



# AuSable Valley Community Mental Health Services

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William Williams, D.O., Chairperson  
Floyd R. Smith, Ph.D., Director

## *AU SABLE VALLEY COMMUNITY MENTAL HEALTH SERVICES BOARD*

*July 27, 2009*

### *MINUTES*

#### *I. CONVENE*

*The regularly scheduled meeting of the AuSable Valley Community Mental Health Board was held on Monday, July 27, 2009 at the Board's West Branch Office. Meeting was called to order by Chairman Dr. Williams at 6:00 p.m.*

*A. ROLL CALL. Board members present: Patti Casey, Bernadine Clark, Scott Colclasure, Robert Cudney, Jim Cummins, Kay Hammond Robert Huddy, Michael Welsch, Clyde Soucie, Rose Walsh and Dr. Williams.*

*Board members absent: Joe Stone.*

*Staff present: Floyd Smith, Glenn Gray, Lois Gartland, Dave Beck, Barb Stelloh and Deb Roach.*

*Guests: None.*

#### *B. APPROVAL OF JUNE MINUTES.*

*Moved by Mr. Soucie, seconded by Mr. Welsch to approve the Minutes of the June Board Meeting as corrected. Motion carried.*

#### *C. APPROVAL OF AGENDA.*

*Moved by Ms. Clark, seconded by Ms. Casey to approve the July Agenda as presented. Motion carried.*



Services for emotionally disturbed, developmentally disabled and chemically dependent individuals provided through state and local cooperation.  
Serving Iosco, Ogemaw and Oscoda Counties.

*D. CORRESPONDENCE*

*Dr. Smith asked that one piece of correspondence be deferred until later in the agenda.*

*E. ANNOUNCEMENTS None.*

*F. PUBLIC COMMENTS None.*

*G. CONSUMER COMMENTS None.*

*II. Proposed Settlement with Department of Community Health*

*Dr. Smith provided an e-mail on Thursday evening and also distributed a copy of his discussion of a proposed settlement with the Department. Dr. Smith reviewed that this dispute has been going on for almost seven years. He explained that it was a combination of two audits, for the fiscal years 1998 – 2001, and 2001 – 2004. The Department has demanded a re-payment of \$1.9 million dollars in local funds.*

*Dr. Smith reviewed that we have gone through a number of hearings on this, have spent a lot of money on this, and we were at the point of going to an Administrative Law Judge on a number of motions. He reviewed the first negotiation session including our Attorneys, Mike Hodge, and Ron Tyler, Jerry Gracik as our CPA, along with Hoot Keiser and himself. Dr. Smith reported that our team met again last Wednesday with the Department's team including several senior officials who had not been present at the prior session. We presented additional information that strengthened our case. As a result of this, the Department has made a counter-offer that requires we pay them \$100,000, spread over several years; and that this settle all issues related to the audit, including the amount we believed that they owe us. After several hours of negotiation, there was an agreement on this.*

*Dr. Smith noted that several drafts of a written agreement have been developed; the latest form was distributed in Board's packet. He indicated this was not the final language, but we are getting close and with that, he requested further instruction from the Board.*

*A two page letter from Mr. Tyler, our attorney, outlining the Status of Proceedings and recommending that we accept the agreement was distributed and briefly reviewed. It was*

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*noted that the repayment schedule is a 10 year schedule.*

*Moved by Mr. Welsch, seconded by Mr. Soucie to follow the advice of our Attorney and Director to adopt the settlement with the Department of Community Health as presented, subject to our attorney's review, with signature by the Chairperson. Roll call vote taken; all ayes. Motion carried.*

*Dr. Smith expressed his appreciation for the support the Board has had on this issue and commended them for that. He recognized our Attorney, Ron Tyler, who has represented us for 30 years, sharing that he was superb in his efforts and with the quality of his work that made our case so strong. He also commended Jerry Gracik, our CPA, and Hoot Keiser, our former Assistant Director for Finance for their roles that they also played in this dispute.*

*Ms. Casey thanked Dr. Smith for all his hard work. Dr. Williams offered his commendations to Dr. Smith, who he described as "the man behind this settlement," in giving his total commitment, hours, months and years of dedication and perseverance in defending our case. Dr. Williams reviewed the Board's respect for the Department and that we need to continue working with them. There was question of how long it will take for a final agreement which Dr. Smith hopes by the end of the week.*

## **II. REPORTS**

**A. Chairperson. None.**

**B. Board Association.**

*The Board Association is seeking donation to the PAC if any member of the Board is interested. Dr. Williams provided an explanation of the use of such funds. Ms. Hammond has obtained a Toolkit for Integrating Mental Health in Schools and will e-mail it to Ms. Gartland for distribution to those who may be interested. Mr. Soucie also raised some recent discussion of the possible combination of CMH, Aging and Public Health services.*

**C. Director**

*Dr. Smith's printed report of areas of interest to the Board was distributed and reviewed.*

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*Dr. Smith reviewed that at last month's Board meeting, the Board approved a Budget Plan for next year, including our portion of a \$40 million reduction. He reported that the Senate is currently talking about figures as high as \$ 155 million; and the House Republicans have just proposed a reduction of as much as \$ 193 million! Dr. Smith indicated that he did not wish to take extensive time reviewing the possibilities until we see what figures we actually have to deal with.*

*Dr. Smith did note however that we should convey our thoughts to our Legislators and our County Commissioners. Dr. Smith indicated he would be available to our County Boards of Commissioner for additional discussion if that was helpful.*

**B. Committees**

**1. Building.** *Committee met on June 25, 2009.*

*Committee report was presented and reviewed by Dr. Williams as Committee representative.*

*Mr. Cummins questioned how many vehicles we have which Dr. Smith reported as about 35. There was discussion of the manner in which those are valued.*

**2. Personnel.** *Committee met on June 29, 2009.*

*Committee report was presented and reviewed by Mr. Cudney as Committee Chairperson.*

**3. Executive & Finance.** *Committee met on July 14, 2009.*

*Committee report was presented by Bernadine Clark as Committee Chairperson.*

*Moved by Ms. Clark, seconded by Ms. Hammond, to receive the June Financial Statements and Expenditure Reports as presented. Roll call vote taken; all ayes. Motion carried.*

*Moved by Ms. Clark, seconded by Ms. Hammond, to approve the four respite contracts with rates ranging from \$ 6.00 per hour, with a maximum of \$ 50 per day as presented, with signature by the Director. These individuals are not employees of the Board. Roll call vote taken; all ayes. Motion carried.*

4. **Program Committee.** *Committee met on July 16, 2009.*

*Committee report was presented by Patti Casey as Committee Chairperson.*

*Moved by Ms. Casey, seconded by Mr. Welsch, to approve the death reporting procedure as presented. Roll call vote taken; all ayes. Motion carried.*

5. **Recipient Rights Appeal.** *Committee met on July 23, 2009.*

*As Committee representative, Dr. Williams briefly reviewed that the Recipient Rights Appeal Committee did meet recently and that our Recipient Rights Officer did comply with all rules and regulations and no action was necessary. Dr. Williams has signed the appropriate letter.*

**III. OLD BUSINESS**

*None.*

**IV. NEW BUSINESS**

*None.*

**V. COMMENTS**

**A. BOARD.**

*Mr. Welsch shared that he attended the Gentle Teaching Training recent and that he found it very interesting and simple to understand. Mr. Soucie was also able to attend one day of the training and was impressed with the presentation. Ms. Hammond also attended and had copies of the information for those who may be interested.*

**C. STAFF.**

*Barb Stelloh briefly reviewed the recent Gentle Teaching Training and shared that David Lane, our DD Psychologist has been utilizing this approach for years and that our staff have a basic understanding and use of this approach.*

*There was question regarding the loss of Garry Heckman, a long time staff member. Dr. Smith reviewed that both Garry and his wife Irene have worked for us for many years and are wonderful people. The Memorial Service will be held this coming Saturday. Ms. Gartland will send out information to members of the Board.*

*C. PUBLIC. None.*

*VI. MEETING DATES*

*A. BOARD. Next regular meeting of the Board will be held on Monday, August 24, 2009, at 6:00 p.m., at the Board's Program Center in Oscoda.*

*B. COMMITTEES.*

- 1. Program. Thursday, August 20, 5:00 p.m., Tawas Office.*
- 2. Building. Thursday, August 27, 10:00 a.m., Mio Office.*
- 3. Executive & Finance. Tuesday, August, 18, 5:00 p.m., West Branch Office.*

*VIII. ADJOURN*

*Moved by Mr. Welsch, seconded by Ms. Walsh that the meeting be adjourned. Motion carried. Meeting adjourned at 6:50 p.m.*

*Respectfully submitted,*



*Lois A. Gartland*  
*Recording Secretary*

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