

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
Minutes for the Regular Board Meeting for
February 6, 2008

APPROVED MINUTES

The Regular Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled and properly noticed for Wednesday, February 6, 2008, at 4175 East Bay Drive, Suite 350, Clearwater, to begin at 6:00 p.m.

- Board Members Present: Cecilia Burke, Chairman; Lourdes Benedict; Barbra Mastrota; Karen Seel; Donna Rippley, Secretary; Judi Vitucci
- Board Members Absent: Angela Loring
- Ex Officio Member Present: Charles Minor
- Advisory Members Present: Sharon Carie, June Moody
- Advisory Members Absent: Sharon Carder, Terri Hajian, Ann Hofmeister, 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 Health Department staff
- Call to order: The meeting was called to order at 6:00 p.m.
- Motion: A motion was made by Judi Vitucci and seconded to approve the corrected minutes from December 14, 2007. Motion unanimously approved.
- Public Comment: S. Lynn Gibson – FDCH provider, 8697 78th Avenue North, St. Petersburg; topic: night license
Ms. Gibson commented that she was an advocate of 24-hour care, however, she is also an advocate for having something on the license indicating nighttime care, that it was intended that providers would be monitored; that providers do not read/understand regulations and the requirements for nighttime care are different; that providers should be informed that there is no longer household to household care.
- Staff Response: Following Board question regarding nighttime care, staff responded that the term "overnight" was removed from the license because it no longer had meaning once 23 hour and 59 minute care was approved; that there is no longer a separate application required to care for children overnight; that nighttime inspections do not guarantee children are safe just as daytime inspections do not make that guarantee; that nighttime care may be spontaneous and not regular care; that licensing specialists ask during regular inspections when children are in care and schedule evening inspections for providers caring for children during evening hours; that licensing specialists do not inspect homes past 9:00 p.m.; that exigent circumstances were also deleted with the enactment of up to 24-hour care; that if permission is granted to care for children for 23 hours and 59 minutes then how can there be a requirement to apply for overnight care; that during monitoring inspections staff discuss with providers requirements for the type of care they provide whether it be for daytime, evening, overnight, etc.

Commissioner Seel suggested a separate sheet of regulations for nighttime care be posted; that parent education is a concern.

Board Direction: Chairman Burke appointed June Moody, Lynn Gibson, Judi Vitucci, and Anne Brooks to meet and develop a proposal to bring back to Board.

Public Comment: Anne Brooks – FDCH provider, 2801 Dovewood Street, Clearwater; topic: child care ratios
Provided a handout of the different Pinellas County ratios; that household members included in ratio end at kindergarten age; that once her granddaughter who does not live with her begins school her granddaughter will not be able to visit her home if she has 5 children in care; that in another provider's home a school age grandchild who lives in the home is not counted in the ratio and can be in the home at anytime; requested Board look at how ratios are applied to providers.

There was no comment from the Board.

Public Comment: Sondra Harper – FDCH provider, 3601 63rd Street North, St. Petersburg; topic: career advancement
Commented that no matter the education level or experience all providers care for 5 children; that when she started she had 8 children; that her school age grandchildren cannot visit her during the day; that with two years of experience and 20 hours of training provider should be able to take the additional course and have the 3 children under 18 months; that when you have three years of experience or a CDA and an accreditation provider should be able to increase ratios and at least follow state ratios; that this will give a career path to providers and not loose providers; that Pinellas County providers have been moving to Hillsborough and Pasco County; that no one wants to stay in the same job and not advance; that with years of experience and an AS Degree in Early Childhood Ms. Harper can still have only 5 children.

There was no comment from the Board.

Public Comment: Diane Pinta – FDCH provider, 6070 Garmouth Way North, St. Petersburg; topic: emergency procedures
Commented that more time should be given to providers to complete the emergency form; that the forms are being sent to providers 45 days before they are due; that providers may have questions.

Staff Comment: Ms. Tamanini responded that the emergency forms are going out 90 days prior to renewal of licenses; that licensing specialists are working with providers who have questions; that the kind of things included in the regulations encourages providers to think about those disasters and how to respond.

Board Response: Judi Vitucci commented that training is available for disaster planning; she provided a handout for providers in attendance.

A. 1. (No public comment.)
Motion: A motion was made by Judi Vitucci and seconded that 5 new Children's Centers be approved for Regular Licenses. Motion unanimously approved.

A. 2. (No public comment.)
Motion: A motion was made by Commissioner Seel and seconded that 1 new Children's Centers be recommended for a Provisional License. Motion unanimously approved.

- A. 3. (No public comment)
(There were no new Children's Centers recommended for a Probationary-Provisional License.)
- A. 4. (No public comment.)
Motion: A motion was made by Commissioner Seel and seconded that 22 new Family Day Care Homes be approved for Regular Licenses. Motion unanimously approved.
- A. 5. (No public comment.)
Motion: A motion was made by Barbra Mastrota and seconded that 2 new Family Day Care Homes be approved for Provisional Licenses. Motion unanimously approved.
- A. 6. (No public comment.)
Motion: (There were no new Family Day Care Homes recommended for a Probationary-Provisional License.)
- B. 1. (No public comment.)
Motion: A motion was made by Commissioner Seel and seconded that 12 License Changes for Children's Centers be approved for Regular Licenses. Motion unanimously approved.
- B. 2. (No public comment.)
Motion: A motion was made by Commissioner Seel and seconded that 2 License Changes for Children's Centers be approved for Provisional Licenses. Motion unanimously approved.
- B. 3. (No public comment) Ms. Tamanini reported that the capacity for Little Lambs Christian Preschool capacity increased from 53 to 67.
Motion: A motion was made by Barbra Mastrota and seconded that 1 License Change for Children's Centers be approved for a Probationary-Provisional License. Motion unanimously approved.
- B.4. (No public comment.)
Motion: A motion was made by Commissioner Seel and seconded that 3 License Changes for Family Day Care Homes be approved for a Regular License. Motion unanimously approved.
- B. 5. (No public comment.)
Motion: A motion was made by Commissioner Seel and seconded that 1 License Change for Family Day Care Homes be approved for a Provisional License. Motion unanimously approved.
- B. 6. (No public comment.)
Motion: (There were no License Changes for Family Day Care Homes recommended for a Probationary-Provisional License.)
- C. (No public comment.)
Motion: (There were no Children's Centers recommended as a Religious Exempt Center.)

III. Information Items

- D. Benchmarking center ratios with other states will be removed for future meetings unless it's requested.

- F. Chairman Burke reported on the progress of the Evaluation Committee. During the committee meetings the following goals were discussed:
- Staff will update the Strategic Plan and bring it to the Board.
 - Board policies and history on how the Board functions will be developed for Board members. Board will appoint a Board and Advisory Committee member at the May 7th meeting to work with staff and give a final report at the August 6th meeting.
 - The committee will develop a process/tool for sending a summary of changes in standards to providers.
 - Board will be asked what reports they want.
 - Board will be asked to come to an agreement on individual Board/Advisory Committee member's suggestions or recommendations made during Board meetings.

Chairman Burke updated the Board on the progress of the Training & Education Committee regarding equivalencies for taking Beyond Cribs and Rattles to care for 3 children under 18 months.

- G. Chairman Burke presented changes to the Bylaws.
Motion: A motion was made by Judi Vitucci and seconded to accept and place the amended Bylaws on the May 7, 2008 Board agenda. Motion unanimously approved.

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

BYLAWS

(Adopted 9/2/98, effective 10/1/98)
(Revised 7/7/99, 12/6/00, 5/5/04, 5/2/07, 11/7/07)

Article I - Name *

The organization is created by Legislative Acts, Chapter 61-2681 amended by Chapters 70-893 and 2007-277, and is known as the Pinellas County License Board for Children's Centers and Family Day Care Homes, hereinafter referred to as the Pinellas County License Board, License Board or Board.

Article II - Purpose *

The purpose of the Pinellas County License Board is to protect the health, safety, and mental development of children cared for in children's centers and family day care homes in Pinellas County.

Article III - Members

Board*:

The Board shall consist of seven voting members:

- (1) A member of the board of county commissioners, said member to be designated by action of the board of county commissioners.
- (2) The director of the district division of family services or a person delegated by him/her.
- (3) A member of the juvenile welfare board, or the director of said board, said member to be designated by action of the juvenile welfare board.
- (4) The district school superintendent or his or her designee ~~or a teacher in elementary preschool education delegated by him/her.~~
- (5) The county health officer or a person delegated by him/her.

Note: Due to the Interlocal Agreement between Pinellas County License Board and the Pinellas County Health Department and the due process rights of child care providers, a person delegated by the County Health Officer, who is not an employee of the County Health Officer must serve as the Board member.

- (6) Two members in good standing from ~~the preschool associations, Pinellas Early Childhood Association,~~ selected by majority vote of the elected officers of those organizations. ~~said association.~~

Vacancies:

In the event of a vacancy in a License Board position listed above, the organization to be represented is responsible for naming the delegate.

Advisory Committee:

The license board shall appoint a committee to serve in a non-voting advisory capacity. Members shall serve a two (2) year term; there is no limitation on the number of terms a person may serve. Such committee shall consist of:

- (1) Three (3) operators in good standing, representing privately-operated children's centers, school age centers, and faith-based children's centers. ~~These operators will be appointed for a three-year term.~~
- (2) Two (2) other persons qualified by education and experience in the field of early childhood education.
- (3) Two (2) operators ~~One (1) representative in good standing, of a one (1) representing family day care homes and one (1) representing large family child care homes.~~ ~~This representative will be appointed for a three-year term.~~
- (4) One (1) person qualified by experience as a member and chairman of the License Board.

Vacancies:

In the event of a vacancy in any Advisory Committee position, License Board staff shall make a recommendation(s) for replacement to be voted on by the Board.

Ex Officio:

The County Health Officer or a person designated by him/her shall serve in an *ex officio* capacity to serve in a non-voting advisory capacity. The *ex officio* member of the Board shall must not address the Board or its members as to any quasi-judicial matters coming before the Board for consideration.

Article IV - Officers and Their Duties

The officers shall consist of an elected Chairman and an appointed Secretary.

Chairman:

At the next to the last meeting of the fiscal year, a nominating committee shall be formed consisting of two Board members and one Advisory Committee member nominated and elected by the Board and one staff member selected by the Executive Director. The nominating committee shall present a recommendation for chairman to the Board at the last meeting of the fiscal year. The election of the chairman shall occur at this meeting. There is no limitation on the number of terms a chairman may serve.

Duties:

The chairman shall preside at all Board meetings and shall conduct the annual evaluation of the Executive Director. The chairman shall also appoint a search committee who will make a recommendation to the Board for the Executive Director position, if the position becomes vacant.

Secretary:

The secretary shall be appointed by the chairman.

Duties:

The secretary shall sign all minutes upon approval and serve as chairman in the absence of the chairman.

Board Member's Duties:

Board members are expected to attend all Board meetings.

Board members are expected to serve on Board committees.

Board members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Board members will communicate the mission and goals of the License Board.

Board members will actively participate in improving and enhancing child care in Pinellas County.

Board members are required to vote (yea, nay or abstain) on each issue presented for a vote at Board meetings.

Board members shall complete the Financial Disclosure form annually.

Board members have responsibility for the hiring of the Executive Director.

Advisory Committee Member's Duties:

Advisory Committee members are expected to attend all Board meetings.

Advisory Committee members are expected to serve on Board committees.

Advisory Committee members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Advisory Committee members will communicate the mission and goals of the License Board.

Advisory Committee members will actively participate in improving and enhancing child care in Pinellas County.

Ex Officio Member's Duties:

Ex Officio members are expected to attend all Board meetings.

Ex Officio members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Ex Officio members will actively participate in improving and enhancing child care in Pinellas County.

Ex Officio members will not advise the Board on quasi-judicial matters.

Article V - Fiscal Year

The fiscal year shall be October 1 through September 30.

Article VI - Meetings

Regular Meetings:

The Board shall hold quarterly meetings. Meetings may be called by the chairman whenever he/she deems it necessary or by a quorum of the Board members as set forth in Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida.

Government in the Sunshine:

All meetings of the Board and Board committees shall be held in accordance with Government in the Sunshine Law. Sunshine rules apply to both Board and Advisory Committee members.

Special Meetings:

Special meetings may be called by:

- a) the Chairman
- b) the Secretary in the Chairman's absence
- c) vote of the Board

Minutes:

Minutes of each meeting shall be accurately taken, provided to Board and Advisory Committee members at or before the next regular meeting, approved by the Board, signed by the Secretary and preserved.

Article VII - Quorum

General business requires a majority of the Board members.

The Board has the power and duty to promulgate and adopt rules and regulations for the purposes of administering and enforcing minimum standards. To do so, procedures in Section 5 of Chapter 61-2681, amended by Chapters 70-893 and 2007-277, must be followed. To adopt a proposed new standard requires a five-sevenths (5/7) vote of Board membership.

~~Action to amend bylaws requires a five-sevenths (5/7) vote.~~

Article VIII - Committees

New committees may be created by the Board through a motion and majority vote or by the chairman as needed. The chairman shall appoint members of the committee.

Article IX - Parliamentary Authority

Roberts Rules of Order Newly Revised, shall be the parliamentary authority of the organization. All articles in the bylaws shall be interpreted to be consistent with Roberts Rules of Order Newly Revised.

Article X - Amendments

Action to amend bylaws requires a five-sevenths (5/7) vote.

The bylaws may be amended at any meeting provided that notice has been given one month in advance.

Exception: Items stated in Chapter 61-2681, amended by Chapters 70-893 and 2007-277, and noted with an asterisk in these bylaws require legislative action to amend.

Article XI - Conflict of Interest

No member of the Board of Directors, staff or paid consultants of the Agency shall have any direct or indirect financial interest in the assets, leases, business transactions or professional services of the Agency. Any Board member who individually or as part of a business or professional firm is involved in the business transactions or current professional service of the Agency shall disclose this relationship and shall not participate in any vote taken in respect to such transactions or services.

Members of the Board shall avoid entering into contracts or agreements involving, directly or indirectly, members of the Board in a manner that would be, or give the appearance of being, a conflict of interest.

Members of the Board will, prior to voting on a funding issue which involves any program or agency in which they participate as an employee or member of the governing authority, disclose their interest in said program or agency and file a disclosure statement.

No member of the Board will vote on any issue that will benefit her/himself, any relative, or friend, or a company or agency for which any Board member is an employee or volunteer.

Members of the Board will comply with all Florida Statutes relating to "conflicts of interest."

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Article XII - Staff:

Staff is defined as the people responsible for monitoring and inspecting family day care homes, children's centers, and large family child care homes, and includes the Executive Director and the personnel providing support to those people responsible for monitoring and inspecting.

Article XIII - The Agency Director

The agency director shall implement policies of the Board and shall be responsible for the daily operation of the agency.

* As stated in Chapter 61-2681, as amended by Chapters 70-893 and 2007-277, amended as necessary pursuant to the Interlocal Agreement between the Pinellas County License Board and the Pinellas County Health Department.

Adjournment:

The meeting was adjourned at 7:15 p.m. The next meeting will be March 25, 2008 at 1:30 p.m.

Donna Rippley, Secretary