

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

APPROVED 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 Morrone (left at 10:00 a.m.); Donna Rippley, Secretary; Judi Vitucci
- Board Members Absent: Lourdes Benedict
- Ex Officio Member Present: Charles Minor
- Advisory Members Present: Terri Hajian
- Advisory Members Absent: Sharon Carder, Sharon Carie, Ann Hofmeister, 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 Morrone 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 November 7, 2007 for Commissioner Morrone 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 past 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 needed for the following modifications to standards that have already been presented to Public Hearing.

Motion: A motion was made by Barbra Mastrotta 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 Morrone 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 Morrone and seconded to approve the recommendation. Chairman Burke opposed. Motion approved.

Motion: A motion was made by Barbra Mastrotta 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, Barbra Mastrota, 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 Coordinating Council may be of assistance.

Staff Report:

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

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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