

Pinellas County License Board for Children's Centers & Family Day Care Homes

*Our mission is to protect and promote the health, safety, and mental development
of children cared for in children's centers and family day care homes in Pinellas County.*

Linda Tamanini, M.S., Executive Director
Cecilia Burke, Chairman



MEMORANDUM

TO: License Board, Advisory Committee and Attorney
FROM: Linda Tamanini
DATE: January 30, 2008
Subject: **February 6, 2008 Board Meeting**

Enclosed is the License Board report for the regular Board meeting on Wednesday, February 6, 2008, **which begins at 6:00 p.m.** in conference room 340 at the Pinellas County Health Department-Center Bay, located at 4175 East Bay Drive, Suite 350, Clearwater.

This report was hand processed as the current LB database is failing and staff is in the process of transferring data to the Pinellas County Health Department Centrax database. Informational reports will be distributed to the Board and Advisory Committee members as reliable data becomes available.

If you find you are unable to attend the Board meeting, please call Dana at 507-4857 ext. 1349 as soon as you know.

Thank you.

dms

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
REGULAR MEETING

Pinellas County Health Department (PCHD) – Center Bay
4175 East Bay Drive, Suite 350, Clearwater, FL 33764
February 6, 2008, 6:00 P.M. CONFERENCE ROOM 340

AMENDED AGENDA

*Our mission is to protect and promote the health, safety, and mental development
of children cared for in children's centers and family day care homes in Pinellas County.*

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I. Call to Order	
A. Announcements: Commissioner Karen Seel, Board Member	
B. Agenda (addition of new items)	
C. Approval of the Minutes from: December 14, 2007	3
D. Public Comment	
II. Action Items	
A. Licenses for New Centers/Homes	9
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IV. Next Board Meeting: March 25, 2008 Special Meeting 1:30 p.m. – PCHD Center Bay	

The Pinellas County License Board welcomes input from Pinellas County citizens. **Please see Public Comment Policy on page 2.**

Persons are advised that if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. **Please see Policy for Recording Meetings on page 2.**

Public Comment Policy – (Revised 9/19/07)

- 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.

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.

POLICY FOR RECORDING MEETINGS (Revised 11/1/06)

Citizens desiring or requiring a verbatim transcript of the meeting, or needing a transcript for appeal, should, at their own expense, retain a certified court reporter to record the meeting, or the relevant portion of the meeting.

Citizens not needing a verbatim transcript or transcript for appeal may use silent, unobtrusive recording devices to record meetings.

Video cameras may be used to record meetings, but the cameras must be hand held. Tripods may be used only in the area(s) designated by staff. The designated tripod area will not impede ingress or egress, or the ability of attendees to see the meeting and will be adjusted according to known attendance.

Persons needing an accommodation may request it by calling the executive secretary at 547-5840 at least two business days prior to the Board meeting.

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES

Minutes for Public Hearing and Special Board Meeting for
December 14, 2007

UNAPPROVED MINUTES

The Public Hearing and Special Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled and properly noticed for Friday, December 14, 2007, at 4175 East Bay Drive, Suite 350, Clearwater, to begin at 8:30 a.m.

- Board Members Present: Cecilia Burke, Chairman; Angela Loring; Barbra Mastrota; Commissioner Morroni (left at 10:00 a.m.); Donna Rippley, Secretary; Judy Vitucci
- Board Members Absent: Lourdes Benedict
- Ex Officio Member Present: Charles Minor
- Advisory Members Present: Terri Hajian, Ann Hofmeister
- Advisory Members Absent: Sharon Carder, Sharon Carie, June Moody, Virginia Rowell, Anne Sullivan
- County Attorney Present: Christy Pemberton
- Staff Members Present: Linda Tamanini, Executive Director; Suzie Lewis, Supervisor for Children's Centers; Jewel Waiters, Supervisor for Family Day Care Homes; Dana Stajkowski, Recording Secretary; and other agency staff
- Call to order: The Public Hearing was called to order at 8:40 a.m. The Public Hearing notice appeared in the legal section of the St. Petersburg Times on December 2, 2007. The notice was also posted on the PCLB website and in the Center Bay building. There was no one in attendance from the public and no comments were heard by the Board.
- Motion: At 8:45 a.m. a motion was made by Commissioner Morroni and seconded to close the Public Hearing. Motion unanimously approved.
- Call to order: The Chairman called the Special Board Meeting to order. A certificate of appreciation was presented to Terri Hajian for her service as Board Chairman for fiscal year 2006-07.
- Motion: A correction was presented by Donna Rippley to change the arrival time in the minutes for Commissioner Morroni to 1:35 p.m. A motion was made by Donna Rippley and seconded to approve the corrected minutes. Motion unanimously approved.

III. A. Recommendation #1 - Ms. Tamanini presented staff's research regarding use of Purpose in issuing Administrative Class I Fines. Attorney Pemberton explained that Purpose had been used in the passed but is not a standard and therefore cannot be used as a reason to issue negative sanctions.

Attorney Pemberton explained further that another Public Hearing is not need for the following modifications to standards that have already been presented to Public Hearing.

Motion: A motion was made by Barbra Mastrota and seconded to modify the proposed recommendation. Motion unanimously approved.

I. PERSONNEL (children's centers)

A. General Qualifications

- 4. Shall not exercise any influence detrimental to the progress, development, health, or safety of children and shall not exhibit or allow any violent, lascivious, or profane conduct to which children in care might be exposed.

IV. PERSONNEL (mildly-ill centers)

A. General Qualifications

- 4. Shall not exercise any influence detrimental to the progress, development, health, or safety of children and shall not exhibit or allow any violent, lascivious, or profane conduct to which children in care might be exposed.

I. PERSONNEL (family day care homes)

A. General Qualifications

- 10. Shall not exercise any influence detrimental to the progress, development, health, or safety of children and shall not exhibit or allow any violent, lascivious, or profane conduct to which children in care might be exposed.

III. A. Recommendation #5
Ms. Tamanini presented the Recommendation #5. Chairman Burke voiced her opposition to the recommendation because the state is not following the state's own requirement of "at least two full-time child care personnel on the premises during the hours of operation"; that the state monitors for one adult if 6 or less children are present in the home.

Commissioner Morroni was in favor of following the state law not the state's monitoring practice and bringing a recommendation back to the Board when the state modifies its law.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation. Chairman Burke opposed. Motion approved.

Motion: A motion was made by Barbra Mastrota and seconded to approve the Finding of Necessity. Motion approved.

I. PERSONNEL (large family child care homes)

C. Supervision

3. In addition to the number of staff required to meet staff to child ratios, if there are more than five (5) children participating on a field trip away from the large family child care home, there must be one (1) additional adult present on the field trip per each five (5) children, or any fraction thereof, to provide direct supervision to the children.

Where some children remain in the home, the adult supervision shall be maintained and if more than 5 children are being cared for in total, both on the field trip and in the large family child care home, two child care personnel must be on the premises of the large family child care home. At no time shall the total number of children in attendance at any given time exceed the licensed capacity.

III. A.

Ms. Tamanini presented Recommendation #20.

Motion:

A motion was made by Commissioner Morroni and was seconded to approve the updated implementation date to begin with the April 2008 renewal licenses and continue through March 2009 renewal licenses; to approve the Finding of Necessity; and to approve the recommended standard. Motion unanimously approved.

X. ADVERTISING (family day care homes)

- E. No person shall advertise a family day care home or large family child care home, as defined by the licensing regulations, without including within such advertisement the License Board license number of such family day care home or large family child care home.

B.

Attorney Pemberton presented the final agency action regarding the revocation of provider Cheryl Williams' license to operate a family day care home. Attorney Pemberton answered Board questions and clarified information. Copies of the Log of Noncompliances, if applicable, will be included in future Board reports.

Motion:

A motion was made by Commissioner Morroni and seconded by Barbra Mastrota to accept the findings of fact and recommendation of the hearing officer. Motion unanimously approved.

Discussion:

Chairman Burke and other Board members voiced their concern regarding lack of nighttime visits to check on the children (not a complete inspection); suggested law enforcement work in cooperation with the License Board to make nighttime visits. Attorney Pemberton advised law enforcement cannot enter homes without resident's permission.

Ms. Tamanini requested that if Board members have information regarding infractions taking place in homes that the License Board be called.

Ms. Waiters updated Board regarding inspections made in the evening; she further voiced her concern with having law enforcement present. Ms. Waiters informed Board that because of the new regulation for 24 hour-care that the License Board no longer lists overnight care on the license; that licensing specialists know about evening care because they ask for each child's hours of care during each inspection and the provider is placed on an evening inspection if needed. Ms. Waiters further reported that noncompliances involving supervision of children also happen during the day.

Terri Hajian suggested we publicize that staff makes evening monitoring inspections.

Chairman Burke requested a summary of visits made in the evening. Chairman Burke suggested the evening visit be a third visit, but not a complete visit; Ms. Tamanini reported that with the higher family day care home caseloads in Pinellas County of 167 homes per specialist that a third visit may not be possible. (The state caseload is 50 homes.)

There was no final direction by Board given to staff.

IV. A.

Attorney Pemberton reported to the Board regarding LaFonte Hunter.

Ms. Tamanini reported to the Board that an advertisement for child care at Ms. Hunter's was recently found on the bulletin board of the Health Department in St. Petersburg and suggested Board members look for child care advertisements on bulletin boards they may see.

Evaluation Committee:

Ann Hofmeister, Terri Hajian, and Donna Rippley agreed to meet with Chairman Burke on January 16 at 8:30 a.m. in the Health Department at Center Bay.

Cribs and Rattles Committee:

This committee will meet at a later date and include the Early Learning Coalition. (Professional Development Committee)

Bylaws Committee:

This committee will meet January 31 at 10:00 a.m. Chairman Burke appointed Dr. Vitucci, Barbara Mastrotta, and June Moody.

JWB Fund Balance Report:

Gary Cernan distributed the fund balance report to the Board showing a balance of \$60,594.

Emergency Disaster Plan:

Staff reported the Emergency Disaster Plan format is being developed and will be mailed to providers with the regulations. Dr. Vitucci suggested that Health and Human Services may be of assistance.

Staff Report:

Staff reported on meetings with providers regarding new regulations; Board will receive mailings sent to providers.

Minutes – December 14, 2007 –

Adjournment:

A motion was made by Dr. Vitucci and seconded to adjourn the meeting at 10:30 a.m. Motion unanimously approved.

Respectfully Submitted by:

Donna Rippley, Secretary