NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

DECEMBER BOARD MEETING

THURSDAY, DECEMBER 12, 2024

3:00 PM

400 JOHNSON STREET ALPENA, MICHIGAN 49707

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY BOARD Meeting Agenda | Thursday, December 12, 2024 | 3:00 p.m.

١.	Call to Order	
١١.	Roll call & Determination of a Quorum	MISSION STATEMENT To provide comprehensive services and supports that
III.	Pledge of Allegiance	enable people to live and work independently.
IV.	Appointment of Evaluator	
٧.	Acknowledgement of Conflict of Interest	
VI.	Information and/or Comments from the Public	
VII.	Approval of Minutes	(Pages 1 – 3)
VIII.	Rehmann: Staff Survey 2024 Results with Cheryl K	uch (Presentation)
IX.	Educational Session: Annual Compliance Report &	& Training with Jen Walburn (Presentation)
Х.	December Monitoring Reports 1. Ends 04-001 2. Grants or Contracts 01-001	• •
XI.	Board Policies Review and Self-Evaluation	(i ugoo 4 o)
Λι.	1. Grants or Contracts 01-011 (Review)	(Pages 6 - 7)
	2. Board Member Recognition 02-011 (Review & Self-	
	3. Board Member Orientation 02-015 (Review & Self-E	
	4. Staff Treatment 01-003 (Review Revisions)	
XII.	Operations Report	(Page 12)
XIII.	Board Chair's Report	
	1. Review Board Bylaws	
	2. Boardworks	
XIV.	Executive Director's Report	(Verbal)
XV.	Information and/or Comments from the Public	
XVI.	Information and/or Comments for the Good of the	Organization
XVII.	Next NeMCMHA Board Meeting – Thursday, Januar 1. Proposed January Agenda Items	
		(1.350.20)
XVIII.	Meeting Evaluation	(Verbal)
XIX.	Adjournment	

Northeast Michigan Community Mental Health Authority Board Board Meeting – November 14, 2024

I. Call to Order

Chair Eric Lawson called the meeting to order in the Board Room at 3:02 p.m.

II. Roll Call and Determination of a Quorum

Present:	Bob Adrian, Les Buza, Bonnie Cornelius, Lynnette Grzeskowiak, Charlotte Helman, Judy
	Jones, Eric Lawson, Kara Bauer LeMonds, Gary Nowak, Lloyd Peltier, Terry Small
Absent:	Dana Labar (Excused)
Staff & Guests:	Carolyn Bruning, Connie Cadarette, Mary Crittenden, Rebekah Duhaime, Mikki Manion,
	Ruth Hewett, Nena Sork, Brenda Stanton, Jen Walburn

III. <u>Pledge of Allegiance</u>

Attendees recited the Pledge of Allegiance as a group.

IV. <u>Appointment of Evaluator</u>

Charlotte Helman was appointed as evaluator of the meeting.

- V. <u>Acknowledgement of Conflict of Interest</u> No conflicts of interest were acknowledged.
- VI. <u>Information and/or Comments from the Public</u> There were no comments from the public.

VII. Approval of Minutes

Moved by Gary Nowak, supported by Les Buza, to approve the revised minutes of the October 10, 2024, Board meeting and the revised minutes of the September 12, 2024, board meeting, as presented. Motion carried.

VIII. Consent Agenda

Moved by Gary Nowak, supported by Terry Small, to approve the November Consent Agenda. Roll Call: Ayes: Bob Adrian, Les Buza, Bonnie Cornelius, Lynnette Grzeskowiak, Charlotte Helman, Judy Jones, Eric Lawson, Gary Nowak, Lloyd Peltier, Terry Small; Nays: None; Absent: Dana Labar, Kara Bauer LeMonds. Abstain: None. Motion carried.

IX. <u>November Monitoring Reports</u>

1.Budgeting 01-004

Connie Cadarette reviewed the Statement of Revenue and Expense and Change in Net Position for the month ending September 30, 2024, as a soft close for FY24. These numbers have been reported to the State for interim reporting but will not be the audited financial statements. Connie reviewed line items with negative variances. The total overspent due to the NMRE is \$698,693 and General Funds were overspent \$584,128.

Kara Bauer LeMonds entered the meeting at 3:11 p.m.

The Medicaid deficit will be balanced by additional funds coming to the NMRE. The Agency's audit will be the second week of January.

2. Financial Condition 01-005

Connie reported the Agency currently has an unrestricted net position of 34 days of cash. The figures presented were also soft close numbers.

3. Treatment of Individuals Served 01-002

Eric thought there was a lot of good information in the Recipient Rights Quarterly Report. Ruth Hewett reported it was a very good meeting and that it was a great opportunity for Recipient Rights Committee members to meet Eric.

Moved by Lloyd Peltier, supported by Charlotte Helman, to approve the November Monitoring Reports. Motion carried.

X. Board Policies Review

1. Treatment of Individuals Served 01-002

Board members reviewed the policy and did not feel it required any revisions. Nena Sork and Jen Walburn discussed IT security measures that are in place to protect private health information of those served by the Agency.

2. Staff Treatment 01-003

Board members reviewed the policy and asked that Nena review it further to ensure compliance with EEOC is adequately addressed.

XI. Linkage Reports

1. NMRE Board Meeting – October 23

Eric will be discussing the largest topic of conversation from the NMRE Board meeting during his Chair's report later in the meeting.

2. CMHA Fall Conference

Lloyd reported it was an outstanding conference and there was so much to learn.

XII. Operations Report

Mary Crittenden reported on operations for the month of October. There were 51 routine requests for services, 54 crisis contacts, and 57 preadmission screens. Of the screens, 19 were privately hospitalized (4 children and 38 adults). Overall, the Agency served 1,045 unduplicated individuals in October.

XIII. Nominations Committee Report

Gary reported letters will be sent to the three county commissions with members up for reappointment. As Judy Jones will not be seeking another term, Alpena will have to appoint a new Board member.

XIV. Board Chair's Report

1. Status of PIHP Contract with MDHHS

Eric reported the NMRE returned their unsigned contract to the State as there are two items they do not agree with. One item relates to the Waskul settlement, which would not be economically feasible for the CMHSPs. The second item is regarding the cap on the internal service fund (ISF). These objections did not go over well with the State. Nena reported that initially seven of the ten PIHPs did not sign the contract, but now it is down to five not having signed. The proposed Waskul Settlement would raise the hourly rate of Self-Determination workers to \$32 per hour, which would create greater salary demands on all positions throughout the CMHSPs and would not be sustainable. Currently, ISFs are capped at 7.5%. The PIHPs are asking for that amount to be raised to 10%, which is still below the 15% advised by actuaries. The whole NMRE Board is very supportive of taking a stand on these issues in the contract.

XV. <u>Executive Director's Report</u>

Nena reported she met with her routine committees and boards through the last month. The IS Director, Dennis Bannon, has announced his retirement date will be January 2, 2025. The accounting software the

Agency uses will be going away by 2028, so they will have to move to new software. This contract will soon be coming to the Board for approval. The General Funds Committee has been meeting about twice a week to review individuals who utilize General Funds for services. Nena advised the Board that the Agency may receive grievances from individuals who have their services decreased. She also reported that the Agency's new onboarding process has been going very well.

XVI. Information and/or Comments from the Public

None were presented.

XVII. Information and/or Comments for the Good of the Organization None were presented.

XVIII. <u>Next Meeting</u>

The next meeting of the NeMCMHA Board is scheduled for Thursday, December 12 at 3:00 p.m.

1. December Agenda Items

The proposed December agenda items were reviewed.

XIX. Meeting Evaluation

Charlotte thought there was a lot of great discussion, and everyone was afforded an opportunity to contribute to meaningful conversation. Provided documents were well-organized and allowed the Board to effectively govern. She wished all the hunters good luck in the woods and wished everyone a happy Thanksgiving.

XX. Adjournment

Moved by Lynnette Grzeskowiak, supported by Lloyd Peltier, to adjourn the meeting. Motion carried. This meeting adjourned at 3:58 p.m.

Bonnie Cornelius, Secretary

Rebekah Duhaime Recorder

Eric Lawson, Chair

POLICY CATEGORY: POLICY TITLE AND NUMBER: REPORT FREQUENCY AND DUE DATE:

EXECUTIVE LIMITATIONS GRANTS OR CONTRACTS, 01-011 ANNUAL, DECEMBER 2024

Executive Director Report:

Following each of the five sub-items within the policy, I will indicate my interpretation and status of each.

Policy Statement:

With respect to contracts and grants, the Executive Director may not enter into any grant or contract unless it emphasizes the production of Ends and the avoidance of unacceptable means. Accordingly, he or she may not:

- **1.** Fail to prohibit particular methods and activities to preclude grant funds or contracts from being used in imprudent, unlawful or unethical ways.
 - Interpretation: Contracts must include language that mandates all contractors, vendors, subcontractors, and suppliers of goods adhere to all applicable laws, ordinances, and regulations when providing services. Contractors must agree to provide services in an ethical manner.
 - **Status:** All service contracts contain language that require contractors to adhere to all applicable local, state, and federal laws, ordinances, and regulations when providing services. Contractors continue to be held to training requirements and Recipient Rights compliance.
- **2.** Fail to assess and consider an applicant's capability to produce appropriately targeted efficient results.
 - **Interpretation:** Contracts must include language indicating expected outcomes and evaluation of services provided by contractors, vendors, and subcontractors.
 - **Status:** Service Contracts contain language indicating what the measurable expected outcomes of the services are. Contracts require authorization and mandate adherence to the measurable goals identified in Individualized Plan of Services (IPOS). Contracts are evaluated at least annually.
- **3.** Enter into any contract for services without approval from the Board, except for contracts for residential services and professional clinical services. In unusual circumstances, when a contract requires execution prior to the next regular meeting of the Board, the Executive Director may approve such contracts when the total cost of the contract does not exceed \$25,000.
 - Interpretation: The Board will approve all service contracts, excluding those pertaining to residential services or professional clinical services.
 - **Status:** All contracts (excluding residential and professional clinical) are submitted to the Board on a regular basis for review and approval. Routine contracts are included on the Board's Consent Agenda. Contracts requiring more detailed discussion and consideration are handled as separate agenda items.

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- **4.** Fail to maintain financial obligations for contracts on a fiscal year basis.
 - Interpretation: The contract term shall follow the fiscal year calendar.
 - **Status:** Contracts that require payment from the Agency are written on a fiscal year basis. Multi-year contracts may occasionally be used (e.g., MDHHS), but language limits financial obligations to fiscal year periods.
- 5. Fail to determine to the best of his/her ability that all contractors, vendors, subcontractors, and suppliers of goods shall prohibit discrimination based on religion, race, color, national origin, age, sex, height, weight, marital status, political affiliation, sexual orientation, record of arrest without conviction, or physical or mental handicap.
 - **Interpretation:** All contracts must include language that prohibits discrimination based on religion, race, color, national origin, age, sex, height, weight, marital status, political affiliation, sexual orientation, record of arrest without conviction, or physical or mental handicap.
 - **Status:** All contracts contain language that prohibits discrimination based upon all the abovementioned areas.
- 6. For contracts over \$25,000 needing execution prior to the next regularly scheduled meeting of the Board, the Executive Director will request the Board Chair or Executive Committee review the contract and take action. The Board will be notified at the next Board meeting of the recommendations and outcome.
 - **Interpretation:** Any urgent contracts over \$25,000 needing approval prior to the regularly scheduled Board meeting will get approval from the Board Chair or the Executive Committee.
 - **Status:** With the use of EGrAMS for contracts from the State, the Executive Director notifies the Board Chair when EGrAMS authorizations come through. Notification to the full Board is provided at their next regularly scheduled meeting.
- 7. The Executive Director will notify the Board, at the next regular Board meeting, when there is an application executed by the Agency for available grants, which enhance the lives of the people we serve and/or assist in the day-to-day operations of the Agency. Grant funds will be included in the budget and presented to the Board for approval at the next regularly scheduled Board meeting.
 - Interpretation: The Board will be notified of all grant applications completed by the Agency.
 - **Status:** Grant application notices are included on the Consent Agenda as they are applied for, and if the grant is awarded, the dollars for the grant are incorporated into the budget or budget amendment.

..<u>\Index.doc</u> EXECUTIVE LIMITATIONS (Manual Section)

GRANTS OR CONTRACTS (Subject)

Board Approval of Policy Last Revision Approved by the Board: August 8, 2002 December 14, 2023

•1 POLICY:

The Executive Director may not enter into any grant or contract, unless it emphasizes the production of Ends and the avoidance of unacceptable means.

Accordingly, he or she may not:

- Fail to prohibit particular methods and activities to preclude grant funds or contracts from being used in imprudent, unlawful or unethical ways.
- Fail to assess and consider an applicant's capability to produce appropriately targeted efficient results.

The Executive Director may execute the EGrAMS authorizations for the contracts through the State of Michigan for such agreements as the General Funds contract, PASSAR Agreements, and other grants initiated by the Michigan Department of Health and Human Services. The Executive Director shall contact the Board Chair and provide notification to the Board at their next regularly scheduled meeting.

In addition, for **CONTRACTS**:

- Enter into any contract for services without approval from the Board except for contracts for residential services and professional clinical services. In unusual circumstances, when a contract requires execution prior to the next regular meeting of the board, the Executive Director may approve such contracts when the total cost of the contract does not exceed \$25,000.
- Fail to maintain financial obligations for contracts on a fiscal year basis.
- Fail to determine to the best of his/her ability that all contractors, vendors, subcontractors and suppliers of goods shall prohibit discrimination based on religion, race, color, national origin, age, sex, height, weight, marital status, political affiliation, sexual orientation, record of arrest without conviction, physical or mental handicap.
- For contracts over \$25,000 needing execution prior to the next regularly scheduled meeting of the Board, the Executive Director will request the

Board Chair or Executive Committee review the contract and take action. The Board will be notified at the next Board meeting of the recommendations and outcome.

In addition, for **GRANTS**:

• The Executive Director will notify the Board, at the next regular Board meeting, when there is an application executed by the Agency for available grants, which enhance the lives of the people we serve and/or assist in the day-to-day operations of the Agency. Grant funds will be included in the budget and presented to the Board for approval at the next regularly scheduled Board meeting.

•2 APPLICATION:

The Northeast Michigan Community Mental Health Authority Board

•**3 DEFINITIONS:**

- •4 **REFERENCES:**
- •5 FORMS AND EXHIBITS:

<u>..\Index.doc</u> <u>GOVERNANCE PROCESS</u> (Manual Section)

BOARD MEMBER RECOGNITION (Subject)

Board Approval of Policy Board Revision of Policy August 8, 2002 December 12, 2019

•1 **POLICY:**

The Board may recognize its members for extended tenure or upon termination or retirement, either upon completion of full terms or partial terms of office. Such recognition may take any form deemed appropriate by the Board. The Board may include such recognition for service within the Board meeting minutes.

The following schedule shall provide guidance concerning frequency and nature of awards to Board members:

At 5 years	A framed Certificate of Appreciation signed by the
	current Board Chair and Executive Director
At 10 years	A Certificate of Appreciation signed by the current
	Board Chair and Executive Director
At 15 years	A Certificate of Appreciation signed by the current
	Board Chair and Executive Director
At 20 years and each 5	An appropriate gift (as determined by the Executive
years thereafter	Director in consult with the Board Chair)
Upon retirement from	A Letter of Appreciation from the Board and if
Service at any other	possible, a Certificate of Appreciation from the
time	Department of Health and Human Services

Award Schedule

These acknowledgements shall be presented at the March Board meeting.

•2 APPLICATION:

The Northeast Michigan Community Mental Health Authority Board

•**3 DEFINITIONS:**

- •4 **REFERENCES:**
- •5 FORMS AND EXHIBITS:

<u>...Index.doc</u> <u>GOVERNANCE PROCESS</u> (Manual Section)

BOARD MEMBER ORIENTATION (Subject)

Board Approval of Policy Last Revision to Policy Approved: April 14, 2005 December 14, 2023

•1 **POLICY:**

The Board will provide an orientation for new Board members as well as regular updates for all Board members. This orientation program will include information addressing the areas noted below. Primary responsibility for delivery of each section is also noted:

- Community Mental Health History (General perspective: CMHA Boardworks 2.0 module: "Foundations – Public Policy;" Northeast perspective: Executive Committee/Executive Director)
- Community Mental Health Mission and Priorities (General perspective: CMHA Boardworks 2.0 module: "Foundations: Intended Beneficiary Ownership," "Foundations – Ensuring a Consumer Focus," and "Foundations – Intended Beneficiary Command;" Northeast perspective: Executive Committee/Executive Director)
- Michigan's Mental Health Code (General perspective: CMHA Boardworks 2.0 module "Leadership: Legal;" Northeast perspective: Executive Director)
- Policy Governance (primarily Executive Committee with elements from CMHA Boardworks 2.0 modules: "Leadership: Participatory Governance and Ethical Implications")
- Organizational structure of Northeast Michigan Community Mental Health Authority (General perspective: CMHA Boardworks 2.0 modules: "Implementation: Best Practices;" Northeast perspective: Executive Director)
- Services offered by Agency (Executive Director, service supervisors, Boardworks 2.0 modules: "Management: Systems")
- Basics of mental healthcare financing and managed care (General perspective: CMHA Boardworks 2.0 modules: "Management Current and Future Funding for CMHSPs and PHIPs;" Northeast perspective: Executive Director, Finance Officer, and Accounting Officer)
- The Board's relationships with the Counties, Department of Health and Human Services, the PIHP, the Board Association, and other local agencies (Executive Committee/Executive Director; CMHA Boardworks 2.0 modules: "Leadership: Legal")

For newly appointed board members, those portions of the orientation program that are to be delivered by members of the Executive Committee, other members of the Board or the Executive Director shall be delivered within the first 90 days of the members' terms. New Board members will be encouraged to complete the Community Mental Health Association of Michigan's Boardworks 2.0 Training program within one year.

The Executive Committee shall assure that at least one Board member is both knowledgeable in the area of policy governance and is willing and able to train other board members in its principles.

For each of the other curriculum areas, the Executive Director, with the support of the Board, will assure that orientation material is developed, available in appropriate media and kept current.

•2 APPLICATION:

The Northeast Michigan Community Mental Health Authority Board members

•3 **DEFINITIONS:**

•4 **REFERENCES:**

<u>On Board Leadership</u>, Carver, John, Jossey – Bass, 2002 <u>The Policy Governance Fieldbook</u>, Oliver, Carolyn, Jossey – Bass, 1999 "John Carver on Board Governance" A Video Presentation CMHA Resource Manual Mental Health Code, Michigan PA 258 of 1976 Plan of Service, NeMCMHA

•5 FORMS AND EXHIBITS:

<u>...Index.doc</u> <u>EXECUTIVE LIMITATIONS</u> (Manual Section)

STAFF TREATMENT (Subject)

Board Approval of Policy Last Revision of Policy Approved by Board: August 8, 2002 November 14, 2019

•1 **POLICY:**

With respect to treatment of paid and volunteer staff, the Executive Director may not cause or allow conditions which are unfair, undignified, unsafe or unclear.

Accordingly, she or he may not:

- 1. Operate without written personnel procedures which: clarify personnel rules for staff, provide for effective handling of grievances and protect against wrongful conditions.
- 2. Discriminate against any staff member for non-disruptive expression of dissent.
- 3. Fail to acquaint staff with their rights under this policy.
- 4. Fail to be sensitive to and consider human diversity in all dealings with staff once known or perceived.
- 5. Fail to provide equal employment opportunities to all employees and applicants for employment and may not Ddiscriminate in the recruitment, hiring, training, upgrading, promotion, retention or any other personnel action based on religion, race, color, national origin, age, sex, height, weight, marital status, political affiliation, sexual orientation, record of arrest without conviction, or physical or mental handicap, except where age, sex or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration.

•2 APPLICATION:

The Northeast Michigan Community Mental Health Authority Board

- •**3 DEFINITIONS:**
- •4 **REFERENCES:**
- •5 FORMS AND EXHIBITS:

Program	Consumers served November 2024 (11/1/24 - 11/30/24)	Consumers served in the Past Year (12/1/23 - 11/30/24)	Running Monthly Average(year) (12/01/23-11/30/24)
1 Access Routine	56	647	52
Emergent		1	0
Urgent	1	1	0
Crisis	47	503	42
Prescreens	39	587	49
2 Doctors' Services	397	1335	440
3 Case Management			
Older Adult (OAS)	77	143	87
MI Adult	61	177	62
MI ACT	17	29	22
Home Based Children	34	89	35
MI Children's Services	75	246	86
IDD	149	289	151
4 Outpatient Counseling	95(24/71)	234	76
5 Hospital Prescreens	39	587	49
6 Private Hospital Admissions	18(3/15)	209	17
7 State Hospital Admissions	0	4	0
8 Employment Services			
IDD	47	64	48
MI	36	84	38
Touchstone Clubhouse	67	99	82
9 Peer Support	50(5/45)	68	38
10 Community Living Support Services			
IDD	83	99	81
MI	67	114	73
11 CMH Operated Residential Services			
IDD Only	51	57	50
12 Other Contracted Resid. Services			
IDD	39	43	36
МІ	32	36	31
13 Total Unduplicated Served	1006	2344	1051

County	Unduplicated Consumers Served Since December 2023
Alcona	231
Alpena	1409
Montmorency	293
Presque Isle	318
Other	75
No County Listed	18

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

BYLAWS

PREAMBLE

Recognizing the responsibility of the Alcona, Alpena, Montmorency, and Presque Isle County Boards of Commissioners to provide suitable mental health services to the above-named counties, the boards of commissioners have duly appointed a Community Mental Health Board as a Mental Health Authority according to Public Act 258, 1974, as amended.

Recognizing further the responsibility of this Authority in upholding the best interests of the citizens through concerted effort in providing and maintaining mental health services in accordance with Public Act 258, 1974, as amended, the Northeast Michigan Community Mental Health Authority hereby organizes in conformity with bylaws and regulations herein stated.

For the purpose of these bylaws, whenever the term "Authority" shall appear, it shall be interpreted to mean the Northeast Michigan Community Mental Health Authority, who shall have authority in the government of the county mental health services for the above-mentioned counties. Whenever the term "Board" shall appear, it shall be interpreted to mean the Board of Directors of the Northeast Michigan Community Mental Health Authority. Whenever the term "Department" is used, it shall be interpreted to mean the Michigan Department of Health and Human Services.

ARTICLE I - NAME

The name of this Board shall be NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY.

ARTICLE II - MISSION

To provide comprehensive services and supports that enable people to live and work independently.

ARTICLE III - DUTIES

This community mental health authority shall:

- A. Examine and evaluate the mental health needs of the counties it represents and the public and nonpublic services necessary to meet those needs.
- B. Review and approve an annual plan and budget for the program. (The format and documentation of the annual plan and budget shall be as specified by the Department.)
- C. Provide and advertise a public hearing on the annual plan and budget.
- D. Submit to each board of commissioners a copy of the Board's needs assessment, annual plan, and requests for new State funds.

- E. Take such actions as it deems necessary and appropriate to secure private, federal, and other public funds to help support the program.
- F. Approve and authorize contracts for services.
- G. Review and evaluate the quality, effectiveness, and efficiency of services being provided by the program.
- H. Appoint an Executive Director of the community mental health program who shall meet standards of training and experience as established by the Department in Administrative Rules.
- I. Establish general policy guidelines within which the Executive Director shall execute the program.
- J. Subject to the provisions of Chapter II of Public Act 258, 1974, as amended, the Authority may enter into contracts for purchase of mental health services with private or public agencies.

Contracts may be entered into with any facility or entity of the Michigan Department of Health and Human Services with the approval of the Michigan Department of Health and Human Services.

ARTICLE IV - MEMBERSHIP

Section 1. Appointment

The county boards of commissioners of the counties involved, being Alcona, Alpena, Montmorency, and Presque Isle, shall establish a 12-member community mental health authority Board of Directors. Each board of commissioners shall appoint the Board members from its county.

Section 2. Composition

The composition of the Board shall be as specified in the Mental Health Code, section 222.

Section 3. Terms; Vacancies; Removal of Member

The term of office of a Board member shall be three (3) years from April 1 of the year of appointment; however, terms of the initial Board members will be staggered, so that, in any one year, membership turnover shall not exceed 1/3. Approximately 1/3 of the members of the initial Board will be appointed for a term of one (1) year, 1/3 for a term of two (2) years, and 1/3 for a term of three (3) years; thereafter, all terms will be three (3) years. Vacancies shall be filled for unexpired terms in the same manner as original appointments. Board members are encouraged to attend all Board meetings. If a Board member misses two consecutive meetings without advance notice to the Board Chairperson or his or her designee, a letter from the Board Chairperson will be sent to the Board member inquiring about the member's intent to fulfill his or her term of office. If no response is received within 30 days, a second letter will be sent with a copy to the Chairperson of the appointing County Commission. If no response is received within 30 days, a letter will be sent to the Chairperson of the appointing County Commission requesting the removal of the Board member according to the requirements of the Mental Health Code, §

224, which states in part: A Board member may be removed from office by the appointing board of commissioners for neglect of official duty or misconduct in office.

ARTICLE V - OFFICERS

Section 1. Officers; Election; Term of Office

The officers of this Board shall consist of a Chair, Vice-Chair, and Secretary who shall perform the duties usually pertaining to such offices or as provided by the Board. All officers shall be elected for a term of one year and shall hold office until the next regular election; such election to be held at the April meeting of each year.

The annual election of Board Members to Board Offices shall be conducted in the following manner:

 By the October Meeting prior to the April election, the Chair will recommend to the Board, subject to the approval of the Board, a "Board Officers Nominating Committee", a Special Committee of the Board which shall exist for the sole purpose of nominating candidates to fill the positions of the Board's Offices; that Committee as needed to fill Board vacancies, the Chair will appoint a "Nomination/Board Member Composition Committee," which shall consist of at least four and no more than six Board Members, preferably one from each county.

This Committee shall review the terms of all Board members with terms expiring and identify the need for individuals with lived experience or a family member of an individual with lived experience for potential appointments. The committee shall attempt to recruit or identify candidates for membership who meet the requirements of Section 222 (1) of the Mental Health Code. These recommendations shall be communicated to the county boards of commissioners as necessary by the Board's Chair or his/her designee.

- By the March meeting, that Committee shall report its recommendations to the Board for its members' consideration prior to the April election meeting.
- During the April Meeting, a slate of candidates for the Board's three offices shall be placed in nomination first by the Nomination/Board Member Composition Committee, which shall give its report at the call of the Chair.
- Election of the Board's Chair for the next year shall be the first election, and shall be conducted by the current Chair, who shall state the Nomination/Board Member Composition Committee's nomination, then ask if there are any [further] nominations from the floor; if/when none is heard after *three* such invitations, then the Chair shall declare that nominations are closed and the election may proceed.
- Balloting may be by voice, by show-of-hands or by roll call at the request of any Board member, as the Board may determine in advance or by its majority vote at any time during the election process; a majority of votes cast shall determine the outcome of the election.
- Following the election of a new Chair (and assuming the current Chair does not succeed to the office), the immediate-past-Chair shall relinquish the chair to the new Chair, who shall conduct the balance of the elections in the same manner.
- Elections then proceed in this order:

Vice-Chair... then Secretary.

- Newly elected officers assume their offices immediately upon elections.
- If questions of procedure arise before or during the meeting or elections, the Board shall resolve these questions via reference to its By-Laws, Policies and/or Robert's Rules.

Section 2. Duties

<u>Chair</u> - The Chair shall be the presiding officer at all meetings of the Board; shall be an ex officio member of all committees; shall appoint the Chair of the standing and special committees; shall sign and execute in the name of the Board; shall call meetings of the Board; shall work with the Executive Director to create the meeting agenda; and shall perform such other duties as are required by the Board.

<u>Vice-Chair</u> - The Vice-Chair, in the event of the incapacity or absence of the Chair, shall assume the duties prescribed to the Chair. In the absence of the Chair from a meeting of the Board, the meeting shall be called to order by one of the officers of the appointed Board, designated as temporary Chair, in the following order of precedence:

Vice Chair ... then Secretary.

If the Chair does arrive, the temporary Chair shall surrender the chair to him/her.

<u>Secretary</u> - The Secretary or his/her designee shall send appropriate notices, shall act as custodian of all records and reports, and shall be responsible for the keeping and reporting of adequate records of all meetings of the Board.

Section 3. Additional Officers

The Board may elect or appoint such other officers or agents as it may deem necessary for the transaction of business of the Board, and for terms to expire the same as other officers provided for in these Bylaws.

Section 4. Removal of an Officer

The Board may remove an Officer for just cause by the majority of the Board (7). A member removed from office shall remain a member of the Board unless he or she is removed from the Board by the appointing board of commissioners according to Article IV, Section 3.

Section 5. Replacement of an Officer

Should an Officer be unable to finish their term of office, the Board Chair will appoint a replacement for the position vacated, preferably from the same County to assure equal representation on the Executive Committee. If the appointee rejects the appointment, the Chair will appoint another Board member.

ARTICLE VI - MEETINGS

Section 1. Regular Meetings

The Board of Directors of Northeast Michigan Community Mental Health Authority shall hold at least twelve regular meetings annually at a time and place to be designated by the Chair of the Board. All meetings of the Board shall be open to the public and shall be held in a place available to the general public. All meetings shall be held in accord with 1976 P.A. Act 267 (the "Open Meetings Act") and 1976 P.A. 422 (the "Freedom of Information Act"). Within ten days after the April meeting of the Board in each year, the Secretary shall post a public notice stating the dates, times and places of its regular meetings.

If there is a change in the schedule of regular meetings of the Board, there shall be posted within three days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.

Upon written request, at the same time a public notice of meeting is posted, the Secretary shall provide a copy of the public notice of that meeting to any newspaper published in the state and to any radio and television station located in the state, free of charge.

Other requirements pertaining to regular meetings of this Board contained in Public Act 267, 1976 shall be adhered to.

The agenda for regular meetings of the Board may include the following:

Call to Order Roll Call and Determination of a Quorum Pledge of Allegiance Appointment of Evaluator Acknowledgement of Conflict of Interest Information and/or Comments from the Public Approval of Minutes **Educational Session** Consent Agenda Monitoring Reports Policy Review, Approval & Self-Evaluation (if any) Linkage Reports **Operations Report** Chair's Report **Executive Director's Report** Information and/or Comments from the Public Information and/or Comments for the Good of the Organization Next Meeting – Setting Agenda - Meeting Evaluation Adjournment

Section 2. Special Meetings

Special meetings of the Board may be called by the Chair or upon written request of any three members of the Board filed with the Secretary or his/her designee. Notices of a special meeting shall be given by one of the following means or as required by the Open Meetings Act:

- a. Personal notice by telephone or otherwise to each Board member at least 24 hours before such meeting.
- b. Public notice at least eighteen hours before such meeting, stating date, time, and place.
- c. As otherwise determined by the Chair.

Each notice of a special meeting shall state the time, place, and purpose thereof.

The agenda for special meetings of the Board may include the following:

Call to Order Roll Call and Determination of a Quorum Statement of Purpose of Meeting Transaction of Business According to Stated Purpose Adjournment

Section 3. Closed Meetings

A 2/3 majority roll call vote of appointed Board members shall be required to call a closed session, for purposes stated in Section 8, Public Act 267, 1976. The roll call vote and the purpose or purposes for calling the closed meeting shall be entered into the minutes of the meeting at which the vote is taken.

Section 4. Meeting by Remote Communication

A Board member may participate in a meeting by conference telephone or any similar communication equipment through which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this Section constitutes presence in person at the meeting.

Section 5. Minutes

The Board shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting.

Minutes shall be public records open to public inspection and shall be available at the address designated on posted public notices pursuant to Section 1. Copies of the minutes shall be available to the public at a reasonable estimated cost for printing and copying.

Proposed minutes shall be available for public inspection no later than eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved by the Board.

A separate set of minutes shall be taken by the Secretary or his/her designee at the closed meeting; these minutes shall not be available to the public and shall only be disclosed if required by a civil action filed under Section 10, 11, or 13 of Public Act 267, 1976. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed meeting was approved.

Section 6. Materials to be Furnished Board Members

Insofar as possible, all members of the Board shall be mailed a copy of the proposed agenda and copies of all material to be considered at regular Board meetings in advance of such meetings; however, any Board member or the Executive Director may place an item on the agenda by requesting the Chair to include such item or items.

Insofar as possible, all members of the Board shall be mailed copies of the agenda to be considered at special Board meetings, unless this requirement shall be waived by unanimous consent of all Board members.

Section 7. Quorum and Voting

One-half plus one of the appointed Board members, which shall include one officer, shall constitute a quorum of the Board. Consistent with Robert's Rules of Order, motions made during Board and committee meetings shall require a second in order to be considered. The affirmative vote of the majority of the votes cast shall be required for the passage of any motion or resolution at any meeting of the Board or its committees. The Chair of the Board will be allowed to vote.

It shall be the prerogative of any Board member to require a roll call vote on any motion.

Section 8. Decorum during Debate

Board members shall confine their remarks to the question, be courteous in their language and behavior, not arraign the motives of another Board member and emphasize it is not the individual, but the measure which is subject of debate. The Chair will assure enforcement of these behavioral guidelines.

The Chair shall call to order any person who is being disorderly by speaking or otherwise disrupting the meeting proceedings by failing to be courteous, by speaking longer than a reasonable time or by speaking vulgarities. Such person shall thence be warned by the Chair that he/she may be expelled from the meeting, and he/she shall not be permitted to speak further at the same meeting except upon special request of the Board. If the person continues to be disorderly and disrupt the meeting, the Board Chair or a designee shall contact local law enforcement to have said individual removed from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

ARTICLE VII - COMMITTEES

The Board of Directors shall establish the following standing committees: Executive Committee and Recipient Rights Committee. The standing committees shall perform such functions and duties as designated by the Board.

At the annual organizational meeting of the Board, the Chair of the Board shall appoint the Chair and members of the standing committees; those persons shall be members of the Board, except that the Recipient Rights Committee membership may include Community Mental Health Board members, staff personnel, government officials, attorneys, mental health consumer interest group representatives, or other persons, at the discretion of the Board Chair. The Chair shall appoint the chair and members of special committees, subject to the approval of the Board; those persons need not be members of the Board, shall be counted for quorum and shall be eligible to vote on committee matters. The Chair of the Board shall be the only ex officio member of any and all standing committees, shall be included in counting for quorum, if present, and shall be eligible to vote.

The Board may establish such other committees as it deems proper.

All standing and special committees shall meet upon the call of the committee Chair, with the concurrence of the Board Chair, to consider whatever business is before said committee in order to recommend appropriate action to the Board.

Committees of the Board may meet by teleconference providing all requirements of the Open Meetings Act are met including providing and announcing a location at which members of the public may attend and hear the entire deliberations of the committee and all committee members.

Matters reported by a committee may be reported with a recommendation for Board action, or solely for the information of the Board.

Tenure on standing committees shall be for a one-year term beginning in April or until the appointment of a new committee; however, nothing herein shall be construed to prevent reappointment of any committee member.

Nothing contained in this Article shall be construed to deny any Board member the right to attend any meeting of any standing or special committee.

For Board committees a quorum shall be defined as equal to at least fifty percent (50%) plus one of the committee membership.

Notices to the public regarding committee meetings shall be posted pursuant to Section 5, Public Act 267 of 1976, and Article VI of these Bylaws.

Section 1. Executive Committee

The Executive Committee shall consist of four members: the Chair, Vice-Chair, Secretary of the Board and immediate past Chair. If the immediate past Chair is no longer a current member of the Board, the Board shall elect an additional Board member to serve as an at-large member of the Committee. It is the preference of the Board to have all four counties represented on the Committee. This committee shall have authority to act on behalf of the Board during the period between meetings of the Board, subject to any prior limitation imposed by the Board and with the understanding that all matters of major importance be referred to the Board.

At the request of the Board (by consensus or majority vote) or the Chair, this Committee may research and apprise Board members of proposed, pending and current legislation pertaining to mental health services, and shall recommend a Board position.

Section 2. Recipient Rights Committee

This Committee shall advise the Board and Executive Director concerning implementation of policy as it relates to the Recipient Rights system and shall review the operation of the Office of Recipient Rights in accordance with Section 757 of the Mental Health Code. This Committee shall

serve as the Appeals Committee under Section 784. Preference is to have at least two Board representatives as members of this Committee.

ARTICLE VIII - EXECUTIVE DIRECTOR OF COMMUNITY MENTAL HEALTH AUTHORITY

The Executive Director of the Northeast Michigan Community Mental Health Authority shall be selected by the Board. The Executive Director shall be given the necessary authority and responsibility to operate all mental health services and carry out all policies as may be adopted by the Board, or any of its committees to which it has delegated authority. The Executive Director shall ensure that appropriate orientation programs for new Board members and continuing education programs for all Board members are carried out and shall represent the Board in all areas in which the Board has not formally designated some other person to so act.

ARTICLE IX - MISCELLANEOUS

Section 1. Amendment and Adoption of Bylaws

These Bylaws may be amended or repealed by the affirmative vote of a majority of the members of the Board present at any regular or special meeting of the Board if notices of the proposed amendment or repeal are contained in the written notice of the meeting, such notice to be given prior to such a meeting by ordinary mail. Bylaws may also be amended without notice by a three-fourths vote of the Board members present.

Section 2. Rules of Order

Robert's Rules of Order shall be the parliamentary guideline for all matters of procedure not specifically covered by the Bylaws or by specific rules or procedures adopted by this Board.

Section 3. Conflict of Interest

No Board member shall in any way be a contractor for purposes of remuneration of this Authority or its contracting agencies unless a competitive bid process is utilized, the Board member discloses the association and affiliation, and a two-thirds (2/3) majority vote of the Board supports such a contract.

Section 4. Employment

Employment of a Board member or any member of his or her immediate family is prohibited.

Section 5. Suspension of Rules

The rules governing all matters of procedure of the Board provided in the Bylaws and in subsequent governing resolutions may be temporarily suspended at any time by the unanimous consent of the members present to facilitate the accomplishment of any legal objectives of the Board.

Section 6. Depository

As a Mental Health Authority, the Board may act as its own depository of funds, or, at its discretion, designate a county willing to act as depository.

Section 7. Per Diem and Reimbursement

Board members shall be paid in accord with the payment schedule for Northeast Michigan Community Mental Health Authority.

Section 8. Assurances

With respect to both employment practices and services rendered, the Authority will not discriminate against persons because of religion, race, color, national origin, age, sex, height, weight, marital status, political affiliation, sexual orientation or physical or mental handicap.

No service or program provided by the Authority will be withheld from any person on the basis of residence in a county other than Alcona, Alpena, Montmorency, and Presque Isle counties. If a person cannot meet financial obligations incurred by such program or service, the county of residence will be billed.

INTEROFFICE MEMORANDUM

Board Members
Rebekah Duhaime
CMHA BoardWorks 2.0
December 4, 2024

From the CMHAM:

The demands for competent community mental health Board members are real, complex, and much different than the demands at the time of our origins in the 1960s. Inherent in these new age competency requirements is the need for continuous learning so that Board members can stay on target as effective leaders. We now live in a world where new knowledge quickly becomes old, requiring that a sound set of values, moral foundations, and critical thinking skills is in place so that one can interpret and evaluate the waves of new information continually being presented. In an effort to expand and deepen educational and training opportunities for today's CMH volunteer leaders, CMHAM has developed BoardWorks 2.0 –The Governance and Leadership Development Program. We believe that this program will assist Board members in fulfilling their obligations as CMH leaders, directors of policy, and advocates for those they serve.

The Learning Program Conference Presentation Series is the primary venue for presentation of the Core Curriculum. All required workshops are available at the CMHAM Fall, Winter and Spring Conferences over the course of a single year. There are eleven workshops in the Learning Program Conference Presentation Series. Board members who complete the eleven workshops are considered to have completed the required minimum expectations of the Learning Program, thus receiving a Learning Program Certification.

BoardWorks Videos Available Online:

The CMHA BoardWorks program was developed to assist Board members in fulfilling their obligations as CMH leaders, directors of policy, and advocates for those they serve. CMHA now offers updated modules available for viewing on their website. The following BoardWorks modules are currently available with more to come!

- Board Member Orientation & the Role of Board Members in the Rights Protection Process
- Foundations Public Policy
- Foundations Intended Beneficiary Command
- Foundations Ensuring a Consumer Focus
- Leadership Fundamentals
- Leadership Participatory Governance and Ethical Implications
- Leadership Legal
- Management Current and Future Funding for CMHSPs and PIHPs
- Management Systems

To access BoardWorks online: <u>www.cmham.org</u> \rightarrow Click the EDUCATION & EVENTS Tab \rightarrow BOARDWORKS 2.0

After viewing the video, you will need to be able to complete the evaluation form and email it to Monique Francis at: <u>mfrancis@cmham.org</u>. This process will be changing in the coming months. Evaluations will eventually be returned to the Board Assistant and tracked in-house.

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Emergency Executive Succession 01-006

Policy Review & Self-Evaluation

Executive Director Role 03-001

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Supported Independence Program (SIP)