

Portage County Board of Developmental Disabilities
2606 Brady Lake Road
Ravenna, Ohio 44266

July 31, 2019
Special Meeting
3:00pm
Dennis M. Coble Administration Building

MINUTES

President Michelle Sahr called the special meeting to order at 4:10pm

Board Members present by Roll Call:

Kelly Butler, Carol J. Fruscella, John Gargan, Cheri Michael, Timothy Moran, Michelle Sahr, William Tarver

A quorum is present.

Administrative Staff Present (absences noted by Superintendent)

G. Brown, Supt., C. Clevenger-Morris, D. Cotton, L. Leslie, B. Puleo, G. Slapnicker, T. Torch,
Excused: C. Brown, T. Byich, M. Condos, M. Dolensky, A. Hall, J. Hall, K. Hill, B. Puleo, G. Smith, K. Smith, K. Sumwalt, J. Vennetti, G. Winsen

Guests present: Ron Habowski, Labor Consultant
Staff: Debra Gordon

At 4:11p.m., the Board entered Executive Session in the Board Room with action to be taken following Executive Session.

Motion by T. Moran
Second by C. Fruscella

For the following identified reason:

- (x) To consider the appointment, employment, dismissal, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual;
indicate reason: employment/compensation of public employee
- () To consider the purchase of public property or the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest;
- () Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or intimate court action;
- (x) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;
- () Matters required to be kept confidential by federal law or rules or state statutes.
- () Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

The aforesaid motion having been put to a roll call vote, the results of which were as follows:

NOT VOTING	PRESENT		BOARD MEMBERS
	YES	NO	
()	(x)	()	KELLY BUTLER
()	(x)	()	CAROL J. FRUSCELLA
()	(x)	()	JOHN GARGAN JR
()	(x)	()	CHERI MICHAEL
()	(x)	()	TIMOTHY MORAN
()	(x)	()	MICHELLE SAHR
()	(x)	()	WILLIAM TARVER

Motion to adjourn executive session at 4:59 pm

Motion by W. Tarver

Second by T. Moran

Motion carried by roll call vote as follows: Kelly Butler, aye, Carol J. Fruscella, aye, John Gargan, Jr., aye, Timothy Moran, aye, Cheri Michael, aye, Michelle Sahr, aye. William Tarver, aye.

Motion to return to open session at: 5:00 pm

Motion by C. Michael

Second by K. Butler

Motion carried.

Action taken from Executive Session.

Motioned to approve Resolution 19-07-01SM for approval of Collective Bargaining Agreement with the Portage County Educators Association for the Developmentally Disabled – Unit A for the period of September 1, 2019 through August 31, 2022.

RESOLUTION 19-07-01SM

APPROVAL OF COLLECTIVE BARGAINING AGREEMENT WITH THE PORTAGE COUNTY EDUCATORS ASSOCIATION FOR THE DEVELOPMENTALLY DISABLED - UNIT A FOR THE PERIOD SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2022

WHEREAS, the collective bargaining agreement (hereinafter referred to as the Master Agreement) between the Portage County Board of Developmental Disabilities (hereinafter referred to as the Board) and the Portage County Educators Association for the Developmentally Disabled - Unit A (hereinafter referred to as Unit A) expires on August 31, 2019; and

WHEREAS, the Board’s negotiation team and the Unit A negotiation team began negotiations February 21, 2019 and included the utilization of services of a mediator from the Federal Mediation and Conciliation Service (FMCS) commencing on June 24, 2019; and

WHEREAS, negotiations for a successor Master Agreement resulted in a ‘tentative agreement’ on July 16,

2019 which provides for a successor Master Agreement for the period September 1, 2019 through August 31, 2022 that includes the following provisions:

Covered employees hired before 5/1/11 receive no increase to base salary, no step increases and a \$1,500 lump sum each year; Employees hired on or after 5/1/11 receive a 1.0% salary increase each year and will receive step increases, if eligible; Employee share of health insurance premiums increases from the current 11.0% to 11.5% the first year, 12.0% the second year, and 12.5% the third year; Removed provision that personal days are to be used on a quarterly basis – may now be used throughout the year as approved by the supervisor; Added a sick leave donation provision; Abolished Account Clerk I classification and retitled Account Clerk II to Account Clerk; Miscellaneous administrative changes including deleting the Fair Share Fee language and deleting language regarding Adult Services employees; and

WHEREAS, the Superintendent has received notification that the Unit A membership ratified the tentative CBA on July 23, 2019; and

WHEREAS, the Superintendent, the Director of Human Resources, the Director of Education and Child Development, and the Board’s Labor Consultant Attorney Ronald Habowski herein recommend approval of the three-year Master Agreement with the Portage County Educators Association for the Developmentally Disabled Unit A as presented at this special meeting on July 31, 2019; now therefore be it

RESOLVED, that the Board hereby approves the Master Agreement between Unit A and the Board for the period September 1, 2019 through August 31, 2022; and be it further

RESOLVED that the Board herein directs the Superintendent to submit this Master Agreement to the Portage County Commissioners requesting their action on the Master Agreement for the period September 1, 2019 through August 31, 2022; and be it further

RESOLVED, that the Superintendent or his/her designee is hereby authorized to take any and all actions to carry out this Master Agreement.

Submitted by: Gina Brown, Superintendent; Lynn Leslie, Director of Human Resources; Alicia Hall, Director of Education and Child Development; and Ronald J. Habowski, Esq., Board Labor Consultant.

The resolution was moved by **William Tarver** and seconded by **Carol J. Fruscella**

It is found and determined that all formal actions of the Portage County Board of Developmental Disabilities concerning and relative to the adoption of this resolution were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

The aforesaid resolution having been put to a roll call vote, the result of which is as follows:

Kelly Butler,	aye	Carol J. Fruscella,	aye
John Gargan,	aye	Cheri Michael	aye
Timothy Moran,	aye	William Tarver,	
aye			

Michelle Sahr, aye

CERTIFICATION

I, Beverly Puleo, Assistant to the Superintendent, for the Portage County Board of Developmental Disabilities, do hereby certify that the aforesaid motion was duly adopted at a special meeting held on **July 31, 2019**, and an accurate copy of said resolution may be located in the official minutes of the Board.



Beverly Puleo, Assistant to the Superintendent

Motioned to approve Resolution 19-07-02SM for approval of New Management Classification entitled Facility/Transportation Manager and placement of said classification on the 260/261/262 Management Salary Schedule.

RESOLUTION 19-07-02SM

APPROVAL OF NEW MANAGEMENT CLASSIFICATION ENTITLED FACILITY/TRANSPORTATION MANAGER AND PLACEMENT OF SAID CLASSIFICATION ON THE 260/261/262 MANAGEMENT SALARY SCHEDULE

WHEREAS, the Board retains exclusive authority to add and delete the permanent full-time and part-time employment classifications listed in Board Policy *1.00 Powers and Duties of the Board – Appendix A*; and

WHEREAS, the Board, through Board Policy *1.00 Powers and Duties of the Board*, also retains the exclusive authority to place management-level employment classifications on particular levels of the Board’s Management Salary Schedule; and

WHEREAS, the Superintendent and the Director of Human Resources recommend creation of a management-level employment classification of Facility/Transportation Manager; now therefore be it

RESOLVED, that the Board hereby approves the addition to the permanent full-time and part-time employment classifications in Section C of Board Policy *1.00 Powers and Duties of the Board – Appendix A* of:

Facility/Transportation Manager with placement on Level Two (2) of the 260-262 Day Management Salary Schedule;

RESOLVED, that the Superintendent or his/her designee is authorized to take any and all actions to carry out this resolution.

Submitted by: Gina Brown, Superintendent and Lynn Leslie, Director of Human Resources.

The resolution was moved by **John Gargan** and seconded by **Cheri Michael**

It is found and determined that all formal actions of the Portage County Board of Developmental

Disabilities concerning and relative to the adoption of this resolution were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

The aforesaid resolution having been put to a roll call vote, the result of which is as follows:

Kelly Butler,	aye	Carol J. Fruscella,	aye
John Gargan,	aye	Cheri Michael,	aye
Timothy Moran,	aye	William Tarver,	aye
		Michelle Sahr,	aye

CERTIFICATION

I, Beverly Puleo, Assistant to the Superintendent, for the Portage County Board of Developmental Disabilities do hereby certify that the aforesaid motion was duly adopted at a special meeting held **July 31, 2019** and an accurate copy of said resolution is located in the official minutes of the Board.



Beverly Puleo, Assistant to the Superintendent

Motioned to approve Resolution 19-07-03SM for reduction of Staff/Abolishment of position(s)/change in Table of Organization.

RESOLUTION 19-07-03SM

REDUCTION OF STAFF/ABOLISHMENT OF POSITION(S)/CHANGE IN TABLE OF ORGANIZATION

WHEREAS, due to a decrease in student enrollment requiring transportation for the 2019-2020 school year, the Transportation Table of Organization requires an abolishment of positions effective August 25, 2019, as follows:

One (1) Vehicle Attendant, 184 days

THEREFORE, BE IT RESOLVED, the Portage County Board of Developmental Disabilities accepts the recommendations of the Superintendent herein in regards to abolishing the above mentioned position; and be it

RESOLVED, that the Superintendent be directed to:

Act in accordance with Article 8 of the Collective Bargaining Agreement with the Ohio Association of Public School Employees.

Submitted by: Gina Brown, Superintendent; Thomas Byich, Transportation Supervisor; and Lynn Leslie, Director of Human Resources

The resolution was moved by **William Tarver** and seconded by **Kelly Butler**

It is found and determined that all formal actions of the Portage County Board of Developmental

Disabilities concerning and relative to the adoption of this resolution were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

The aforesaid resolution having been put to a roll call vote, the result of which is as follows:

Kelly Butler,	aye	Carol J. Fruscella,	aye
John Gargan,	aye	Cheri Michael,	aye
Timothy Moran,	aye	William Tarver,	aye

Michelle Sahr, aye

CERTIFICATION

I, Beverly Puleo, Assistant to the Superintendent, for the Portage county Board of Developmental Disabilities, do hereby certify that the aforesaid motion was duly adopted at a special meeting held on **July 31, 2019**, and an accurate copy of said resolution may be located in the official minutes of the Board.



Beverly Puleo, Assistant to the Superintendent

Motioned to approve Resolution 19-07-04SM for approval of compensation for Investigative Agent who serves as Lead Investigative Agent.

RESOLUTION 19-07-04SM

APPROVAL OF ADDITIONAL COMPENSATION FOR INVESTIGATIVE AGENT WHO SERVES AS LEAD INVESTIGATIVE AGENT

WHEREAS, the Board, through Board Policy 1.0 *Powers and Duties of the Board*, has exclusive authority to establish compensation, including but not limited to salary schedules and fringe benefits for all Board employees; and

WHEREAS, the Superintendent and the Director of Human Resources recommend payment of additional compensation to an Investigative Agent who is designated as Lead Investigative Agent by the Superintendent to oversee daily investigative operations and the training of newly hired Investigative Agents; now therefore be it

RESOLVED, that the Board hereby authorizes the Superintendent to designate a Lead Investigative Agent and to pay the designee an additional amount of six percent (6%) of his/her regular pay for a period determined by the Superintendent;

RESOLVED, that the Superintendent or his/her designee is authorized to take any and all actions to carry out this resolution.

Submitted by: Gina Brown, Superintendent, and Lynn Leslie, Director of Human Resources.

The resolution was moved by **Timothy Moran** and seconded by **Carol J. Fruscella**

It is found and determined that all formal actions of the Portage County Board of Developmental Disabilities concerning and relative to the adoption of this resolution were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

The aforesaid resolution having been put to a roll call vote, the result of which is as follows:

Kelly Butler,	aye	Carol J. Fruscella,	aye
John Gargan,	aye	Cheri Michael,	aye
Timothy Moran,	aye	William Tarver,	aye
		Michelle Sahr,	aye

CERTIFICATION

I, Beverly Puleo, Assistant to the Superintendent, for the Portage County Board of Developmental Disabilities do hereby certify that the aforesaid motion was duly adopted at a special meeting held **July 31, 2019** and an accurate copy of said resolution is located in the official minutes of the Board.



Beverly Puleo, Assistant to the Superintendent

The President asked for a motion for adjournment at 5:05pm

Motion by J. Gargan
Second by C. Fruscella

Respectfully Submitted,



Beverly Puleo, Assistant to the Superintendent



Michelle Sahr, President



Kelly Butler, Secretary