

Developmental Disability Services of Jackson County - eitas
Board of Directors Meeting
 February 28, 2012

Topic/Issue	Minutes	Summary of Action Taken or Pending
<p>Attendance</p> <p>Call to Order</p> <p>Meeting Minutes for January 2011</p> <p>Treasurer's Report</p> <p>Agency Presentation Children's TLC</p>	<p>Paula Smith, Candace Cunningham, Mark McCaskill, Melissa Robinson, and Barbara Winkler, Board Members. John Humphrey, Tammy Kemp and Betty Sharp, Absent. Kathy Marlatt, Nancy Nicolaus, Amanda George, Jake Jacobs and Kathleen Ganaden, Staff. Guests: Doris Weber, Cathy Tepper and Charlene Adams. There was quorum of board members present.</p> <p>Barbara Winkler, Board President called the meeting to order at 6:00 PM at the Administrative Offices of Developmental Disability Services of Jackson County located at 8511 Hillcrest Road, Kansas City, Missouri.</p> <p>As there were no questions pertaining to the minutes the following motion was made. Motion: Paula Smith, Board Member moved that the January 24th, 2012 Board meeting minutes be approved as presented. Anita Parran, Board Treasurer seconded the motion. Motion Carried.</p> <p>Anita Parran, Board Treasurer shared that no Finance Committee was held this month due to the 2011 audit in progress.</p> <p>Shelia Rancatore, Director of Center-Based Programs for Children's Therapeutic Learning Center (CTLC) came before board members and presented her presentation by sharing the mission of Children's TLC is to provide therapeutic and educational services for children with disabilities in an environment which fosters their independence and celebrates their successes.</p> <p>Children's TLC had its beginning in 1947 as the Cerebral Palsy Nursery School. Its purpose was to prepare children of pre-school age for formal schooling. Founded by a group of volunteers in response to a need identified by teachers who realized that age six or seven was too late to begin basic skills training. The importance of early intervention with</p>	<p style="text-align: center;">Information</p> <p>Motion: Paula Smith, Board Member moved that the January 24th, 2012 Board meeting minutes be approved as presented. Anita Parran, Board Treasurer seconded the motion. Motion Carried.</p>

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<p>Committee Reports Property Continued</p>	<p>Committee members also learned that the eitas property at 720 East 36th Street has been contaminated with bed bugs again. Three different treatments to eradicate the bugs have failed and it is hoped that a treatment of "heat" will resolve the problem.</p> <p>Rebecca Case, Executive Director for Developing Potential, Inc. (DPI) and George Pickering, Board Member for DPI came before the Property Committee to start a conversation on the DPI acquisition of a new building in the Lee's Summit area.</p> <p>DPI would like eitas to guarantee lease payments on the 12,100 square foot building sitting on 6 acres of land at a selling price of \$975,000. Following the DPI presentation the Property Committee replied that they would take the proposition under consideration and respond within 60 days.</p> <p>Since that meeting eitas has learned from its legal team that DPI's request to have eitas assist them with the purchase of the property in Lee's Summit is not feasible because it is believed that legally eitas cannot do what DPI asks because as a political subdivision the state constitution prohibits eitas in two ways: (1) eitas cannot guarantee the debts of another entity; (2) eitas cannot incur debt on behalf of another entity. Mr. Jacobs has shared this information with Mrs. Case and is discussing possible alternatives.</p> <p>Mr. Jacobs stated that he had shared with committee members a letter from JobOne Board Chair, Mark Simcosky. The letter refers to \$315,000 eitas has been holding for some time for the renovation of the Grandview workshop site. Mr. Simcosky states in the letter that the (workshop) project has been delayed, not as a result of any reluctance on JobOne's part to improved</p>	<p style="text-align: center;">Information</p>

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<p>Executive Director's Report State 2013 Budget</p>	<p>Mr. Jacobs opened his report by inquiring if there were any questions to his report previously submitted. There were none.</p> <p>Continuing, Mr. Jacobs shared that he had received a call from MoDot regarding some unallocated funds they had left over and asked if we need any new buses. As the transportation center can always use new buses, Mr. Jacobs order four new buses. This was an unexpected, but pleasant surprise.</p> <p>Mr. Jacobs shared that as a follow-up to his monthly report on the 2013 State Budget he had informed members of what the Appropriations Committee and the Chair, Representative Flanigan had done with \$65 million in general revenue cuts to the departments of Mental Health (DMH), Health and Senior Services (DHSS), and Social Services (DSS). Apparently the only members aware of what was included in the amendments were the Chair and Representative Allen.</p> <p>The Budget Committee has since received the recommendations of all six Appropriations Committees. Chairman Silvey has appointed a subcommittee to look at the impact of the cuts proposed.</p> <p>As shared in the Executive Report, if these recommendations go through as is, over 1159 people across the state will be denied services and that is why Mr. Jacobs was not surprised by the</p> <p>Governor's request to go to Jefferson City and participate in a conference of various representatives of the social services to denounce these actions being taken by the House. Mr. Jacobs will keep members advised of further developments.</p>	<p style="text-align: center;">Information</p>

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<p>Executive Director's Report SB40 Statute</p>	<p>Continuing, Mr. Jacobs shared the first of several topics relating to the organization board members so graciously volunteer for and the individuals with developmental disabilities they advocate for.</p> <p>Mr. Jacobs stated that the first subject he would like to present is information about the Senate Bill 40 (S.B.40) Statute. Mr. Jacobs stated that the S.B. 40 is a bill enacted by the 75th General Assembly in 1969, enabling county voters to tax themselves to pay for services for persons with certain handicaps. Although that legislation has been amended several times, it is still popularly referred to as "S.B.40".</p> <p>Another reason for presenting information about the S.B.40 is because so often reference is made to the November 1999 lawsuit: Vocational Services, Inc. vs. Clay County Developmental Disabilities Resource Board.</p> <p>A summary of that suit is: Vocational Services, Inc. (VSI) a workshop filed suit against the Clay County Developmental Disabilities Resource Board (DDRDB) requesting the court prevent DDRB from further funding programs for the handicapped provided by entities which are not sheltered workshops or residence facilities. The trial court refused to prevent the funding and that decision was appealed to the Western District Court of Appeals.</p> <p>The crux of the matter revolved around the interpretation of "related services". The court concluded that sheltered workshops, residential facilities, and related services for the care or employment of the handicapped <i>include</i>, "acts or commodities which are connected or associated with vocational</p>	<p style="text-align: center;">Information</p>

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<p>Executive Director's Report SB40 Statute Continued</p>	<p>training, vocational teaching, vocational activities, vocational workshop and/or residential facilities.”</p> <p>In applying this definition, the court found that other entities besides workshops and residential facilities fall within the parameters of the statute. And, that the statute permits the DDRB and similar boards to fund sheltered workshops, residential facilities, and not-for-profit corporations which provide some or all of the same or related services for the care or employment of handicapped persons. <i>That is, it can fund programs which provide a controlled work environment or a program designed toward enabling a handicapped person to progress toward normal living or to develop his or her capacity, performance or relationships with other persons, or which provide services related to a place of residence or social centers for eligible persons.</i></p> <p>There were some services that the court found not appropriate for funding. Those services included:</p> <ul style="list-style-type: none"> • Sexuality education, training and sexual abuse prevention provided by MOCSA • Training and assistance to parents of children with disabilities provided by Missouri Parents Act • Registration fee assistance for parents of disabled children to attend workshops and seminars addressing problems of the developmentally disabled • Missouri Special Olympics • Programs to assist families in developing long-term plans for their children - Life Care Planning • Respite Care 	<p style="text-align: center;">Information</p>

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<p>Executive Director's Report SB40 Statute Continued</p>	<p>Mr. Jacobs then asked members to refer to the paper in their packet titled: <i>Missouri Revised Statutes, Chapter 205, County Health and Welfare Programs, Section 205.968 dated August 28, 2011</i> and asked members to note the highlighted sections, namely:</p> <p>Facilities authorized - persons to be served, limitations, definitions: 205.968.</p> <p>1.</p> <ul style="list-style-type: none"> • <i>The board of directors shall be a legal entity empowered to establish and/or operate a sheltered workshop as defined in section 178.900, residence facilities, or related services, for the care or employment, or both, of persons with a disability.</i> • <i>Once established, the board may, in its own name engage in and contract for any and all types of services, actions or endeavors, not contrary to the law, necessary to the successful and efficient prosecution and continuation of the business and purposes for which it is created,...</i> • <i>The board shall be taken and considered as a "political subdivision" as the term is defined in section 70.600 for the purposes of sections 70.600 to 70.755.</i> <p>2.</p> <ul style="list-style-type: none"> • <i>All persons otherwise eligible for facilities or services under this section shall be eligible regardless of their age; except that, individuals employed in sheltered workshops must be at least sixteen years of age.</i> 	

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<p>Executive Director's Report SB40 Statute Continued</p>	<p>Sheltered workshop program rules and regulations - board may provide residences or social centers. 205.969 1. <i>The board may provide a sheltered workshop program for the county or city not within a county and as part of the program shall conduct work and developmental programs as provided by section 178.910 pursuant to rules and standards developed and adopted by the department of elementary and secondary education.</i> 2. <ul style="list-style-type: none"> • <i>The board may provide places of residence and related activity or social centers for those eligible persons</i> Purposes of Sheltered Workshops. 178.910 1. <ul style="list-style-type: none"> • <i>A sheltered workshop shall provide a controlled work environment and a program designed toward enabling the handicapped person enrolled to progress toward normal living and to develop, as far as possible, his capacity, performance and relationship with other persons.</i> 3. <ul style="list-style-type: none"> • <i>A sheltered workshop shall coordinate and integrate its services with all community agencies for the benefit of its employees, and whenever practicable make use of the services available from these agencies.</i> </p>	<p style="text-align: center;">Information</p>

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<p>Executive Director's Report SB40 Statute Continued</p>	<p>205.970 3.</p> <ul style="list-style-type: none"> • <i>Notwithstanding any provision of law to the contrary, and irrespective of whether or not a county sheltered workshop or residence facility has been established, the board may contract to provide services relating in whole or in part to the services which the board may provide to handicapped persons as defined in this law and for such purpose may expend the tax funds or other funds.</i> <p>5.</p> <ul style="list-style-type: none"> • <i>The board shall set rules for admission to the facility, and shall do all other things necessary to carry out the purposes of sections 205.968 to 205.972.</i> <p>Chapter 70 Powers of Political Subdivisions to Cooperate or Contract with Section 70.600 August 28, 2011</p> <p>19) <i>"Political subdivision:, any governmental subdivision of this state created pursuant to the laws of this state, and having the power to tax, except public school districts; a board of utilities or a board of public works which is required by charter or ordinance to establish the compensation of employees of the utility separate from the compensations of other employees of the city may be considered a political subdivision for purposes of sections 70.600 to 70.755; a joint municipal utility commission may be considered a political subdivision for purposes of sections 70.600 to 70.755;</i></p> <p>In closing his presentation, Mr. Jacobs shared that this statute is one of many pieces of legislation that guides us in</p>	<p style="text-align: center;">Information</p>

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<p>Executive Director's Report SB40 Statute Continued</p> <p>New Business Jackson County Transit Alliance</p>	<p>providing, person centered services to citizens with developmental disabilities and since the 1999 lawsuit S.B.40 organizations on the western half of the staff have had to make sure they stay within the parameters of the statute while agencies in the rest of the state tend to ignore it and have not been challenged, at this point.</p> <p>Board member packets contained information about the Kansas City Regional Transit Alliance. Through the Mid-America Regional Council (MARC), Mr. Jacobs is on the Advisory Council of the Regional Transit Alliance representing Jackson County individuals with disabilities. The Jackson County Commuter Corridors Alternatives Analysis is evaluating how to enhance transit options in two significant corridors in the area. Mr. Jacobs shared that with new transit our transportation center could pickup and return individuals at transit centers thus saving time and fuel and enabling eitas to provide service to more individuals.</p> <p>A public education effort is vital so citizens can be provided with the facts regarding potential costs, areas served, as well as the jobs and economic activity that mass transit could create. The Regional Transit Alliance is asking municipalities and organizations to contribute to the public outreach effort.</p> <p>Individuals with disabilities would certainly benefit from a mass transit system and unless there is an objection Mr. Jacobs believes there are some funds in the transportation budget that could be utilized to help fund this public outreach effort. Members raised no objection to a contribution and asked to be kept informed of further developments regarding this proposed transit system.</p>	<p style="text-align: center;">Information</p>

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March Film Series	March is Developmental Disabilities Month and eitas has planned three nights (March 1,8 & 15) of documentary movies about disabilities during the month of March.	
1st Annual 5K Run, Walk & Roll	This event is dedicated to the loving memory of Michael Haseltine, former Deputy Director of eitas and advocate for individuals with developmental disabilities. The event is scheduled for Saturday, March 31 st at Swope Park. All donations raised from this event will go to the tax deductible Michael Haseltine Scholarship Fund with scholarships awarded to college students whose major studies focus on working in the developmental disability field and/or for the individuals we support.	
Nominating Committee	Barbara Winkler, Board President asked and the following members: Paula Smith, Anita Parran and Mark McCaskill agreed to serve on the Nominating Committee whose purpose will be to develop and present a slate of Board officers to be elected in April at the Annual Meeting.	
Old Business	None.	
Public Comment	Cathy Tepper, Jackson County resident stood before the board to share information that she felt was not right in reference to this board adhering to the Bylaws. She also distributed a document describing an incident involving Mr. Jacobs to members.	
Adjournment	There being no further public business the public meeting was adjourned at 6:54PM and went into Closed Session to discuss a personnel issue.	

