

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
Minutes for Special Board Meeting
September 19, 2007
APPROVED MINUTES

The Special Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes convened Wednesday, September 19, 2007, at 6698 68th Avenue North, Pinellas Park beginning at 8:30 a.m.

Board Members Present: Cecilia Burke; Terri Hajian, Chairman; Angela Loring; Charles Minor; Commissioner Morroni (arrived at 8:45 a.m. and left at 10:00 a.m.); Donna Rippley, Secretary

Board Members Absent: Lourdes Benedict

Advisory Members Present: Sharon Carder, Sharon Carie, Ann Hofmeister, June Moody

Advisory Members Absent: Virginia Rowell

County Attorney Present: Christy Pemberton

Staff Members Present: Linda Tamanini, Executive Director; Suzie Lewis, Program Manager Children's Centers; Jewel Waiters, Program Manager Family Day Care Homes; Dana Stajkowski, Recording Secretary; other LB, JWB, and Health Department staff

Call to order: The meeting was called to order at 8:35 a.m.

Agenda: The amended agenda was accepted as presented.

Minutes: A motion was made by Charles Minor and seconded to approve the minutes from August 1, 2007. Motion unanimously approved.

A motion was made by Charles Minor and seconded to approve the minutes from August 22, 2007. Motion unanimously approved.

Public Comment: Lynn Gibson, 8697 78th Avenue North, Largo 33777
Reported that providers will miss licensing specialist Arlene Bryan; discussed handout distributed to Board regarding Craig's List and that the Sheriff's Department was called; that providers would like the Board to look at family day care homes having school age care "overlap" their licensed capacity; that there is a lower percentage of Gold Seal homes in Pinellas County than in the rest of the state [Board pointed out that the percentage may be misleading as it's based on licensed homes and many counties do not require licensing]; Ms. Gibson apologized that some of the providers were rude when talking with LB staff that perhaps the association could work with them on professionalism.

Board Discussion: There was Board discussion regarding before and after care of school age children; that the LB discontinued school age care when the state pointed out that it was not permitted; that there are now many before and after care facilities available for school age children; that there is an assessment of parents' needs through elementary schools; that the community have a continuum of choices.

II. A.

Motion: A motion was made by Cecilia Burke and was seconded to ratify the Interlocal Agreement between PCLB and the PC Health Department (HD). Motion unanimously approved.

- Attorney Christy Pemberton reviewed the Interlocal Agreement. Commissioner Morroni thanked the Board attorney, Dr. Dharamraj and all staff who worked on the agreement.
- II. B. Ms. Tamanini reported that JWB would like to keep the LB's fund balance in order to complete the payment for FY 2006-07 bills and complete the audit.
- Christy Pemberton referred Board to page 34, a letter from JWB that says JWB cannot treat the LB as a component unit regarding the 2006-07 audit; she commented that PCLB must still be audited as a component unit of JWB then separately; that if the JWB cannot audit the LB while still a component unit of the JWB then JWB cannot audit the LB when they are no longer a component unit.
- Lisa Sahulka: Reported that JWB was only recently notified of the LB's Special District status; that if the LB has always been an independent special district then the LB was an independent special district as of October 1, 2006, and would need their own audit; that JWB auditors are reviewing the independent special district requirements; that Mr. Gaskins with the Department of Community Affairs will win the debate requiring an independent audit.
- Ms. Tamanini has called the auditors but has not received a call back. Although Ms. Tamanini was given a name and phone number of who to call at auditors Cherry, Bakaert, and Holland, she was given the wrong contact information.
- Christy Pemberton: Stated there is no debate, that an independent audit is required; that the problem is the letter from Ms. Lancaster that states, "JWB will no longer be able to include the PCLB as a "component unit" for FY 06-07." Attorney Pemberton stated she does not believe that is true; that there could be the component unit audit and then another step added to complete the independent audit, not two separate audits.
- Ms. Pemberton explained that the LB has always been a special district but that we have just completed the paperwork to comply with the law.
- Lisa Sahulka: Suggested a budget amendment for expenses not covered by the fund balance.
- Stephanie Judd: Reported that the HD recommends JWB continue to pay bills left from 2006-07.
- Cecilia Burke: Suggested PCLB be redesignated as an ordinance and repeal the special act. The change would save the cost of separate financial staff and there may be other cost savings.
- Gay Lancaster: Reported that JWB is trying to maintain quality licensure while making reduction in nondirect service costs; that she would like to see the Board look at an ordinance and leave the legislature out of it. She further stated that it wouldn't imply that the county would adopt the LB for funding purposes. She reported the additional costs were not known at the time, but they are the cost of the LB; that she believes the LB won't need a fund balance at the HD.
- Attorney Pemberton: Asked if the HD could contract with the JWB for the administration of the fund balance through the end of the year?

Gay Lancaster: Responded that would not be necessary.

Attorney Pemberton: Responded that handshake agreements are the cause of the current problems; that there is no requirement that the JWB comply with the PCLB audit; that handshake agreements are not enforceable later.

Stephanie Judd: Stated the difficulty is that while the funds are being expensed out of 2007-08 dollars they cover obligations of 2006-07; that the HD is not responsible until 2007-08; that the agreement would need to be between PCLB and JWB; that the HD would accept the electronic transfer of monies spent on the LB behalf; that she would sign an agreement regarding the audit only.

Motion: A motion was made by Commissioner Morroni to table establishing an account for PCLB's fund balance as of September 30, 2007. Motion unanimously approved.

II. C. Ms. Tamanini reviewed for Board the FY 2007-08 Child Care License Budget; reported that some staff were given an increase but staff must stay within the HD pay schedule; referred Board to new page 42 distributed; reported that JWB staff estimated lapsed dollars of \$35,000 instead of \$24,000; reported a fund balance of \$124,495; that the HD cannot cover the cost of COBRA for the staff moving to the HD; that the total of expense exceeds the total of the fund balance.

Discussion: Board commented that the cost for Suddath was high; suggested it could be done for a lower cost; expressed concern that there was furniture being moved that would not be used; expressed concern that staff would not receive the payout of sick and annual leave.

Lisa Sahulka: Reported that she just received the numbers and needs a chance to review them; that she doesn't believe we'll have a deficit; that there is a compensated absences fund set aside for both the License Board and JWB to pay annual leave and sick leave that would not need to come out of the fund balance; that the LB has \$165,000 in compensated absences, \$124,000 fund balance and \$35,000 in lapsed funds.

Attorney Pemberton: Advised Board that they cannot approve a negative budget; that the Board would need to decide what cannot be covered; that budget amendments can be presented afterwards; that property belonging to the LB transferred to the HD will technically belong to the BCC through a written agreement between the HD and the BCC but does not believe there would be a problem in returning the property to the LB.

Commissioner Morroni: Advised the Attorney to get agreements in writing, no more handshakes.

Linda Tamanini: Advised the Board that we have already spoken with JWB who is willing to take LB's surplus furniture; that it doesn't need to be moved; that the LB understood from the HD that the extra furniture would be used by the HD; that LB only needs storage of the leftover pieces of the cubicles.

Cecilia Burke: Advised that the LB use their judgment in moving furniture to the HD and not take anything that isn't necessary.

- Chairman Hajian: Asked if the payout for sick and annual leave could be removed as an expense to the fund balance.
- Discussion: Lisa Sahulka responded that there is a policy allowing the payout to come out of the current budget, but that she is not suggesting that the LB has enough to pay it out of the current budget; Ms. Sahulka discussed the availability of the compensated absences fund; Ms. Sahulka thinks that the compensated fund balance can cover the total payout but needs time to look at it.
- Ms. Tamanini, agreeing with Ms. Sahulka, referred Board to the original page 42 that included the use of the compensated fund balance of \$165,247, but reported that the LB was told by JWB staff that LB would be responsible for 2 weeks annual and sick and LB was not able to use the fund for LB's portion of the payout.
- Gay Lancaster: Proposed to the LB that the budget be approved to cover as much as it can; that she will take to the JWB Board a recommendation to cover whatever remains, if anything.
- Ms. Lancaster suggested that if there was any way to undo the filing of the special district that is responsible for the extra costs of the accountant and the separate computer system; that if the filing could have been held off that these expenses would not have been incurred.
- Cecilia Burke: Suggested that if the status of the LB is changed in the next legislative session, that we would not need the extra accountant; she asked if we could request Mr. Gaskins [Department of Community Affairs] to hold off for a few months [on the LB's designation of a special district].
- Attorney Pemberton: Responded that Mr. Gaskins doesn't hesitate to point out that the LB has been breaking the law since 1989.
- Lisa Suhulka: Reported that she asked Mr. Gaskins what would happen if "we" didn't comply and that his response was really nothing; that she suggested the idea to Stephanie Judd who was not willing to not comply with regulations; Ms. Suhulka suggested her belief to the Board that if they did not file all the papers required by the special district handbook that nothing would happen; if LB didn't file the independent audit and all the required reports that Mr. Gaskins represented to her that "we" would speak to the folks that regulate that system who would report that the LB was out of compliance and they would tell Mr. Gaskins to file legal papers against the License Board which he wouldn't do, because he doesn't do it with other districts that are out of compliance, but that the Board would be taking a chance.
- Stephanie Judd: Reported that the Interlocal Agreement says that the HD will keep the LB in compliance and she will not agree to violate that agreement; that although she feels the agreement was entered into without full disclosure of all the requirements set out in the special district regulations that Dr. Dharamraj wants to continue with the agreement; that if the accountant position is not paid for that Dr. Dharamraj would readdress the issue with the Board; requests that the Board designate \$47,031.00 of the \$124,495 for the temporary accountant position and that if there is shortfall that it be requested from JWB.

- Discussion: The Board discussed other items budgeted by the HD.
- Motion: A motion was made by Cecilia Burke and seconded to table the approval of the budget until a week from now pending the availability of a meeting place. There was no second.
- Stephanie Judd: Reported that the HD wants to be very sensitive to the needs of the providers and that the providers were concerned that the services of the LB would be diminished under the auspices of the HD; that it is her commitment as financial administrator on behalf of Dr. Dharamraj that will not happen; she advises no reduction in travel without knowing what is needed.
- Donna Rippley: Stated there are less people trying to do the same number visits so the visits have to be shortened; that in some way the amount of time and attention given is somehow going to change; there needs to be content to the visits.
- Stephanie Judd: Stated that business practices need to be examined and streamlined; that the quality cannot be compromised; that if we find the quality cannot be maintained with this number of people that Dr. Dharamraj would be contacting JWB for a modification.
- Chairman Hajian: Requested the Board take a 10 minute break.
- Motion: An amended motion was made by Cecilia Burke and seconded to approve Budget Resolution No. 07-01. Motion unanimously approved.
- Motion: A motion was made by Donna Rippley and seconded to approve for the cost of transitioning to the Pinellas County Health Department the use of Lapsed Funds and Fund Balance minus \$69,367.57 for leave payout. Motion unanimously approved.
- Next Meeting: The Board selected a tentative meeting date of Thursday, September 27, 2007, at 1:30 p.m. in conference room B to take action if the projected cash forward figure of \$47,031.00 is not available after JWB looks at the figures and takes action as previously stated. Donna Rippley, Terri Hajian, Charles Minor and Cecilia Burke are available for the meeting.
- Linda Tamanini: Reviewed for Board the definition of a special district and updated Board regarding the move and the amended DCF agreement.
- Stephanie Judd: Reported that the HD is in contact with DCF to see if the HD and DCF can work with each other regarding fingerprinting providers.

II.D.

Motion: A motion was made Cecilia Burke and seconded to ratify the following 2 motions from August 1, 2007 regarding the Public Comment Policy. Motion unanimously approved.

“A motion was made by Donna Rippley and was seconded to amend the current Public Comment Policy to receive handouts from presenters at the meeting if enough copies have been provided. Motion unanimously approved.”

“A motion was made by Cecilia Burke and seconded to waive the Public Comment Policy and have speakers speak to each issue as the Board addresses them. Motion unanimously approved.”

Motion: A motion was made to modify section D. Written documents of the Public Comment Policy. Motion unanimously approved.

Public Comment Policy

A. Citizen responsibilities during the Public Comment section of the agenda:

1. Sign-up in person with the Recording Secretary or designee prior to the start of the meeting.
2. Comment to the Board on topics *not listed on the agenda*; time starts when recognized by the Chairman.
3. Limit repetitious comment(s); speakers supporting the same issue are encouraged to appoint a spokesperson who may ask members of the audience represented to stand/raise their hand during comment(s).
4. Individual speakers have up to 3 minutes and a spokesperson representing a group present at the meeting has up to 5 minutes.

B. Citizen responsibilities during Action Items section of the agenda:

1. Sign-up in person with the Recording Secretary or designee prior to the start of the meeting to comment on specific action item(s).
2. Time starts when recognized by the Chairman.
3. Limit repetitious comment(s); speakers supporting the same issue are encouraged to appoint a spokesperson who may ask members of the audience represented to stand/raise their hand during comment(s).
4. Individual speakers have up to 3 minutes and a spokesperson representing a group present at the meeting has up to 5 minutes.

C. Public comment regarding recommendations for increase(s) in standard(s):

1. Public Comment will be entertained during two meetings: the initial meeting when recommendations are first brought before the Board and again during the Public Hearing.
2. Public Comment will not be heard again on these recommendations until the Board meeting following final Board approval.

D. Written Documents:

Written documents may be distributed and will be filed with the minutes and available to absent Board members. ~~When voluminous documents are provided, the first page of the document will be included in the Board Report along with instructions on how to view the entire document.~~

Notes:

- The intent of the policy is to make more effective use of the Public Comment portion of the agenda, not unlimited use.
- The Board is not required to respond to citizen comment.
- Comment to the Board does not constitute a formal complaint, is not considered a request for records, and does not require staff response unless directed to do so by Board.

III. Information Items

B. Notice for Change to Bylaws: The Board received notice of a recommended change to the Bylaws.

C. Ms. Tamanini updated the Board regarding licenses issued for family day care homes with new infant capacity; that staff received many calls from providers upset that the training was not available; that staff be given time to allow for the establishment of the means to meet future standards.

Cecilia Burke asked if by requiring Beyond Cribs and Rattles is the LB requiring above and beyond what is necessary for increasing infant capacity in family day care homes; that providers have already been caring for infants; inquired about center training for infants and if center infant training could be used for family day care; asked if Beyond Cribs and Rattles would be required of center staff since it is the most up-to-date infant training; that there is a large waiting list for child care; that LB is placing a large burden on family day care; asked if there is another training available now that could substitute for Cribs and Rattles; asked if there is a better way for providers and staff to communicate so providers would be more satisfied.

Staff responded that Beyond Cribs and Rattles and infant training for centers is not interchangeable; that LB has not yet addressed requiring center staff taking Beyond Cribs and Rattles; that family day care staff have more children under two with one adult than center staff; that training requirements for centers is more rigorous; that family day care providers requested the additional training.

Donna Rippley feels the Board is losing sight of the mission; that we are listening to a group of people who are not always in tune with what the outcome is the Board is looking for; that the Board must walk the line between the wants and desires of a group of people and the quality of the program we want; that we are not saying that “Beyond Cribs and Rattles” is the ultimate and we want everyone to have it; that we are saying this is the criteria for taking on additional infants; that the wait list is for subsidized child care not general child care.

Ms. Tamanini reported on infant slots available in the community; Ms. Waiters reported that the staff is developing a list of training to satisfy the equivalency requirement for the new family day care home capacity.

Motion: A motion was made by Donna Rippley and was seconded to adjourn the meeting at 11:55 a.m. Motion unanimously approved.

Respectfully submitted by,

Donna Rippley, Secretary