendees from all over the world. They had to turn away almost 300 people who wanted to attend. Ms. Stephens conducted one of the training sessions which was live streamed to over 150,000 people.
- B. Legislative Update: A status of legislative activities was provided in a memorandum dated September 16, 2019 prepared by Ms. Mary Anne Burns, Legal Counsel.
- C. Future Service Contracts: Per request of the Board, service contracts will be submitted one month in advance for review. There are no contracts requiring Board review this month.
- D. Board Planning Retreat: The Planning Retreat is scheduled on October 17, 2019 at 5:30 p.m. at the Administrative Building. Dinner will be provided.
- E. Board Member Vacancy: There is a vacancy on the Board as a result of Mrs. Anna Khouri's resignation on September 8, 2019. Mrs. Khouri is a Probate Court appointment and was serving her first full term which concludes December 31, 2022. Judge Jack Puffenberger's office has been notified. We will need to solicit nominations. We are especially looking for someone who is a parent of a young child in the program.

VI. Old Business

There were no issues to come before the Board under Old Business.

VII. Board Calendar of Events:

Mr. Frye thanked Mr. Randy Beach for his presentation tonight. He also highlighted the Board's Calendar of Events:

- A. Gala Event: Saturday, October 5, 2019  
6:00 p.m. – 10:00 p.m. - Premier Banquet Hall, 4480 Heatherdowns
- B. Board Strategic Planning Retreat: Thursday, October 17, 2019  
5:30 p.m. – Administrative Building
- C. LCBDD Board Meeting: Monday, October 28, 2019  
5:30 p.m. – Administrative Building

Ms. Mary Anne Burns, Legal Counsel, requested a second look at topic II.A.7. Preferred Properties, Inc. Amendment to Code of Regulations in the Consent Agenda for direction from the Board.

Mr. Henzler made a motion to remove from the approved Consent Agenda topic II.A.7. Preferred Properties, Inc. Amendment to Code of Regulations for discussion. Seconded by Ms. Willis. Motion carried unanimously.

Ms. Burns indicated that should the Board approve the amendment, the Board's contract would need to be amended to reflect the change.

Ms. Willis asked what percentage does the Board fund Preferred Properties, Inc.? Ms. Cheryl Wilson, Executive Director of Preferred Properties, indicated that the Board comprises 26% of Preferred Properties' revenue, not including assets. Ms. Willis indicated that when Preferred Properties was initially started, it was primarily funded just by the County Board. She then asked if the clause requiring Sunshine Law be followed was a result of the County Board being the primary funding source as well as the close relationship which existed between the County Board and Preferred Properties.

Ms. Burns indicated that Preferred Properties when initially created was jointly funded by the County Board and the Ability Center. The initial intent was to fund for three years. The Ability Center ended their financial support after three years; however, the County Board has continued its financial support throughout these years.

Mr. Mitchell indicated that he believes there was an actual legal opinion back from the Jay Shuer days that if the Board of DD appoints Board members to the not-for-profit, the Sunshine Law automatically applies. So if we appoint Board members to Preferred Properties, Inc. Board that means they should automatically follow the Sunshine Law.

Ms. Willis questions whether or not the County Board should be appointing Board members. She also commented that public entities have been held accountable for retirements for not-for-profit employees. Therefore, she suggests we take a closer look at the whole situation. There are other funding entities which contribute to Preferred Properties but they do not have the Sunshine Law requirement. Ms. Willis asked, "How far does our liability extend with regards to our relationship with Preferred Properties?"

Mr. Frye asked that Ms. Mariucci and Ms. Burns prepare a report before the next Board meeting with information to address the matters that Ms. Willis has brought up.

#### VIII. Executive Session:

Mr. Frye made a motion to go into Executive Session at 6:36 p.m. to discuss Pending Litigation, Confidential Client Matters, Ratification of Tentative Agreement and Sale of Property. Seconded by Mr. Noonan. Motion carried unanimously by roll call vote:

Dr. Jeanne Brockmyer voted - yes  
Mr. Mark Frye voted - yes  
Mr. Rick Henzler voted - yes  
Mr. Scott Noonan voted - yes  
Mr. Ron Volk voted - yes  
Ms. Linnie Willis voted - yes

Motion by Mr. Henzler to return to regular session at 7:04 p.m. following discussion of the above. Seconded by Ms. Willis. Motion carried unanimously by roll call vote:

Dr. Jeanne Brockmyer voted - yes  
Mr. Mark Frye voted - yes  
Mr. Rick Henzler voted - yes  
Mr. Scott Noonan voted - yes  
Mr. Ron Volk voted - yes  
Ms. Linnie Willis voted - yes

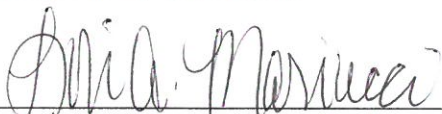
IX. New Business:

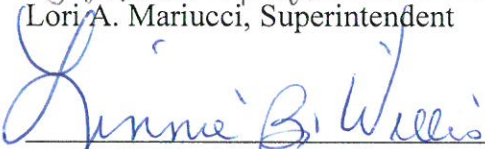
- A. Mr. Frye made a motion to ratify the agreement reached with the Service, Support and Technical Unit, AFSCME, Ohio Council 8, Local 3794 on September 3, 2019. Seconded by Mr. Henzler. Motion carried unanimously.
- B. Mr. Frye made a motion to accept the bid submitted by Zerbey Properties for \$1,627,000 for the purchase of 1645 Holland Road. Seconded by Ms. Willis. Motion carried unanimously.

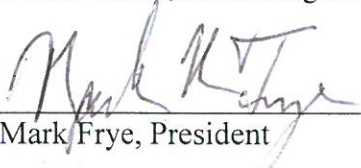
X. Adjournment:

Motion by Dr. Brockmyer to adjourn at 7:06 p.m. Seconded by Mr. Volk. Motion carried unanimously.

Respectfully submitted,

  
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Lori A. Mariucci, Superintendent

Attest:   
\_\_\_\_\_  
Linnie Willis, Recording Secretary

Approved by:   
\_\_\_\_\_  
Mark Frye, President