

*****PENDING - SUBJECT TO CHANGE*****

**MINUTES
CENTRAL UTAH COUNSELING CENTER
AUTHORITY BOARD MEETING**

DATE: October 9, 2024

PLACE: 1170 S College Ave
Richfield, UT 84701

TIME: 4:30 PM

PRESENT: Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, Commissioner Ralph Brown, Commissioner Vicki Lyman, Commissioner Marty Palmer, Nathan Strait, Richard Anderson, Chad Williams, Anna LaDamus, Lynnette Robinson, Holly Kunzler, Jace Ellsworth, Julie Lynn, Samantha Payne

EXCUSED: Commissioner Sam Steed, Jared Kummer, Christian Matthews

I. BOARD CHAIR ELECTION:

A motion was made by Commissioner Scott Bartholomew to nominate Commissioner Marty Palmer for chair. The motion was seconded by Commissioner Ralph Brown. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

A motion was made by Commissioner Scott Bartholomew to nominate Commissioner Sam Steed for vice chair. The motion was seconded by Commissioner Dennis Blackburn. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

II. APPROVAL OF MINUTES:

A motion was made by Commissioner Ralph Brown to approve the minutes of the August 14th, 2024 Authority Board Meeting. The motion was seconded by Commissioner Scott Bartholomew. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

III. PUBLIC COMMENT PERIOD:

Nathan Strait stated the Office of Substance Use and Mental Health (OSUMH) is preparing the Center's site visit and reviewing legislative expectations. They are asked to monitor how the

Center gathers public comment in a public setting, such as a board meeting. A Public Comment Period has been added to the agenda to meet the legislative expectation. The board agenda is posted publicly in each Center office, on the Center's website, on the Utah Public Notice website, and at the meeting location. This will also be a good section for commissioners to pass on public comments made to them. Commissioner Marty Palmer stated his county gives the public three minutes each for comments in their meetings. Richard Anderson stated the commissioners can decide on the duration. The budget hearing is already held every year for public comment, but OSUMH is looking for more regular availability of this process.

IV. FINANCIAL REPORT:

Richard stated the fiscal year (FY) 2024 financial report will be reported once it is final after the November independent audit. There are no issues, but the Center is still waiting on Medicaid revenue, which will finalize the report. Richard just finished the FY2023 cost report, and those numbers look favorable and are yet to be audited. The capitation side is in good shape. The expansion substance abuse side shows overpayment of approximately \$400,000. The Medicaid percentage is approximately 60% on the Medical Loss Ratio (MLR). Most centers, specifically those in rural areas, have seen similar percentages. Rates are still being developed for expansion. Reconciliation may occur as that happens. Richard met with the auditors this morning who are very interested in that audit because one quarter was within the new Provider Reimbursement Information (PRISM) system. The FY2024 cost report is due at the end of March. Nathan stated the PRISM system has created a lot of problems for tracking personnel and Medicaid eligibility.

Richard stated with 25% of FY2025 gone, Medicaid capitated revenue is 24% mental health (MH) and 25% substance use disorder (SUD). The federal block grant shows high at 138%. Lynnette Robinson stated this is additional money that had to be spent by September 30th. Richard stated a staff member has been hired to bring billing in-house. The benefits have already been seen, especially with private insurance. Commissioner Scott Bartholomew stated no revenue is showing for the counties and asked if the bills have been sent. Lynnette stated an estimate was sent on September 17th for the counties to add to their calendar year (CY) 2025 budgets. An invoice will be sent in May. The estimate is based on the state Medicaid match and has been updated since the budget was created. Commissioner Vicki Lyman stated the state and county matching funds definitely do not pay for all the staff and asked where the remaining revenue comes from. Richard explained that per state law, any state funding the Center receives must be matched by the counties at 20%, based on county population. The Center uses this revenue for the 30% Medicaid match. Capitation means the Center is prepaid to provide services to Medicaid clients. A small amount of money is used to create a multimillion dollar budget. On the wages, fringe, and travel section of the budget, travel is low. One of the biggest travel expenses is the spring National Conference. MH wages are a little high at 29%. The Center received two American Rescue Plan Act (ARPA) payments, and one month had three pay periods. Things look fairly normal on the expense side. Inpatient is 19% and turning into a standard \$1 million budget. The rent number is high because it includes the Community Impact Board (CIB) payment to Sevier County for the new clinical building in Richfield. That expense will be moved to another category. Expenses are 24% MH and 22% SUD. There has been \$830,000 promised to the Center to help with the construction in Richfield and Gunnison. Commissioner Vicki Lyman asked if the Center is in Gunnison. Richard stated the administrative

office is in Gunnison and currently rents space from the hospital. The administrative office used to be in Ephraim, but the clinical office next door outgrew their space and needed more. The Center has property in Gunnison and is developing plans to build a new administrative building. There is a chance funding will be received for a receiving center on the same lot, which will help cover some of those costs. Commissioner Ralph Brown stated he spoke with the governor on Monday who is still planning to help with the funding for a receiving center.

A motion was made by Commissioner Ralph Brown to approve the FY2025 financial report as presented. The motion was seconded by Commissioner Dennis Blackburn. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

V. DISCLOSURE FORM:

Nathan stated he presented the new required disclosure form at the last meeting and handed it out for the commissioners to complete. Key areas to consider were shown. The commissioners completed the disclosure forms and submitted them to Nathan.

VI. TUITION ASSISTANCE REQUEST:

Nathan stated Liberty Shipp and Iris Peterson are substance use disorder counselors (SUDC) on the Tri-County team who have applied for education assistance to help with their master's degree programs to become clinical mental health counselors (CMHC). They are both enrolled in their first semester of seven at Thomas University online. Liberty is requesting \$39,926.25. Iris Peterson is requesting \$37,353.75. Liberty and Iris applied for loans and are short \$5,908 and \$1,829, respectively. Policy states the Center may provide assistance, but it is not a guarantee. Approval is based on the needs of the Center and for approved post-graduate classes. Liberty and Iris enrolled in and are attending their schooling prior to obtaining approval for educational assistance. There are other ways to receive funding, namely the National Health Service Corps (NHSC). Once they complete school and obtain their full licensure, they can work with the NHSC to obtain loan repayment. Commissioner Marty Palmer asked for the time commitment for Center educational assistance. Nathan stated it is a two year commitment upon completion of the degree or the last assistance received, whichever is later. Commissioner Scott Bartholomew thought they were given a grant, not a loan. Richard stated the employees pay for their own expenses and are reimbursed by the Center per semester. Commissioner Ralph Brown asked if they are requesting the difference in their loan coverage or the full cost of their education. Nathan stated they are asking for 75% of the full cost so they do not have to use their full loans. Commissioner Scott Bartholomew stated the policy specifies loan repayment programs. Nathan stated that means the staff member obtains a loan and upon graduation, the Center pays the loan. Nathan looked at other master of social work (MSW) programs. Thomas University was the most expensive. Liberty and Iris are interested in online classes so they can continue to work full-time. Chad Williams, Holly Kunzler, and Anna LaDamus all attended the University of Phoenix, which was \$30,000 to \$40,000. If Liberty and Iris's requests are approved, the Center would pay approximately \$77,280 as a grant with a two year commitment. Commissioner Marty Palmer asked if two years is enough. Richard stated that duration can be adjusted. Commissioner Vicki Lyman asked if the staff members leave early if they are required to pay the full cost or a

prorated amount. Nathan stated employees are reimbursed per semester so they would owe back the full cost of what has been paid. Commissioner Scott Bartholomew asked why there is such a difference in costs between schools. Nathan stated there are benefits to different programs. Richard stated there is \$34,500 in the budget for education assistance and these approvals would take the full budget for two and a half years. Commissioner Vicki Lyman asked how many education assistance applications are received per year. Richard stated some years there are three or four and others have none. Nathan stated the Center was in great need of therapists three years ago and pushed the program. The Center is currently fully staffed and does not have an imminent need for therapists. Even if Liberty and Iris complete school, they are not guaranteed a therapist position within the agency, though they may keep their current positions. The NHSC offers a lump sum payment from the federal government with a commitment to NHSC eligible organizations. The Center is an NHSC organization so they can complete their commitments here. There is also a potential for loan repayment per policy. Richard stated Liberty and Iris can be asked to reconsider the program they are in or given an offer for the Center to pay the amount not covered by their loan as a grant at 100%. Nathan's recommendation is to pay a portion of the cost requested or to offer the loan repayment program upon graduation. Commissioner Vicki Lyman asked why Liberty and Iris chose Thomas University. Holly Kunzler stated they work very closely with another therapist who graduated from there and was pleased with the program. It offers additional SUD courses, which fits with their current positions as SUDCs. They are already enrolled and invested in the program and will not want to change schools. Commissioner Vicki Lyman asked if the six county area deals with a lot of SUD issues. Nathan stated 25% of the Center's clients have SUD problems. Commissioner Scott Bartholomew asked if administration will receive backlash for not approving these requests because others have been funded in the past. Holly stated she prepped Liberty and Iris, and they are aware they might not receive what they are asking or anything at all. Jace Ellsworth stated they are aware of the NHSC program. Holly stated their concern with the NHSC is that they must be fully licensed, which will take two years after graduation. They will have to make their loan payments during that time. Richard stated the Center could look into making the loan payment until the NHSC kicks in. Those payments would be much less than the \$78,000 full cost. Nathan stated Liberty and Iris are incredible employees they do not want to lose, but the Center must also be good stewards of the money received. Richard stated the fully staffing of therapists could change at any time.

A motion was made by Commissioner Dennis Blackburn to pay the difference between the loan and the amount due on Liberty Shipp and Iris Peterson's educational assistance requests. An amendment was added that the Center will pay the student loan payments upon graduation until the NHSC approval kicks in. The motion was seconded by Commissioner Scott Bartholomew. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

VII. AUTHORITY BOARD BYLAWS:

Nathan stated the Authority Board Bylaws have not been amended since 1990. Commissioner Dennis Blackburn stated a commissioner should not be on the board if they have a family member who works for the Center to prevent potential conflicts of interest. This has happened

twice now and should have been put into place after the first time. Nathan stated this item should be added to Article VI Miscellaneous. Whether the conflict of interest causes problems or not, the potential is there. Commissioner Scott Bartholomew stated no one is saying anything was done wrong, but these situations can look bad. Nathan stated Commissioner Trevor Johnson did a great job on the board, but the conflict of interest was there and could have created future issues. Commissioner Dennis Blackburn stated part of the board's responsibility is to ensure there are no conflicts of interest so there are no problems. Nathan stated Article I has the board's name as Central Utah MH Alcohol and Drug Center Authority Board with an address in Mt. Pleasant. Richard stated that is still the Center's name but it is doing business as (DBA) Central Utah Counseling Center. He does not know which name is required to be on the bylaws. Nathan stated in Article IV Membership and Management, the chair will be identified by alphabetical county order starting with a designated county. The vice-chair will then follow the next alphabetical county. Article V stated the board will create, maintain, and operate all the facilities. It lists the board's fiscal year as January through December, but the Center's fiscal year is July through June. The commissioners agreed that the bylaws should be reviewed for any other changes so they all can be made now. Nathan asked for a motion to proceed with rewriting the bylaws to show understanding of the process. He will send a draft during the month for the commissioners to review and give feedback. He will ensure he includes the new conflict of interest portion. Richard stated the commissioners might want to run the changes by their county attorneys. Commissioner Scott Bartholomew stated there is a bylaw case before the supreme court that could cause problems with bylaws and how they function with special service districts.

A motion was made by Commissioner Scott Bartholomew to begin the process of cleaning up the bylaws. The motion was seconded by Commissioner Vicki Lyman. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

VIII. DRIVING POLICY APPROVAL:

Nathan began updating the driving policy about a year ago after an employee totaled two Center vehicles in three hours. He has updated the policy to promote safe driving culture within the organization to reduce the chances of vehicle accidents while working. Commissioner Scott Bartholomew asked if the purpose of the policy is too vague. Richard stated the procedure section adds clarification. Nathan stated the procedure section states staff must have qualifications to drive Center vehicles such as completing a defensive driving course in Relias prior to driving a Center vehicle and then each year. Each employee who drives a Center vehicle is added to the trust's motor vehicle record (MVR) report that provides monthly information on accidents and tickets. A single major violation recorded on the MVR may result in exclusion from driving Center vehicles. Staff who must drive as part of their position must prove they are eligible prior to hire. The Mobile Crisis Outreach Team (MCOT) therapists may take home vehicles as part of their on-call requirements, and this is listed in the policy. Use of handheld cell phones while driving is strictly prohibited and must be a hands free device. Vehicles must have regular inspections and service. Employees with disabilities may drive if they are capable of doing so. An accidents section was added that states driving privileges will be suspended after an accident until review by the Center. Commissioner Vicki Lyman asked if there is an accident if

the employee must submit to a drug test. Nathan stated that it is included in the policy and is independent of the Center's in-house drug testing. Disciplinary consequences and a point system are listed. Richard asked how much of the policy is new. Nathan stated the majority of the policy is new, as far as the procedure. It will be included as a Relias training in addition to the defensive driving course. Commissioner Scott Bartholomew asked if drug testing is required for employment. Nathan stated drug testing is not required at hire but can be requested randomly, per policy. Commissioner Marty Palmer asked administration's thoughts on drug testing at hire. Chad does not see anything wrong with it and feels it is fairly routine. He has not encountered any issues with it in the 15 plus years he has been a supervisor, but that does not mean something has not happened he was unaware of. He can lean into the policy if he needs to. Nathan stated drug testing at hire has not really been talked about. It may be worth considering. Commissioner Marty Palmer stated there have been a few times he was glad his county drug tests at hire. Commissioner Scott Bartholomew stated his county required drug testing for new employment and then at random. The random tests are usually completed if there is a need. Some positions are more critical than others such as the road department. They were advised by their legal counsel that volunteers are subject to a drug test if they will drive heavy equipment or emergency vehicles. Volunteers who just take tickets at an event are not subject to it. Prescription marijuana is now legal. Nothing can be done unless the person comes to work impaired. Jace stated the current policy lists random drug tests and reasonable suspicion, but they can definitely look into drug testing at hire. Commissioner Marty Palmer stated it is a great idea that will prevent headaches down the road. Chad suggested completing the drug test prior to sending in a background check since that takes several weeks to return. Holly stated it needs to be right when the person is offered the job. There needs to be a form where the new employee can disclose prescription medications. Commissioner Vicki Lyman asked if a current employee fails a drug test if they are automatically let go. Nathan stated the policy states a positive test could result in suspension and/or termination and would be based on the substance the person was using and the circumstances surrounding it. Commissioner Scott Bartholomew stated his county has had to let people go because of obvious drug and alcohol use, and it is tough, but the liability of something happening is horrendous. He would like this driving policy put into place as well as mandatory employment drug testing. Richard stated the mandatory employment drug testing would need to be in a different policy.

A motion was made by Commissioner Scott Bartholomew to approve the driving policy and put into place a drug testing policy at hire. The motion was seconded by Commissioner Dennis Blackburn. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

IX. HOLIDAY SOCIAL REQUESTS:

Jace stated the holiday social requests include a half day off on Christmas Eve, \$7,125 for holiday turkeys, \$7,125 for employee gifts, and \$675 in staff service recognition gifts for a total of \$14,925. Commissioner Scott Bartholomew asked if the Center has a holiday on Juneteenth. Jace said the Center does take Juneteenth as a holiday. Commissioner Scott Bartholomew stated

his county employees voted to instead take a half day off on Christmas Eve and another half day on July 3rd. Jace will look into that for the Center.

A motion was made by Commissioner Dennis Blackburn to approve the holiday social requests. The motion was seconded by Commissioner Scott Bartholomew. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

X. PERSONNEL ACTIONS:

Jace stated Katie Chapman was hired as a full-time office manager in Richfield, Sara Ellsworth as a part-time therapist intern in Richfield, and Misty Bliss as a part-time therapist intern in Millard-Juab. Daniel Kjar resigned as part-time maintenance in Nephi, and his position needs to be backfilled. Commissioner Marty Palmer asked why Daniel resigned. Richard thinks Daniel wanted to be full-time. There has been a lot of turnover with part-time maintenance positions. There have been times the Center has had a part-time maintenance person on each team, but there is currently only one in Richfield and then a full-time maintenance person for the whole Center. The only part-time maintenance staff the Center has been able to hire are very young or inexperienced people. There may be a need for another full-time position. The person would be very busy in the summer and could hopefully help with preventative maintenance and snow removal in the winter. Now that the Richfield projects are winding down, they want to see if David Bradley is not as busy before making a decision. Jace stated Sara Ellsworth is his wife, and he signed a conflict of interest statement. Her supervision is all through Jared Kummer. She is a paid intern. Commissioner Scott Bartholomew stated this could be a conflict. Nathan stated Jace was good at removing himself completely from the hiring and decision making process and was always very upfront. There is an end date with interns. They have to apply for full-time positions and are not guaranteed.

XI. CLOSED SESSION:

A motion was made by Commissioner Ralph Brown to move into Closed Session for the purpose of discussing pending or threatened litigation and/or the character, professional competence of employee(s), property, or strategy session as provided by Utah Code Annotated §52-4-205. The motion was seconded by Commissioner Vicki Lyman. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried. Roll call of those in attendance included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, Commissioner Vicki Lyman, Nathan Strait, and Richard Anderson.

A motion was made by Commissioner Vicki Lyman to move out of Closed Session. The motion was seconded by Commissioner Scott Bartholomew. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

XII. CLOSED SESSION ACTION:

Not needed.

XIII. MEETING SCHEDULE:

The next Authority Board Meeting is scheduled for Wednesday, December 11th, 2024 at 4:30 p.m. at Steve's Steakhouse in Richfield.

XIV. OTHER:

Nothing to report.

XV. MATTERS FROM THE BOARD:

Commissioner Marty Palmer asked how much the Center is involved with the Sanpete and Juab County Jails. Chad stated they are two very different situations. Sanpete has their own programming that started five years ago after they applied for grants. Juab does not do as much with the jail. The sheriff is required to serve state prisoners. Commissioner Scott Bartholomew stated state inmates go to the Sanpete County Jail because they have a sex therapist, which is a requirement before release. Christian Matthews is the Sanpete team leader but was excused from this meeting. Nathan stated the Center is not involved on the sex offender side but helps with SUD clients by completing an evaluation, opening a chart, and holding groups prisoners can participate in over telehealth. Upon release, they are already an open client and can begin attending treatment in person without having to wait for an evaluation. Chad stated they can do SUD and MH evaluations on non-state prisoners such as those involved in 4th District Court or local charges. He has offered the same type of group to the sheriff who states his staff cannot currently support it with their personnel restrictions. They would have to pull an officer to sit with the group and would have to split the prisoners by gender. Holly stated the Sevier County Jail has the same problem. Nathan stated Chad and Holly do a great job interfacing with the jails. The difference with Sanpete is they have the grant they applied for to obtain additional personnel. Richard stated Juab County Sheriff Doug Anderson asked him to be on a committee about planning for a new jail, based on his experience with Emergency Medical Services (EMS) and the fire department. He has plans to dwarf the size of state inmates. Nathan stated Medicaid applied for a waiver with the federal government to expand Medicaid eligibility 90 days prior to discharge. This would be a real benefit to the counties because all medications and treatment would be paid by Medicaid. The challenge for sheriffs departments is hiring someone to help get those clients on Medicaid. Center staff can help with this, but it needs to be a conversation with Nathan, the team leader, and the sheriff. It will be two years before the waiver gets out to the rural counties after starting in Salt Lake County.

Commissioner Clint Painter is forming a homelessness committee and needs someone from the Center. Nathan said years ago he was asked to reach out to the Association of Governments (AOG) to be part of their homelessness committee. They had someone designated but no committee formed. Nathan is willing to participate in Commissioner Clint Painter's committee as a representative of the Center.

A motion was made by Commissioner Scott Bartholomew to adjourn the meeting. The motion was seconded by Commissioner Ralph Brown. Votes by voice included Commissioner Marty Palmer, Commissioner Ralph Brown, Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, and Commissioner Vicki Lyman. Commissioner Sam Steed was absent from the meeting. Motion carried.

The meeting was adjourned at approximately 7:30 p.m.

Julie Lynn, Accountant