

**PINELLAS COUNTY LICENSE BOARD  
FOR CHILDREN'S CENTERS & FAMILY DAY CARE HOMES**

**REGULAR MEETING  
July 26, 2017 at 6:30 pm  
Florida Department of Health in Pinellas  
8751 Ulmerton Road, Largo, FL**

**Approved Minutes**

Our mission is to protect and promote the health, safety and mental development of children cared for in children's centers and family child care homes in Pinellas County.

The regular Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled and properly noticed for Wednesday, July 26, 2017, at 8751 Ulmerton Road, Largo, Florida, to begin at 6:30 PM.

**Board Members Present:** Dorothy Duvé; Pam Gebler; Dr. Shana Rafalski; Susan Rolston; Barbara Backus

**Ex-Officio Member Present:** Charles Minor

**Board Members Absent:** Celeste Fernandez; Commissioner Patricia Gerard

**Advisory Members Present:** Lynn Bittner; DaVee Henderlong; Ann Hofmeister; Elizabeth Krakowski

**Advisory Members Absent:** Richard French; Nina Meyers

**Attorney Present:** Colleen Flynn, Esq.

**Staff Members Present:** Patsy Buker, Executive Director; Jorie Massarsky, Supervisor, Children's Centers; Julie Oliver, Supervisor, Family Child Care Homes; Kathi Merino, Environmental Health Specialist; Lisa Zacharia, Administrative Secretary

**I. Call to Order**

The PCLB Board Meeting was called to order at 6:32 PM.

- A. Announcements** –No Chairperson or Secretary was present. Dr. Rafalski made a motion to start the meeting in absence of Chair or Secretary. Ms. Flynn asked to start with Action Items since they had to be taken care of. Ms. Buker asked if anybody wants to step into role of Secretary and run the meeting. Ms. Rolston volunteered to do so.
- B. Approve Agenda** – Ms. Rolston made a motion to accept the consent agenda. Ms. Gebler seconded it.

## II. Action Items

### A. Vote to Continue Contract with Juvenile Welfare Board (JWB)

Ms. Buker said each year we need to bring a motion to the Board that we want to continue our relationship with JWB. Ms. Hofmeister asked about the two fiscal years we have and Ms. Buker said PCLB's is October 1 to September 30, and DOH and DCF's are July 1 to June 30. Dr. Rafalski asked about any anticipated changes. Ms. Buker said we did get an increase from JWB and that we have had no decreases. Ms. Rolston asked about staff raises. Ms. Buker said we gave them last year as JWB increased our funding for that purpose and DOH decided to give Specialists raises. Ms. Buker stated she would like to give raises to Administrative staff and Supervisors also. Ms. Rolston asked if any money can be applied to raises to retain quality employees and Ms. Buker said she will try, however, we are a State agency and we cannot award raises without approval. Dr. Rafalski asked about a timeline. There was a consensus that Child Care Licensing staff should get raises.

**Motion:** Ms. Backus made a motion to continue to contract with JWB. Ms. Duvé seconded the motion and it passed unanimously.

### B. Approve Renewal Agreement for Continued Representation of PCLB by Johnson Pope Bokor Ruppel & Burns, LLP

Ms. Duvé asked if they are paid hourly with no retainer. Ms. Flynn said they are paid by the hour and they have not increased their rate. Ms. Hofmeister asked if there was a conflict because they represent the JWB. Ms. Flynn stated that if there is a conflict a DOH attorney steps in. Ms. Buker stated we also have another law firm in case there is a conflict. There was a consensus to continue.

**Motion:** Ms. Gebler made a motion to continue the contract with Johnson Pope Bokor Ruppel & Burns, LLP. Ms. Backus seconded the motion and it passed unanimously.

### C. Approve Interlocal Agreement

Ms. Flynn stated when Child Care Licensing moved from JWB to DOH, there was an agreement between the government entities, Licensing, and the Health Department. The dates change but it has been pretty much the same for nine years.

**Motion:** Ms. Duvé made a motion to approve the Interlocal Agreement. Ms. Gebler seconded the motion and it passed unanimously.

### D. Approve Retainer Agreement with Robert Eckard & Associates, P.A.

Ms. Buker stated that if we need another lawyer due to a conflict of interest, we have Evan Frayman who could represent the Board if there were an appeal hearing that came before the Board. Evan Frayman changed law firms and we are continuing with him to give advice to the Board. Dr. Rafalski asked about fees and Ms. Buker said there will be no additional fees beyond our budget if we use Evan Frayman.

**Motion:** Dr. Rafalski made a motion to approve Retainer Agreement with Robert Eckard & Associates, P.A. Ms. Gebler seconded the motion and it passed unanimously.

**E. Selection of Auditor for FY 2016-2017**

Ms. Buker explained we send out a request for bids every year. The Board hires the auditor so the Board knows finances are being handled properly. The cost increased from \$19,600.00 to over \$21,000.00. Ms. Flynn asked Vicky Gilley if we have to have a bid every year. Ms. Gilley stated that she doesn't know if statute requires it and thinks it's a DOH procedure. Dr. Rafalski asked if it were not being bid upon every year and we asked for a multi-year bid, if it would be possible to get them to lower the rate.

**Motion:** Ms. Gebler made a motion to approve Thomas Howell Ferguson as our Auditor and give Ms. Buker the authority to negotiate a multi-year contract if Pinellas DOH will allow it. Ms. Duvé seconded the motion and it passed unanimously.

**F. Approve JWB Budget Amendment**

Ms. Gilley explained the budget and line items and that we eliminated items such as storage building rent. Ms. Buker explained the budget with DCF and DOH Pinellas.

**Motion:** Ms. Duvé made a motion to approve the JWB Budget Amendment. Ms. Backus seconded the motion and it passed unanimously.

**G. Approve Program Budget for FY 2017-2018**

**Motion:** Ms. Duvé made a motion to approve the 2017-2018 Program Budget. Ms. Backus seconded the motion and it passed unanimously.

**H. Approve Licenses for 5 New Children's Centers**

Ms. Massarsky recommended 5 Centers for full licensure. 4 of the 5 are brand new and one moved from one location to another. Ann Hofmeister asked why Plato in St. Pete moved and the answer was because the charter school needed space. All have done very well and

we recommend full licensure.

**Motion:** Ms. Duvé made a motion to approve the 5 new licenses for Children's Centers. Ms. Gebler seconded the motion and it passed unanimously.

**I. Approve Licenses for 4 New Child Care Homes**

Ms. Oliver feels confident in recommending these 4 new Child Care Homes for full licensure. 3 out of 4 are brand new and one moved from one house to another. It was brought to Ms. Oliver's attention that there was a misspelling on "Grove" Street.

**Motion:** Ms. Backus made a motion to approve all 4 Homes for full licensure. Ms. Duvé seconded the motion and it passed unanimously.

**J. Motion to Update Rules of Procedure for Hearing**

Ms. Flynn explained that regarding the Rules of Procedure for Hearings, the red lines in the document presented were the only substantive changes.

**Motion:** Ms. Gebler made a motion to approve the changes in the Rules of Procedure. Ms. Duvé seconded the motion and it passed unanimously.

**III. INFORMATION ITEMS**

**A. Unlicensed Child Care**

Ms. Buker discussed unlicensed child care at the last meeting and the Board wanted more information. We did a historical analysis over the last 19 months. Only one unlicensed center had a complaint which was technical. It's usually homes like the ones advertised on Craigslist that get complaints. We don't have enough Specialists to patrol for unlicensed care. Providers and neighbors call and we investigate. There were 29 unlicensed reports from October of 2015 through May of 2017. We send someone out if we don't have a license at that address but we can't force our way in. 20 of 29 reports were unfounded, 5 were confirmed unlicensed, and 2 of the 5 became licensed. In 4 cases, we couldn't locate the place reported on. We can give a fine and we can contact law enforcement. Ms. Hofmeister said gyms.(drop-in care) that provide child care do not have to be licensed. The parent is at same address. Ms. Bittner asked if karate camps provide before/after school care. Ms. Massarsky stated that the state just changed definitions on licensure to tighten them up. We don't have the manpower to investigate unless we receive a complaint.

**B. Executive Director's Report**

Ms. Buker talked about the Search Committee for the new Executive

Director and there will be an overlap with her and the new Executive Director. She shared that John Geisler is Chairing the Search Committee. The position will be advertised on Friday. He will email Committee members. Monday, the ad will be on Indeed, Monster, etc. They will work on qualifying questions for candidates who pass the initial screening. The Search Committee needs to be in on every step. Mr. Geisler will have Pam Reynolds reach out for scheduling. Ms. Buker will be here through the December 6<sup>th</sup> Board Meeting. Ms. Flynn reminded the Committee members to not contact each other due to Sunshine Laws.

**C. Statistical Report Regarding Licensing Activities**

Ms. Buker explained the spread sheets and answered questions. Unfortunately, we lost 5 more homes (37 slots), but fortunately there are 3 new homes opening. With centers, 2 closed with capacity of 196. 2 opened that changed ownership.

**D. Compliance Reports**

**1. Children's Centers Fine Report**

Ms. Rolston asked about Leap of Faith and Anderson Yearwood. Ms. Oliver stated on June 9, Mr. Yearwood reported that he had an unscreened volunteer when he arrived at his child care home. She was there with 10 children, which was over capacity. He will officially be closed next week. Bright Discoveries was repeated on the list, which will be fixed.

**2. Family Child Care Homes Fine Report**

Ms. Gebler talked about how severe of a non-compliance it is for attendance to be incorrect. Ms. Oliver explained the importance of correct attendance records.

**3. 100 Percent Compliant Inspections in Children's Centers**  
Compliments from Ms. Duvé.

**4. 100 Percent Compliant Inspections in Family Child Care Homes**

**5. Closed Centers and Homes**

Ms. Massarsky explained that Centers often don't close permanently, they just change ownership.

**E. Monthly Financial Report**

Ms. Buker stated we monitor this very closely. Accounting said travel has picked up. DOH has a new travel system.

#### **IV. Public Comment**

None.

Ms. Rolston asked for comments. Ms. Gebler talked about possibility of an infants-only license with different training requirements. Ms. Buker talked about not going beyond DCF regulations. Ms. Gebler asked if she can participate in that Committee if she's on the board. Ms. Flynn explained what is and is not a conflict of interest. Discussion ensued about plans for presenting this issue to the Board, maybe in December. Ms. Rolston asked to put off the Board training until a future date and it was agreed upon.

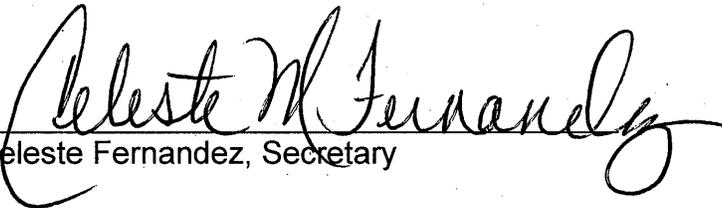
- V. Next Meeting:** Wednesday September 27, 2017 @ 1:30 PM  
Mid County DOH offices  
8751 Ulmerton Road  
Largo, FL 33771

Ms. Rolston stated she cannot attend the September 27<sup>th</sup> Board Meeting.

#### **VI. Adjournment**

Ms. Backus made a motion to adjourn the Board Meeting. Dr. Rafalski seconded the motion.

Respectfully submitted,

  
Celeste Fernandez, Secretary