

MINUTES

FULL BOARD MEETING COUNCIL OF GOVERNMENTS CONFERENCE ROOM APRIL 24, 2009

- MEMBERS PRESENT: Judy Gilstrap, Wallace Shaw, Ed Elliott, Gracie Floyd, Eddie Moore, Janie Wilson, Grady Butler, Joe Dill, Bennie Cunningham, Ernest Riley, Bob Winchester, Reg Dexter, G. Neil Smith, J. Connie Bowers, Heyward McDonald, Randy Crenshaw, Renee Cariveau, O'Neal Mintz, Bob Briggs, Rep. Mike Forrester, and Jane Hall.
- GUESTS PRESENT: Sarah Nuckles, DOT Commissioner; Mark Powell, Anderson County; ADC Members: Pete Roe, Chris Hendrix, Joe Davenport, Lamar Bailes, Brad Schneider, and Chris Christopherson.
- STAFF PRESENT: Steve Pelissier, Joe Newton, Becky Hall, Chip Bentley, Dirk Reis, Dave Mueller, Carol Andersen, Michael Stogner, Debra Brown, Nancy Childress, Candi Claxton, Rebecca Youmans, Carl Sakony, and Debbie Courson.

The meeting was called to order by Chairwoman Gilstrap. The invocation was offered by Mr. Elliott. On motion by Mr. Shaw, seconded by Ms. Cariveau, the minutes of the March 27, 2009, meeting were unanimously approved.

Aging Services FY 2010 RFP Process and Regional Funding Formula

Mr. Stogner stated that as a part of the competitive procurement process, the RFP was issued January 5, 2009, and proposals from offerors were received February 27, 2009. Eight (8) proposals were received. He stated that a sub-committee of the Regional Aging Advisory Committee began the review process on March 19, 2009, and has met weekly to complete its work. The sub-committee presented their report and recommendations to the Regional Aging Advisory Committee on April 22, 2009. He stated that of the eight proposals submitted, six were deemed responsive; there was competition for non-medical transportation in Greenville County and for home care in Greenville and Pickens

Counties. The sub-committee recommended SENIOR Solutions as the potential contractor to negotiate with for non-medical transportation in Greenville County. Since the proposal for AAA Care was deemed non-responsive, this eliminated the competitive situation for home care for Greenville and Pickens counties.

A new service, home living support, was being procured. The proposals ranged from yard maintenance to installing durable medical equipment in the home. The committee recommended rejecting all proposals as submitted, recommending that after allocations have been made for all the core services, if additional funds are available, that funding be provided for minor home repair, or that additional funds be provided for homemaker services and that chore services could be offered.

For group dining, it was recommended that a plan of action for all group dining contracts include the following criteria: 1) outline an outreach plan to increase attendance for all sites; 2) identify how the provider is serving the entire county; and 3) specify programming plans to enhance the appeal of sites.

The subcommittee recommended the following potential contractors for contract negotiations: S.C. Legal Services, Pickens County Seniors Unlimited, Senior Action, Senior Centers of Cherokee County, Senior Centers of Spartanburg County, and SENIOR Solutions.

On motion by Mr. Elliott, seconded by Mr. Riley, the Board voted unanimously to accept the committee's recommendation for potential contractor for Aging Services

On motion by Mr. Smith, seconded by Mr. Riley, the Board voted unanimously to accept the Regional Aging Advisory Committee's recommendation to adopt a regional funding formula submitted by the Regional Aging Advisory Committee, which mirror's the state formula.

Legislative Update

Mr. Newton provided a briefing on pending legislation in the S.C. General Assembly, emphasizing items of interest to local governments. He stated that the budget passed out of the House with severe cuts for State programs and local governments. The budget was reduced from \$7 billion to \$5.7 billion. The budget is currently in the Senate, which is recessed for a week.

Personnel Committee Report

Mr. Pelissier stated that the Personnel Committee did not meet due to there being no quorum. However, Mr. Pelissier did bring a recommendation to the Board for the creation of a Connections for Community Living, Hospital Discharge Pilot Project Associate position in the Aging Services Department to take on a fully grant funded pilot project that will provide a national model for helping seniors discharged from a hospital to remain in their homes.

Mr. Pelissier stated that because of the tight financial situation faced by the COG at the current time, before recommending the addition of a new position, other options were considered, such as re-assigning an existing staff member to this project. It was determined that Barbara Jardno, a current member of our Aging Services staff, has the experience and skills to most successfully lead this effort. However, Ms. Jardno is currently the agency's Information Referral and Assistance (IR&A) Specialist. As a designated Area Agency on Aging, we are required to have a certified full time person in this position. If Ms. Jardno is re-assigned an additional person will be needed to fill the IR&A role.

He stated that funding for the Hospital Discharge project runs through September 2011. As a result, we will inform any candidates for the position to fill in for Ms. Jardno as the IR&A Specialist that, upon the conclusion of the Hospital Discharge initiative, Ms. Jardno will have first right to reclaim her old position. Ms. Floyd made a motion to approve Mr. Pelissier's recommendation and it was seconded by Mr. Shaw. Mr. Smith amended the motion to give management the ability to do what's best for ACOG. Mr. Riley seconded the motion and the Board voted unanimously.

ACOG Board Committee Appointments for 2009-2010

Chairwoman Gilstrap made appointments to ACOG Board Committees (see attached).

Special Membership Meeting of the Appalachian Development Corporation

On motion by Mr. Smith, seconded by Mayor Briggs, the COG Board was recessed for the Appalachian Development Corporation to convene.

Chairman Bailes called the Appalachian Development Corporation meeting to order. He stated that the Small Business Administration's (SBA) recent interpretation of their regulations has necessitated a review of the ADC's by-laws and recognized David Mueller.

Mr. Pelissier explained that according to SBA regulations, an ACOG Board member cannot be a Board member of ADC. ADC's Board has historically been composed of ACOG Board members. An amendment to the ADC By-Law changes adopted in 2002 allows additional members while retaining the full ACOG Board as members. Currently, there are four ADC Board members who are also ACOG Directors.

An additional issue is an SBA regulation that limits membership of a certified development corporation from any single entity to no more than ten percent of the total membership of the CDC. Under the current ADC By-laws, the preponderance of the ADC's membership is ACOG Board members. At the present time, of the 55ADC members, the ACOG Board members number 42.

Because the SBA 504 program has become such a significant component of the ADC's overall program, the ADC Board and staff have reviewed this matter at a work session and Board meetings, and presented the situation to the full ADC membership at its meeting last year. It has been determined that the ADC should take the necessary steps to retain its SBA certification and continue to operate the SBA 504 program. It has also been determined that the ADC should maintain contractual relations with ACOG for services.

Mr. Mueller then recommended amending the by-laws to state that it is a 33-person membership. Mr. Christopherson made motion, seconded by Mr. Dill, to defer action until the next meeting. Mr. Dill called for previous question, seconded by Mr. Elliott.

On motion by Mr. Davenport, seconded by Mr. Elliott, the Board vote unanimously to adjourn the Appalachian Development Corporation meeting.

Executive Director Report

Statewide Energy Funds

Mr. Pelissier stated that we recently received information on the energy program, which is a component of the federal stimulus package (American Recovery & Investment Act). This money will come to South Carolina through a funding formula. Some aid will be distributed through the state to regions within the state and the rest will come directly to large jurisdictions. Our region will receive \$841,338. In addition, there is a large jurisdiction program, which in our region are the counties of Anderson, Greenville, Spartanburg, and the cities of Greenville and Spartanburg.

At this time, there are some unanswered questions concerning who can apply for which fund source. The counties of Anderson, Greenville, Spartanburg, and the cities of Greenville and Spartanburg will receive direct funding from the Department of Energy.

The City of Greenville's allocation is \$743,400 and the City of Spartanburg's allocation is \$692,900; they are not eligible for the other programs. For the counties of Oconee, Pickens and Cherokee, or a municipality of one of these counties, there is a regional allocation that will be handled by ACOG and that is their only source. He stated that the State is still working on the criteria and we will get that information to them when available.

Mr. Pelissier stated that an issue that has arisen is how small cities in entitlement counties would be addressed; for example, would Mauldin and Fountain Inn apply through ACOG or Greenville County. Greenville County has a direct allocation from the Department of Energy for \$3,435,400 dollars. That figure is based on the population of all municipalities under Greenville County except for the City of Greenville. The answer received from the State Energy office is that they would discourage ACOG from considering funding to Mauldin and Fountain Inn under ACOG's appropriations, as their population figures were included in Greenville County's population figures. However, ultimately that would be a COG Board decision. He stated that county councils in Anderson, Greenville, and Spartanburg have no legal or regulatory obligation to share their allocations with their municipalities even though the allocation was determined based on the municipalities' population. Ultimately, the question will come to the COG Board whether to consider applications from the municipalities or not.

Building Issues

Mr. Pelissier stated that a while ago the wallpaper in the Board room started peeling from the wall. We repaired it. Later when the problem occurred again we had a construction/renovation specialist inspect it. His response was that there is a lot of moisture in the Board room, but he could not identify the source of the problem. Various minor repairs failed to remedy the problem. More recently, COG has engaged a roofing

inspector, a general engineering firm and a construction specialist to identify the problems and make recommendations

Mr. Newton stated that he has been working with them. He stated that the engineer recently removed some bricks from the *outside* wall of the Board room, cut out a section of the sheet rock *inside* the Board room and looked at several problems with the roof. The roof was already identified as having leaks in several places.

In their respective reports, the engineer and construction specialist stated that there is a significant amount of moisture inside the walls. Apparently, rainwater is entering through several locations. There is leakage around the windows, from the roof and through the concrete corner pilasters.

Some of the problems are due to the original construction of the walls and roof and the installation of the windows. Some of the original work and possibly the design were faulty and were apparently not built to code. Mr. Newton stated that the engineer has not finished his analysis, but has confirmed the problems. To date, the engineer is recommending replacing some of the windows, re-caulking all of the windows, drilling and widening weep holes, replacing all of the sheet rock and wall paper in the Board room and rebuilding all six of the pilasters. There may be a more serious problem with a lack of or insufficient air space between the outside brick and outside moisture barrier.

Mr. Newton stated that we are still waiting on the final report from the engineer. We are waiting on an estimate from the construction company, and because of the mold we are having the air quality tested by an environmental engineer.

Mr. Pelissier stated that Yeargin Construction built the building ten years ago and has since merged with Potter Shackleford. Our engineer stated that Potter Shackleford are good business men who probably are concerned about their reputation and may want to "make it right." He stated that we will be working with COG's legal counsel to explore avenues available to us. Mr. Smith recommended talking with the attorney *first* to make sure that the right steps are taken.

Mr. Pelissier stated that ACOG has in its reserve fund money for building repairs. He stated that after a meeting with the Budget Committee in May he is likely to seek authorization to use that fund to pay for upcoming building expenses. He stated that if we have good discussions with Yeargin-Potter Shackleford, we may not need to use money from the fund, but would like authorization should it become necessary. Mr. Smith made motion, seconded by Ms. Floyd, to give Mr. Pelissier the authority to spend appropriate funds to get us to the next level. The Board voted unanimously to approve.

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There being no further business, the ACOG Board meeting adjourned at 12:25 p.m.

Chair

THE SOUTH CAROLINA APPALACHIAN COUNCIL OF GOVERNMENTS HAS
COMPLIED WITH THE FREEDOM OF INFORMATION ACT IN SCHEDULING
AND CONDUCTING THIS MEETING.