

Old Business:**A. Performance Review Committee:**

1. The revised Performance Review Committee Report for the annual performance evaluation of Harry A. Yates was presented to Council for approval with changes made at the 08/01/2005 Council Meeting. **A motion was made by Debbie Crowder and seconded by Karen Ripper to approve the Performance Review Committee Report for the annual performance evaluation of Harry A. Yates as amended. In favor of the motion were (5) Council Members: Samia Ferraro, Karen Ripper, Debbie Crowder, Laurie Gaylord, and Dr. Sara Wilcox. Opposed to the motion were (3) Council Members: Marian Carpenter, Tony George, and Hon. Steven Levin. The motion carried.**
2. Copies of the 01/15/1990 original Executive Director's contract were provided to the Council Members. No comments given.
3. The Executive Director's annual vacation back-pay of (5) additional days per year from 01/15/1994 was reviewed by CSCMC Legal Counsel, as it was just discovered this year that 20 days of annual leave were not being paid as specified in the Executive Director's original Employment Agreement of 1990. Therefore, Genevieve Guido calculated how much money was owed to Harry per Council's request. Attorney Johnathan Ferguson reviewed each of Harry A. Yates' contracts, where the following items were discovered:
 - The original contract of 01/15/1990 stated that 20 days per year annual leave would be given for year five and thereafter, unless otherwise approved by the Board.
 - The next contract written in 1992, signed by all parties, dropped the reference to the 20 days annual leave and only mentioned "Annual Leave of 15 days per year" (Page 2, Item 7a.). CSCMC's current law firm was not involved in this contract; therefore Mr. Ferguson does not know what the intent of the parties was but the language of 20 days of annual leave was dropped.
 - All subsequent contracts to present, signed by all parties, simply refer to 15 days vacation only and make no reference to additional days or any escalation to annual leave after a certain amount of time.

Mr. Ferguson concluded that because the first contract never ran a full five years of the Executive Director's employment where the 20 days of annual leave would begin and it was superseded by subsequent contracts that did not refer to 20 days, it appears that Harry has been entitled to 15 days of vacation every year since 1992 with no change contemplated by the agreements.

Mr. Ferguson reported that, since 2000, CSCMC has not been entering into a new agreement with Harry but has been adding an addendum that changes the Executive Director's annual salary. Therefore, Mr. Ferguson feels that it is up to the Council Members to decide how to proceed with this issue. However, the original contract that called for the escalation of 20 days of annual leave never took effect after 5 years and thereafter.

According to Johnathan Ferguson, no true legal contractual obligation for CSCMC to pay the vacation back pay exists. Mr. Ferguson also reported that the Employment Agreements of 1990 (original), 1992 (rewritten), and 2000 (rewritten) were signed by different CSCMC Chairs. Also, no references were made to carry forward any of the provisions from the original contract, which was superseded in its entirety with new agreements being rewritten with vacation time of 15 days per year.

Samia Ferraro stated that the language leaving off 20 days of annual leave after 5 years and thereafter appears to have been an oversight in Harry's re-negotiated contracts. Council had a detailed discussion on the topic. Council must determine if the 20 days were intentionally taken out of the contract. Council consensus was to table this 20-day vacation day issue until the 09/26/2005 meeting to allow time for staff to review the 1992 Performance Review Committee's taped meetings and/or minutes and possible contact to be made with former CSCMC Attorney Steve Fry and former CSCMC Chairs Pamela Roebuck and Sherry Westerfield. Council requested that any information obtained from this research be given to them before the next meeting. Council requested that Genevieve Guido research how much vacation time that the County Administrator and the Executive Director of CSC of St. Lucie County of receives.

New Business:

- A. The Audit Committee recommendation was presented by Karen Ripper. Only one company responded to CSCMC's Request for Proposal. Genevieve Guido reported that the Committee was in agreement to negotiate a contract with Proctor, Crook & Crowder, Certified Public Accountants & Associates. **A motion was made by Dr. Sara Wilcox and seconded by Debbie Crowder to approve that staff negotiate a two-year term contract and fees with Proctor, Crook & Crowder, as presented by the Audit Committee. The motion passed unanimously.**

- B. The Building Bridges to Youth request was presented by David Heaton in response to a grant application received. Although staff is supportive of this program and the effort underway in East Stuart, staff recommended denial of this request and recommends that this application be considered as part of the primary CSCMC funding cycle that commences in December 2005. Ms. Ollie Harvey answered Council questions. Samia Ferraro explained how the annual Technical Advisory Committee (TAC) application review process worked for funding and our set budget dollars that are completely allocated for yearly funding with only a small portion set aside for emergency situations only. Therefore, staff is following Council's direction and policy to deny non-emergency requests for funding. Council recommended that Ms. Harvey work with staff on Building Bridges' Measurable Objectives. Regrettably, Harry A. Yates reported that, because they did not apply during the regular funding cycle just because they missed the deadline, this request is no different from an appeal for funding, which is no longer accepted by Council and should, therefore, be denied funding to be consistent with allowing TAC to review each application for funding. Council requested that staff write a policy on out-of-cycle application criteria to be attached to Program Reserve Funds to be incorporated in the upcoming Request for Proposals to avoid any confusion; they requested that this policy be presented to them for approval at the 09/26/2005 meeting. **A motion was made by Marian Carpenter, as recommended by staff. As no second was made, the motion died.**

A motion was made by Tony George and seconded by Dr. Sara Wilcox to approve the Building Bridges to Youth Request for funding, being contingent upon Measurable Objectives being rewritten with staff and prorating the funding of \$70,937.60 with a September 1, 2005, contract date. A detailed discussion ensued with Council. Scott Berry reported that 3 out of 5 performance targets in Building Bridges' Measurable Objectives were met from last year's end-of-year report, which is acceptable performance. **In favor of the motion were (3) Council Members: Tony George, Hon. Steven Levin, and Dr. Sara Wilcox. Opposed to the motion were (5) Council Members: Samia Ferraro, Karen Ripper, Marian Carpenter, Debbie Crowder, and Laurie Gaylord. The motion did not carry.**

A motion was made by Karen Ripper that Building Bridges to Youth bring a rewritten proposal back to Council and staff with more definable Measurable Objectives and a prorated grant amount not to exceed \$40,000. As no second was made, the motion died.

A motion was made by Dr. Sara Wilcox and seconded by Tony George to request that Building Bridges to Youth return to Council with a new application after working with staff to include revised Measurable Objectives and a budget amount prorated from October 1, 2005, to June 30, 2006. In favor of the motion were (6) Council Members: Karen Ripper, Debbie Crowder, Tony George, Laurie Gaylord, Hon. Steven Levin, and Dr. Sara Wilcox. Opposed to the motion were (2) Council Members: Samia Ferraro and Marian Carpenter. The motion carried.

- C. The Martin County Health Department's application for the School Health Program was presented by David Heaton. The application was reviewed by Ms. Cheryl Bass from Martin County, Mr. Bill Connolly from Martin County School District, and Mr. Jim Dragseth, former Council Member. This is a collaborative effort between several funders, including the Martin County Board of County Commissioners, Martin County School District, and CSCMC. **A motion was made by Marian Carpenter and seconded by Dr. Sara Wilcox to approve funding to the Martin County Health Department for the School Health Program in the amount of \$90,000 to commence on October 1, 2005, through June 30, 2006, (10-month contract) being contingent on approved funding by both the Martin County Board of County Commissioners and Martin County School District, as presented by staff. The motion passed unanimously.** Harry A. Yates reported that a more comprehensive school health plan than initially perceived will be reviewed by the Health Coordinating Council along with Jim Dragseth, the Martin County School Board, and the Martin County Health Department.
- D. The Whole Child Resource & Referral System update was presented by Harry A. Yates. It is being requested that CSCMC take over implementation of the pilot project, which has been housed in the Early Learning Coalition (ELC) for the past year. As ELC's obligations have increased with the state and they have taken over three counties, it will be best to bring the program into CSCMC during its incubation phase. Staff recommends that the grant be terminated with ELC and be given back to CSCMC; therefore, it will cost no additional CSCMC operational dollars to run the program in this fashion. As this is the incubation phase of the program, direct services will not be provided at CSCMC. Scott Berry reported that, once this phase is reached, advisors providing the direct services would be housed at the other affiliated agencies, such as ELC, Head Start, and Helping People Succeed. **A motion was made by Debbie Crowder and seconded by Karen Ripper to approve staff's recommendation to terminate the contract with Early Learning Coalition for the Whole Child Resource & Referral System and have CSCMC take over the implementation of the program. The motion passed unanimously.**
- E. The PACE Center for Girls' update was presented by David Heaton. PACE has requested to take their Martin County operations to their Fort Pierce center, as classroom space within Martin County has not been successfully negotiated with the School District after their space suffered hurricane damage at the Spectrum School. Although CSCMC does not want to see the program being moved to Fort Pierce, it is preferable to losing the program altogether. Dr. Sara Wilcox stated that the School Board would lose the FTE funding for these students if the program moves out of Martin County; therefore, they could not provide transportation due to liability issues. Lisa von Seelen, Executive Director of PACE, addressed Council and answered their questions. **A motion was made by Hon. Steven Levin and seconded by Karen Ripper to table the PACE issue until the 09/26/2005 meeting to enable time for personnel from the Martin County School District and PACE Center for Girls to meet. The motion passed unanimously.**

- F. The FCSC Business Plan (Draft) was presented by Samia Ferraro for Council review, as the financial liability on CSCMC's part will be a \$9,276 yearly contribution (currently dues are \$2,000/year) if this plan goes through as written. Ms. Ferraro will be attending the FCSC meeting with Elizabeth Whittles in Harry A. Yates' absence on August 29, 2005. Ms. Ferraro requested that Council send any comments or ideas to Elizabeth. Harry requested that Council pay particular attention to the risks of this plan as stated on Page 3.

Staff Reports:

A. Executive Director/Staff Report:

The Executive Director/Staff Report was given by Harry A. Yates. No Council comments or questions were given.

B. Financial Reports:

The Financial Reports were given by Genevieve Guido. No Council comments or questions were given.

For Your Information :

- A. The Indoor Environmental Quality Assessment Report, prepared by Eric Althouse, Certified Indoor Air Quality Professional of Air Intellect, LLC, was discussed by Council and staff. In answer to Council's question on what is being done regarding Page 10 of the report, Harry A. Yates reported that Bo Demorest, owner of Demorest Construction Group, Inc., who initially remodeled our building, and their air conditioner technician attended a meeting where Mr. Althouse attended via conference call to access what was needed to correct the building problems. David Heaton stated that the first step will be to have an evaluation conducted by the air conditioning technician. The next step will be the remediation of the mold in the wall. No costs have been negotiated to date. The air conditioning technician concluded that the report was incorrect in that there is no introduction of outside air in the air conditioning system; therefore, this large expense can be avoided. CSCMC is responsible to pay costs for anything fixed inside of the building; the landlord is only responsible for the windows, roof, and anything outside of the building. Genevieve Guido reported that the insurance company covered all costs for the report expenses, being hurricane related. The Southcoast building property manager has been contacted to inspect the roof. Council requested that staff make a recommendation on what issues should be addressed with the landlord and provide them with a progress report of the work.

B. Regarding The Stuart News editorial of 04/14/2005 ("Bad habits"), Dr. Sara Wilcox expressed her concern about this article and The Whole Child Progress Report that contains outdated information of 2002 and does not include new information from 2004. Samia Ferraro suggested that staff contact Geoff Oldfather of The Stuart News to make him aware of the new data. Elizabeth Whittles reported that it was made extremely clear to Geoff Oldfather that the purpose of that interview was to highlight the Whole Child Project and what it would mean to the planning process of CSCMC, as we would be making very conscience funding decisions that are based on data, and partnering with our fellow funders has been very successful; it was never intended for the article to focus in on the 2002 data or substance abuse. Elizabeth stated that the media was told that this data had been updated and was available upon request or through our website. In fact, e-mails were forwarded with the updated information to the reporter. Robyn Vanover of the Martin County School District contacted The Stuart News to rebut this article, and she was unclear why the media choose to highlight substance abuse and hone in on what is wrong with our youth and our community. Geoff Oldfather told Ms. Vanover that he overlooked the fact that he was referring to old data and will be meeting with her today. Dr. Wilcox requested that updated data be attached in The Whole Child Progress Report and the source be referenced before future copies are distributed. Scott reported that the revised data on the Youth Health and Well-Being Report Card will be attached to The Whole Child Progress Report for future distribution.

Karen Ripper left the meeting at 12:05 p.m.

Council Member Comments:

Dr. Sara Wilcox requested that she receive a hard copy of the monthly Council Packet, as the electronic version is not working for her office.

Laurie Gaylord requested that she receive a hard copy of the Council Packet in the same manner that Dr. Wilcox receives it.

Marian Carpenter stated that, although her heart goes out to Building Bridges for their funding request today, out-of-cycle requests must comply with our TAC process, as they thoroughly review each application and answer all questions before being brought to Council.

Debbie Crowder requested that she also receive hard copies of the Council Packet, as it takes too much time to individually open each item and print it out from her home inkjet printer (approximately two hours to complete).

Tony George does not like the Fetch program on the website that houses the Council Packet, as it does not have the ability to allow a user to "Select All" and download all of the contents on his laptop at once, and he does not have the time to print each document out on paper.

Public Comments:

None given.

As no further Council comments or questions were made, the meeting adjourned at 12:25 p.m.

Samia Ferraro, Chair

harry a. yates, Executive Director