



**MAHONING COUNTY BOARD OF  
DEVELOPMENTAL DISABILITIES**

**BOARD MEETING**

DATE: January 27, 2020

TIME: 6:00 p.m.

PLACE: Leonard Kirtz School

**Minutes**

**Adopt a motion to excuse absent Board members.**

Motion: Mr. Noll Second: Mrs. Kale

Discussion: Excuse Mrs. Patton

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |
|            | Mr. O'Nesti    | <u>Aye</u> |

The President declares the motion Approved

**I. APPROVAL OF MINUTES**

**Adopt a motion to approve the minutes of the December 16, 2019 Board Meeting with any additions or deletions.**

Motion: Mr. Pecchia Second: Mrs. Kale

Discussion: None

Roll Call: Mrs. Kale Aye  
Mr. Noll Aye  
Mrs. Patton \_\_\_\_\_  
Mr. Pecchia Aye  
Mr. Sertick Aye  
Mr. O'Nesti Aye  
Mrs. Hutchison Abstain

The President declares the motion Approved

## II. APPROVAL OF AGENDA

**Adopt a motion to approve the agenda with any additions or deletions.**

Motion: Mr. Noll Second: Mr. Pecchia

Discussion: None

Roll Call: Mrs. Patton \_\_\_\_\_  
Mr. Pecchia Aye  
Mr. Sertick Aye  
Mr. O'Nesti Aye  
Mrs. Hutchison Aye  
Mrs. Kale Aye  
Mr. Noll Aye

The President declares the motion Approved

## III. FINANCIAL BUSINESS BEFORE THE BOARD

**Adopt a motion to acknowledge the payment of bills for the month of December 2019.**

Motion: Mr. Noll Second: Mr. Pecchia

Discussion: None

|            |                |                |
|------------|----------------|----------------|
| Roll Call: | Mr. Pecchia    | <u>Aye</u>     |
|            | Mr. Sertick    | <u>Aye</u>     |
|            | Mr. O’Nesti    | <u>Aye</u>     |
|            | Mrs. Hutchison | <u>Abstain</u> |
|            | Mrs. Kale      | <u>Aye</u>     |
|            | Mr. Noll       | <u>Aye</u>     |
|            | Mrs. Patton    | _____          |

The President declares the motion Approved

Monthly Reconciliation: Mr. Kern, Business Manager, reported that the activity accounts were reconciled and sent to the County Auditor for review.

**IV. ETHICS COMMITTEE REPORT: Chairperson, Mr. Pecchia, reported that the Ethics Committee did meet prior to the Board meeting and reviewed the contracts and amendments on the agenda and were recommending full Board support.**

**Adopt a motion to approve the Ethics Committee Report as presented by Chairperson, Mr. Pecchia.**

Motion: Mrs. Kale Second: Mr. Noll

Discussion: None

|            |                |                |
|------------|----------------|----------------|
| Roll Call: | Mr. Sertick    | <u>Aye</u>     |
|            | Mr. O’Nesti    | <u>Aye</u>     |
|            | Mrs. Hutchison | <u>Abstain</u> |
|            | Mrs. Kale      | <u>Aye</u>     |
|            | Mr. Noll       | <u>Aye</u>     |
|            | Mrs. Patton    | _____          |
|            | Mr. Pecchia    | <u>Aye</u>     |

The President declares the motion Approved

## V. ROUTINE BUSINESS BEFORE THE BOARD

### 1. Adopt a motion to acknowledge the December 2019 Personnel Report of Superintendent Whitacre.

Motion: Mrs. Kale Second: Mr. Pecchia

Discussion: None

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mr. O’Nesti    | <u>Aye</u> |
|            | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |

The President declares the motion Approved

## VI. CORRESPONDENCE BEFORE THE BOARD

NONE

## VII. REPORT OF THE SUPERINTENDENT

- Special Recognition
  - Centre at Javit – Julie See
  - Leonard Kirtz School – Jimmy Griffiths

### Human Resources Report

- Retirees to be Honored
  - Debbie Multari, LKS Secretary – 24 years
  - Jerry DePascale, Workshop Director – 9 years
- Anniversary Milestone
  - Bruce Miliner, Custodian – 20 years
  - Janine Wlodarsky, SSA – 20 years

- **Promotions**
  - Tracey Petuch, SSA Supervisor
  
- **Administrative Report**
  - **Director Davis visit:** Director Davis of DODD, will be in Mahoning County on February 21, we hope to have him meet with Department Director/Managers and members of the Board, to have a staff roundtable and tour Board facilities including Leonard Kirtz School and the Centre at Javit Court.
  
  - **Waiver rate increase:** The budget bill was passed for the upcoming two years with an increase to the wages for DSP staff of private providers. The first increase occurred effective 1/1/2020 and takes the wage to \$12.82. At this time the DODD is assisting County Boards to cover this increase. Next year will see another increase as of 1/1/2021 up to \$13.23.
  
  - **Transportation changes:** Rule changes for NMT will go into effect on 2/1/2020, these changes will allow for NMT to be charged for volunteering, community integration and post-secondary education; previously it was generally only allowed for employment and day program trips.
  
- Board Finance Committee Report – no meeting was held.
- Board Programs, Service Initiatives & Personnel Committee Report – Mr. Sertick, Chairperson, reported that the Committee did meet and reviewed the policy changes, additions, and removal of out-dated policies. The committee also discussed changes within the transportation department related to adult service routes at the Centre at Javit.
- Board Capital Facilities and Grounds Committee – no report provided.

## VIII. PUBLIC COMMENTS

President Gary O’Nesti welcomed new Board member, Terri Hutchison on behalf of the Board.

**IX. OLD BUSINESS BEFORE THE BOARD**

NONE

**X. NEW BUSINESS BEFORE THE BOARD**

**1. Adopt a motion to approve out of state travel for LKS Instructor, Corey Stephens to Pittsburgh, PA for training.**

Motion: Mr. Pecchia Second: Mr. Sertick

Discussion: None

|            |                |              |
|------------|----------------|--------------|
| Roll Call: | Mrs. Hutchison | <u>Aye</u>   |
|            | Mrs. Kale      | <u>Aye</u>   |
|            | Mr. Noll       | <u>Aye</u>   |
|            | Mrs. Patton    | <u>_____</u> |
|            | Mr. Pecchia    | <u>Aye</u>   |
|            | Mr. Sertick    | <u>Aye</u>   |
|            | Mr. O'Nesti    | <u>Aye</u>   |

The President declares the motion Approved

**2. Adopt a motion to approve the following vendor and service contract with a term of January 1, 2020 through December 31, 2020. These contracts were placed on a form that was previously approved as to form by the Mahoning County Prosecutor's office.**

**A. York Mahoning Mechanical contractors, Inc. for HVAC emergency repair service at all MCBDD facilities.**

Motion: Mrs. Kale Second: Mr. Noll

Discussion:

Roll Call: Mrs. Kale Aye

|                |                |
|----------------|----------------|
| Mr. Noll       | <u>Aye</u>     |
| Mrs. Patton    | _____          |
| Mr. Pecchia    | <u>Aye</u>     |
| Mr. Sertick    | <u>Aye</u>     |
| Mr. O’Nesti    | <u>Abstain</u> |
| Mrs. Hutchison | <u>Aye</u>     |

The President declares the motion Approved

**3. Adopt Board Resolution 2020-001 as if fully written herein, authorizing the Superintendent to participate in the Ohio Schools Council 2020 Cooperative School Bus Purchasing Program for the purpose of acquiring school buses amounts of each to be determined and approved by the Board at a future date.**

Motion: Mrs. Kale Second: Mr. Pecchia

Discussion: This resolution allows the Board to secure state term pricing for purchasing buses.

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |
|            | Mr. O’Nesti    | <u>Aye</u> |
|            | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |

The President declares the motion Approved

**4. Adopt a motion to approve updates to the following MCBDD policies lettered A. – LL. due to language changes:**

- A. 3120 Confidentiality OAC updates; language updates
- B. 3140 Civil Rights Language update
- C. 3150 Resolution of Complaints OAC updates
- D. 3170 Volunteerism Update language
- E. 3180 Supported Living ORC and language updates
- F. 3260 Communicable Disease Language updates
- G. 3270 Epinephrine Injector Noted Language updates
- H. 3272 Hazardous Materials OAC and language updates
- I. 3273 Securing an Emergency Squad Language updates
- J. 3274 Do Not Resuscitate Orders (DNR) Language updates

- K. 3280 Person Centered Plans with Restrictive Measures  
Language updates
- L. 3284 One Plan Language updates
- M. 3289 Use and Disclosure of PHI OAC update
- N. 3290 Service and Support Administrations (SSA) OAC  
and language updates
- O. 3293 Admission Into Adult Services OAC and language  
updates
- P. 3350 Adult Service Staffing Requirements Language  
update
- Q. 3399 Emergency Plans OAC update
- R. 3402 Safe Facility & Program Operations 09/14/2015  
OAC update
- S. 3605 HCBS Waiver Services Documentation OAC  
update
- T. 3721 Fee for Services to Eligible Individuals Noted OAC  
update
- U. 4030 Affirmative Action, Equal Employment Opportunity  
Updated discrimination language
- V. 4092 Workplace Violence Add weapons language
- W. 4100 Employment & Hiring Practices Recordkeeping  
language applications 6yrs
- X. 4170 Organizational Chart Revision dates don't match
- Y. 4462 Transitional Work Program Updated/Move to  
procedures
- Z. 4490 Credit Card Use Move to Finance Policies
- AA. 4500 Vacation Take schedule out/reworded
- BB. 4520 Sick Leave Conversion Replaced by 4510
- CC. 4570 Paternity Leave Changed to Paternity Leave-  
new language
- DD. 4590.10 Separation Pay Replaced by 4510
- EE. 4590.20 Notification of Absence Take out reference to  
form
- FF.4662 Alcohol & Drug Testing Add Marijuana language
- GG. 4665 Alcohol & Drug Testing (Safety sensitive  
Employees) Add Bus Aides
- HH. 4680 Outside Employment Updated Procedure
- II. 4800 Resignation Typos 2nd paragraph
- JJ. 4810 Exit Interview No changes /added 2 questions to  
form A4940
- KK. 4820 Layoffs Add ORC 124.321 & 324 Tim will add  
titles
- LL.4900 Personnel Records Updated language

Motion: Mr. Noll

Second: Mr. Sertick

Discussion: The updates to these policies are centered around updates to



Ohio Revised Code (O.R.C.) and Ohio Administrative Code (O.A.C.)

Roll Call: Mrs. Patton \_\_\_\_\_  
Mr. Pecchia Aye  
Mr. Sertick Aye  
Mr. O’Nesti Aye  
Mrs. Hutchison Aye  
Mrs. Kale Aye  
Mr. Noll Aye

The President declares the motion Approved

**5. Adopt a motion to rescind the following policies due to being obsolete and no longer needed:**

- Policy 3500: Patriotic Exercises (LKS)
- Policy 3600: Entry Year Program (LKS)

Motion: Mr. Pecchia Second: Mr. Sertick

Discussion: Outdated and no longer applicable policies.

Roll Call: Mr. Pecchia Aye  
Mr. Sertick Aye  
Mr. O’Nesti Aye  
Mrs. Hutchison Aye  
Mrs. Kale Aye  
Mr. Noll Aye  
Mrs. Patton \_\_\_\_\_

The President declares the motion Approved

**6. Adopt a motion to approve a first reading of the following new policies:**

- Policy 4020 – Human Resources Philosophy and Objectives
- Policy 4050– Fitness for Duty
- Policy 4070 – Interns/Job Shadowing

Motion: Mrs. Kale Second: Mrs. Hutchison

Discussion: Kelli Behun, HR Director, explained the significance of the new policies.

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mr. Sertick    | <u>Aye</u> |
|            | Mr. O’Nesti    | <u>Aye</u> |
|            | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |

The President declares the motion Approved

**7. Adopt a motion to approve the following vendor and service contracts letters A. – D. with a term of January 1, 2020 through December 31, 2020. These contracts have been approved as to form by the Mahoning County Prosecutor’s office and were reviewed in the Ethics Committee:**

- A. Consumer Support Services, Inc. for emergency respite services, not to exceed \$10,000.00**
- B. Turning Point Residential, Inc. for emergency respite services, not to exceed \$10,000.00**
- C. Turning Point Residential, Inc. for non-medical transportation, not to exceed \$21,000.00**
- D. Iron and String Life Enhancement, Inc. for emergency respite services, not to exceed \$10,000.00**

Motion: Mr. Pecchia

Second: Mr. Sertick

Discussion: Superintendent Whitacre explained that the respite contracts will help the Board be prepared for emergency situations that arise, the NMT agreement is to provide transportation service to non-waiver individuals and the MASCO client aide amendment is needed due to more hours for aide’s than anticipated.

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mr. O’Nesti    | <u>Aye</u> |
|            | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |

The President declares the motion \_\_\_\_\_

**8. Adopt a motion to approve the Second Amendment to the 2019 Agreement for Program Aide Services with MASCO, Inc., as if fully rewritten herein, which has an Effective Date of December 1, 2019 and increases the not-to-exceed amount for 2019 to \$145,000.00. This Second Amendment has been approved as to form by the Mahoning County Prosecutor's Office and was reviewed in the Ethics Committee.**

Motion: Mr. Sertick

Second: Mr. Noll

Discussion: Increase needed to cover payroll for MASCO Aides.

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |
|            | Mr. O'Nesti    | <u>Aye</u> |

The President declares the motion Approved

**9. Adopt Board Resolution 2020-002, as if fully written herein, approving the moral obligation payment for respite services in the amount of \$10,059.40 pursuant to Ohio Revised Code §5126.05.**

Motion: Mr. Pecchia

Second: Mrs. Kale

Discussion: The moral obligation is to cover emergent services for an individual where there was not time to get a contract in place and the individual did not receive waiver services.

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |
|            | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |
|            | Mr. O'Nesti    | <u>Aye</u> |
|            | Mrs. Hutchison | <u>Aye</u> |

The President declares the motion Approved

## XII. EXECUTIVE SESSION

Adopt a motion to go into Executive Session to discuss:

X 1. Personnel Matters

\_\_\_\_\_ To consider the appointment of a public employee or official;

\_\_\_\_\_ To consider the employment of a public employee or official;

\_\_\_\_\_ To consider the dismissal of a public employee or official;

X To consider the discipline of a public employee or official;

\_\_\_\_\_ To consider the promotion of a public employee or official;

\_\_\_\_\_ To consider the demotion of a public employee or official;

X To consider the compensation of a public employee or official; or

X To consider the investigation of charges or complaints against a public employee or official.

\_\_\_\_\_ 2. Purchase or Sale of property

X 3. Pending or imminent court action

X 4. Collective Bargaining Matters

\_\_\_\_\_ 5. Matters required to be kept confidential

\_\_\_\_\_ 6. Security matters

\_\_\_\_\_ 7. Hospital trade secrets

\_\_\_\_\_ 8. Veterans Service Commission Applications

Motion: Mrs. Kale

Second: Mr. Pecchia

|            |                |            |
|------------|----------------|------------|
| Roll Call: | Mrs. Patton    | _____      |
|            | Mr. Pecchia    | <u>Aye</u> |
|            | Mr. Sertick    | <u>Aye</u> |
|            | Mr. O'Nesti    | <u>Aye</u> |
|            | Mrs. Hutchison | <u>Aye</u> |
|            | Mrs. Kale      | <u>Aye</u> |
|            | Mr. Noll       | <u>Aye</u> |

The President declares the motion Approved

Time: 6:53 p.m.

**Adopt a motion to reconvene the Board meeting from executive session.**

Motion: Mrs. Kale Second: Mr. Noll

Roll Call: Mr. Pecchia Aye  
Mr. Sertick Aye  
Mr. O'Nesti Aye  
Mrs. Hutchison Aye  
Mrs. Kale Aye  
Mr. Noll Aye  
Mrs. Patton \_\_\_\_\_

The President declares the motion Approved

**Time: 7:59 p.m.**

**XIII. ADJOURNMENT**

**Adopt a motion to adjourn the meeting.**

Motion: Mrs. Kale Second: Mr. Sertick

Roll Call: Mr. Sertick Aye  
Mr. O'Nesti Aye  
Mrs. Hutchison Aye  
Mrs. Kale Aye  
Mr. Noll Aye  
Mrs. Patton \_\_\_\_\_  
Mr. Pecchia Aye

The President declares the motion Approved

**Time: 8:00 p.m.**