



Administrative Office, 105 Hall Street, Suite A, Traverse City, MI 49684

## Committee of the Whole Meeting Minutes

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March 17, 2022

12:30 PM

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### **1. ATTENDANCE:**

Northern Lakes Community Mental Health Authority, 527 Cobb Street, Cadillac and remote virtual meeting.

Rose Denny called the meeting to order at 12:30 p.m.

Board Members Present: Randy Kamps, Penny Morris, Ben Townsend, Rose Denny, Justin Reed, Barb Selesky, Pam Babcock, Nicole Miller, Sherry Powers, Mary Marois, Ty Wessell, Al Cambridge

Virtual - Greg McMorrow, Angie Griffis

Board Members Absent: Nikki Colecchio (advance notice) and Dan Dekorse (advance notice)

Others Present: Cadillac – Joanie Blamer, Interim Chief Executive Officer; Lauri Fischer, Chief Financial Officer; Matt Leiter, Director of Human Resources; Tracy Andrews, Director of Integrated and Managed Health Services; Brian Newcomb, Director of Recipient Rights; Heather Sleight, Administrative Specialist; Jeremiah Williams, Information Technology Supervisor; Deb Lavender, Executive Secretary; Kari Barker, Quality and Compliance Director; Andy; Heather Pollington, Customer Service Provider.

Virtual – Darryl Washington, Director of Long-Term Care and Support Services; Curt Cummins, Medical Director; Carrie Gray, Chief Population Officer for Individuals with Developmental Disabilities Services; Ann Ketchum, Programmer Analyst II; Brie Molaison, Customer Service Specialist; Jessica Williams, Performance Improvement Specialist; Michelle Dosch, Compliance Secretary; Deb Freed; Chris Biggar, Finance Manager; Kelly Hoag, Administrative Specialist; Kasie Morse, Customer Service Provider; Aaron Fader, Executive Administrative Specialist; Alyssa Hansen, Human Resources Supervisor; Andrew Waite, Behavioral Health Home Manager; April Weinrick, Home Supervisor; Brittany Moen, Recipient Rights Advisor; Dan Mauk, Chief Information Officer; Dave Simpson, Residential Services Administrator; Jan Pytlowany, Customer Service Provider; Kaitlyn Reinink, Nursing Supervisor; Michelle Michalski, Human Resources Specialist; Mardi Link; Melissa Bentgen, Accounts Payable Team Lead; Trapper Merz, Business Intelligence Specialist; Treasa Cooper, Reimbursement Coordinator; Mindy Pepsnik, Service Information Specialist; Dean Baldwin, Network Administrator; Sue Hamel, OBRA Clinical Therapist; 3 Unknown Public.

### **2. RECEIVE AND REVIEW FEBRUARY 17, 2022 MINUTES:**

The minutes were moved to the Board meeting.

### **3. PUBLIC COMMENT:**

Heather Pollington identified that she has worked in reception for 11 years. She has been watching the Board meetings and wanted to address the accusation of culture of fear that has been presented. After 11 years I have never felt that culture of fear. It has always been a great

working environment and always very friendly. Joanie has an open-door policy here. When she is in our office, she sits with her door wide open and several times I have gone in her office and talked with her and addressed her. She has always been good about talking with us. Email she is always good about getting back to us and the communication I feel she has done an amazing job keeping us informed. What I appreciate about Joanie always puts the clients and her employees first in everything that she does. That is her number one thing. The amount of knowledge that she knows is just so valuable to this agency. The years that she has, and the knowledge is unreplaceable. She wanted to share a little bit being up front in reception they get a lot of traffic and a lot of people and it has not been a fearful place at all everybody and addressed and I have a supervisor and we have all had a good rapport between staff and administration. I just wanted to share my feelings with you about that. I am proud working at Northern Lakes, and I don't feel that way. I have been here for 11 years and I thought that needs to be told. Thank you for your time board.

Joanie noted that I did speak with Deb before this, and she agreed to have me read a statement. Deb is retiring and I would like to read her retirement memo. After 40 years of working at Northern Lakes and previously North Central CMH I am providing you my retirement date of approximately December 29, 2022. By the time I retire I will have worked 41 years. I have seen so much change and worked with wonderful staff. It is hard for me to leave although I am excited about the next chapter of my life. If there is a change in my health and I need to leave prior to that date, I will inform you. Joanie noted she wanted to share with the Board that 41 years is quite the accomplishment. She has done great work. Pam asked if there is an instruction manual. Ben noted that the difference has made in our society that 41 years ago that Northern Lakes could hire a 12 year old. It is just amazing.

#### **4. UPDATE ON RECIPIENT RIGHTS:**

Brian referenced in the packet you have seen his report for the month, and he took some suggestions from the last Board meeting when he presented the yearly report. He also gave some historical data for our office for the last three years. You can see the complaints are back to where they were in 2019 and 2020. The same with our investigations and our completion rate we are at 100% to this day. Our office is doing great, and we are fully staffed which has been a blessing. The substantiation rate, we are averaging around 43%. I did receive the state report from every CMH in the state last week and the average substantiation rate is at 42% for the state. We are right in the same area as everyone else is in the state. We noticed that a lot of them are currently achieving the 60-day investigation. This is one of my goals for the 60-day status. Today we have three that are past 60 days. We are still compliant with three over and it just happened in the reporting that they are just over the 60-day status. That was a pretty major step to get to the 60 days which they were able to get to investigate a little bit harder. Because they did that, they can get into the homes and being in sites and providing services that we haven't done in the past. That is where we are at in the Office of Recipient Rights. He asked for questions.

**Question** - Pam noted that this isn't about today's report. Last month do you recall how many staff would have been let go due to rights? **Response** - I want to say it was close to 77 or 80 but I could pull. Pam thought that was what I was thinking because when the topic came up that people from the homes fearing for their jobs. I thought there probably was a connection.

**Question** - What does it take for someone to lose their job over rights? **Response** - If it was due to Abuse or Neglect the main factors but mostly what we are seeing are cases where there were substantiations the employee has already quit, we don't even get through the investigation before the staff are quitting. It is either that they don't want to go through the investigation. It is not just Northern Lakes it is all of our provider staff. Only one or two that were fired it wasn't just one incident they probably had five or six rights investigations before that happened.

Randy wanted to express his appreciation for the three different time frames. It has been very helpful and meaningful at least to me and he appreciates a much better picture of how we are doing and more importantly to him is really struggling what may be the seasonality. The moon causes tides and this is interesting.

## **5. FY 2022 NLCMHA QUALITY ASSURANCE AND IMPROVEMENT, REGULATORY COMPLIANCE, AND CUSTOMER SERVICES REPORT**

Kari noted that she is happy to be here and is the Director of Quality and Compliance. In your packets are the 2022 Regulatory Compliance, Quality Assurance and the agency work plan for you to review. We won't be reviewing those today due to the time, but they are there for you to review. She provided the Quality, Compliance and Customer Services Report for the First Quarter of 2022 (October through December). We met our Medicaid Verification Audit and the NMRE Internal Audit at 100%. This audit is to ensure that every element of that claim by documentation for an entire year at 100%. We had no inappropriate access to clinical records or staff that were sanctioned regarding their ability to provide Medicaid services or to collect Medicaid funds. There was a total of four compliance reports two made of which were handled by human resources. None of these were a major complaint and were no OIG which is the Office of Inspector General. There were two privacy inquiries received and were no HIPAA violations although we did educate the individuals regarding best practices. Sometimes people don't know the difference in a HIPAA violation and a confidentiality violation. You can have a substantiated confidentiality issue because you have disclosed information it may not be a HIPAA issue. Everyone who works for the agency is covered by the rule. If I sent an email to Penny M and I sent to Penny S it wouldn't be a HIPAA violation, but it could be a confidentiality issue. Sometimes we may think they are the same and they are not. We will offer six trainings per year in addition to the Relias training beginning in April. These trainings we will be reaching out to all of the teams in the agency. We will include the basics of abuse, fraud, and waste information. It will also include topics specific to some of the trainings that we see in internal audits and external surveys. Those are some of the things that are coming up on our radar. In Quality, I mentioned last time that the PIPs Performance Improvement Projects we do with the NMRE in our region. We are all invested in this. We were very successful in our diabetes one and we are struggling with the ADHD meds. We are developing projects targeting health and cultural equity. We are still working on that and as a region we will finalize at our next quality oversight meeting next month. We did receive news from CARF (Commission on Accreditation for Rehab Facilities) we received a three-year accreditation. It is a big deal. We prepared for this for 18 months. It takes all staff to prepare for this. It touches every department. It is something our consumers, community and staff can all be proud of. The surveyors are possibly employed in CARF accredited facilities. So, they are doing what we do. They come in knowing what has to be done. They know what still needs to be done and they are looking at our policies. That is very useful information that we gain from them. They came up with numerous comments about our strengths and what we were doing. They were particularly fond of our outreach, the things that we do, what Cindy Petersen and her group do (Communications group), prevention, education in the community and were very pleased about that. They felt it was excellent work and above what is required. Kari referenced the critical incident reporting; there were two with non-serious behavior, two sentinel reviews looking at more severe events. When I was reviewing those, something struck me and it was the absence of something. It was the absence of physical management. We cannot include physical management of individuals in plans but if there is necessity for immediate harm or immediate danger we can use it. People are trained to use it. It has been almost three years since someone in our Board operated homes who is a staff member had to physically manage a person in an effort to control a situation that was dangerous. That is amazing. That says to me that the Culture of Gentleness is working and has been internalized by the staff. It is kind of like the severe behaviors have just stopped. They haven't. We still work with severely needed individuals and those individuals feel respected, included, and regarded just who they are. The philosophy of Culture of Gentleness is one of our agency's pillars. It is also reserved by our specialized residential homes. You might think that any and all individuals that come to us, whether they are in need of services or are becoming staff members, should be welcomed as they are included and treated with respect, no matter their challenges, their background, the color of their skin, religious beliefs should be welcomed for who they are. The Communications and Public Relations Committee has spent time this last year delving into what that means as far as translating the Culture of Gentleness outside of working with challenging behaviors. How are we welcoming everyone? How do we have open arms for everyone? We took recommendations to ETeam and it was supported. We have continued to look at what we are doing. When CARF came in they were also impressed. We thought the direction we were heading was going to be very beneficial to the agency and they thought we had become pretty progressive practices, and it would probably be a requirement in the future. When we hear

about diversity, equity, culture of diversity. What does that mean for us? What it means for us is that it's about cultural intelligence. That means we are equipping staff with the skills and abilities to work in diverse environments. Now Northern Michigan is not really diverse, that's just an element but I see more diversity every day and so we have to be ready, and we have to be equipped to serve anyone that walks through our doors and no matter what their situation is, and we have to do in a highly skilled manner. This is different than actual diversity training you know where we do that in our area, and we answer a quiz. But it's more about looking at the information, educating yourself, educating each other and then really about ourselves and our own beliefs and our own potential biases and, and how do we account for that when we are relating to other people? Then you know like our residential staff, internalizing that knowledge and having the ability to provide the utmost of care and make sure that all are welcome here. I will continue to update you on our progress. So then lastly, we have our Customer Service Report. During the first quarter of 2022, there were a total of 17 grievances and 7 local appeals, and there were 8 second opinions received. They were completed within the timeframe requirements. Most of the grievances were change of provider requests from outpatient in psychiatric services. One of the reasons our grievances have increased in the last few years is that used to be that if somebody just wanted to request a change of provider, they would just ask for it. Say "I would like a change of provider" and so then we would do our best to accommodate it. The state then changed that request to be a grievance. Which automatically sounds like there is something wrong that person, wrong with that relationship or somebody feels like they weren't treated well and that may not be the case. It could be that somebody wasn't available on or the hours they needed, or somebody just wanted somebody with a different gender. It is easy to think that these individuals were all dissatisfied with their provider. That may not be the case. Then we have majority of second opinions requested were regarding denial of inpatient hospitalization and accommodation for a foreign language interpreter was the most prevalent accommodation requested. We are seeing an increase in diversity. Because in the last probably six months, I think we have had more requests for interpretation services than we have had since I have been in this role. I know and high five them too. This is great. We are doing satisfaction surveys. They are being completed and more individuals are going to complete them now that it's a 5-question survey instead of a 26-question survey. There were more responses in the 1<sup>st</sup> quarter of 22 than in all of 21, so we are getting cooperation. Overall satisfaction of services after discharge is a solid 4 out of 5. Satisfaction surveys for recipients and families receiving IDD services began in January, so there's a lot of data to report but overall, the satisfaction is at 3.8 out of 5. Some of these though have also shown as grievances. As the persons completing the survey has heard some dissatisfaction, disappointment, say would you like to send a grievance and then we are doing that as well. We've been receiving really good feedback thus far and we will continue to conduct those surveys.

As a follow up, Randy, last time we provided our report, you had a follow up question. That question was how we compare to our regional partners in regards to the number of appeals you see in the report. We have that information for you. Northern Lakes had 28 appeals, North Central has had 11, Northeast has had 7, and Centra and Ausable Valley both have had 0. We clearly do have more appeals than our neighbors. Just a friendly reminder, we have a 24/7 ethics hotline that is completely anonymous. I don't even know who the report is from. When I am looking something up from the external website, I can't see who made the complaint, it's like a double blind – the system goes between. The individual reports to the system, the system cleans it up, sends me a report if I need to communicate to the individual making the report, it goes back through the system. Where I say what I needed to ask in the system passes, and it comes back to me. If someone's feeling concerned, or just nervous, it's an excellent way to get something off your chest and not feel like it's a risk. That information is all over and available. I cut and pasted the number here off the website and it is still not very clear and somehow overlapped. I will send that to Deb, and she can make note of it in the minutes. 855-560-0008 Please feel free to use it. This isn't just for staff either. Some people might think it's for staff. It's for our consumers, it's for our families, it's for, external providers or board members or the community. Anyone who feels that, that there is a conflict then they can use the ethics hotline. That is my report for you today and I appreciate your time. Rose asked if anyone has questions for Kari. Rose recognized Randy.

Randy thanked Kari for providing the comparative data. Now it makes it another question.

**Question** - In the spirit of trying to look at apples vs apples, and I appreciate the fact that when the survey was cut down to 5 questions that, that would then simplify the process. The point is, are our questions comparative or very similar to the rest of the region and taking it beyond the region, maybe to a point, because you really have a different culture in urban areas versus rural areas. Do you have any sense of how our questions compare to others etc? Thank you. **Response** - That's a good question. I would say to you, just being on the NMRE quality oversight committee/regional committee with all the boards attending is that we have, in general, across the Boards used the NMRE satisfaction survey, to get feedback from our consumers and that has been really the model of that solicitation of satisfaction. I am not aware that other boards are additional satisfaction surveys. We began doing surveys through a CARF recommendation in our last accreditation that was completed following up with people after discharge and finding out how they are doing, and did we get them what they needed. We additionally started looking at this and realized that we don't see the satisfaction from people that received IDD services or their families. Why is that missing? Why is there a gap there? We spoke in the QOC meeting about that and we just decided we're just going to start doing something. So, I would agree with you the 5 questions is enough right now but the questionnaires that go out through the NMRE and the ones that we did previously from discharge were very long and it certainly was the same questions reworded to ask the five questions five different ways to make sure we get to the answers. I did look at that and I see value in that. But what we were hearing from people is "I'm tired of doing surveys". The computer conks out halfway through, or spins for thirty minutes and so we thought, let's just get in there. Did we do what you wanted? Are you better off than you were? What could we do better? What did you really like about us? Let's just see if we can baseline that and get a feeling of what is working. That was the reasoning behind it.

Randy - if I could continue. **Question** - I am curious about two other things. One is I noted that Northern Lakes is taking back or taking over some functions from the NMRE and so my comment or curiosity is as to how smoothly, how clearly, how that process is going so, and if there's anything that we can do over at the, the individuals at the NMRE, please feel free to say "hey, something is not working here." It may be too early in the process for that but, that is one thing. Then my other, you indicated a hotline so to speak. Where does one, remind me please, where does one access that? I've spent a limited amount of time on the Northern Lakes website. I'm looking for specific things, so I am not usually looking for that. Does that portal exist on the Northern Lakes website? Is it prominent? That's my question. **Response** - Everything we have is on the external website. We have the information posted all through the offices. We have business cards. Why don't we resend it with our contracts and our compliance materials. You may have missed it. I would say we should make it more prominent. Because we should just be looking through the website and being able to see it. We certainly want it seen. So, I'll look myself and see if it is prominent. Randy noted I will too but you get the point. Randy noted I don't ever want to hear anybody say "gee whiz, I had a complaint and I can't figure out where to place it." Kari said absolutely. Randy said my retort to them should obviously be "then you ain't looking!" Kari noted you missed the red blinking light right? Randy noted no one is suggesting that we go looking for trouble, but we have to be prepared when trouble comes looking for us. Kari noted yes because it will, and I tend to get into trouble. Randi noted sure. Thank you.

Kari noted what I would say is that I think that the process with the NMRE is going well. It did come about as far as us taking away exclusionary reporting. What that is, is every month we are required by law to run through, run the names of former employees and board members that are contracted providers through the state that indicate that somebody has sanctions against them for being able to provide Medicaid services or even receive Medicaid funds. When I run these through, and it comes back and they say "you're all clear". Which it always comes back for us all clear. Sometimes it comes back with somebody from Arizona who has the exact same name, the exact same license type as somebody on ours and that happened or it will tell us "hey, your provider, that so and so on the corner, he can't receive Medicaid funds and so then we put it into that system that any kind of pending contract, etc. We have to do that every month. They were going to go back and delegate that to all CMHSP's. They did it for us for several years and they had been running that. That came about quick and there was a little like "boy, how are we going do this?" But I think the communication's have been real good. Tema is the NMRE Quality Compliance person I have thoroughly enjoyed working with her, she's incredibly knowledgeable. She communicates very well as far as like if she says something, you know exactly what she wants and how it's supposed to be wrapped up. She

has been included in this process and very patient actually about when do you think's a good start date, and what you have to do. On our end, IT has gone out and invented the software. So that all of us will be using the same software as the NMRE uses and so we do have that IT has been on board. We have got all the contracts signed, from our provider. And all we have to do is get the training and we'll be ready to roll this month. So, we'll be doing our first one this month and I anticipate it will be taking a little getting used to, but I think it will go well. But I think the collaboration has been great.

Joanie noted we the NMRE Ops team spoke about some challenges in the process of delegating the function Kari spoke about. Some tension was noted and Eric said he was going to follow up with it.

**Question** - I was wondering, do people sometimes get confused between your office and Recipient Rights? Do you like sometimes maybe have to, identify this maybe should go, to Brian's office? Does that happen? **Response** - it does happen. It's happened a few times and luckily, I think, that our offices work together well because sometimes we work in tandem. Sometimes we have a situation that isn't only a compliance issue, it is also a rights issue and we work in teams and we try to merge our languages to people so that we're not doubling up on it and we're both doing the same thing and share information. I think we're really good at redirecting them and letting them know this isn't covered under my jurisdiction, but it is covered under ORR and I usually include a name of a prior person on an email and say "I know that so and so will help you", and so I think that our offices work very well together. Kari said Thank you very much, I appreciate it.

## **6. SECURITY ANNUAL REPORT:**

Jeremiah Williams introduced himself as the IT Supervisor for NLCMH and will be giving the annual Security report this year. If you have any questions, feel free to just ask right away or you can wait until the end. The good news is we didn't have any reportable security breaches last year for the year 2021. We haven't had any instances in the six years that I've been at CMH which I'm happy to report on.

We also have moved over to a new product called Artic Wolf that is providing real time network scanning of our network traffic as well as scanning of our logs. Which allows us to determine and catch any kind of security issues as they crop up. Before, we had to dedicate more time to look at logs when you have a huge network like we do, on both sites with all of the cloud applications that we have we had to inspect logs and go over through the security reports on all of them and with Artic Wolf, it's just a third party that is doing all of this, using artificial intelligence, deep learning of our network, and it does that all inclined to do more with computer technology that they have than what it would take probably a staff of ten full time.

We continue to run phishing campaigns with Microsoft security, or Microsoft attack simulation. Which is to train staff, I will get into that a little bit later. These are the summaries at the top of the packet. We have deployed many hardware upgrades in the last twelve months. We've replaced over 380 cellular devices, we are in the process of upgrading a router in Traverse City. It takes a lot of hardware in this day and age and we are working on deploying over 50 laptops now and 50 laptops later this fiscal year.

Jeremiah referenced page one, with the analysis that Artic Wolf details in their Tuesday reports, and as a sys admin we can actually log in and do these reports in real time. At that page you can see that it says that our network security, our current risk score is at a 726, where the industry average is 722 and then we currently at the time of this printing had 1,344 unresolved risks. That really doesn't give too much, but it does, give you a good snapshot of that day. Because I checked it a couple of days ago, we were down to just over 12,000 unresolved risks and our security score was a 7.7 and the industry score was now down to 7.1, so it's pretty fluid and today I checked, we're at 7.9 for a current risk score as of today and we have 1,321 unresolved risks. Doesn't mean that they are attacks, doesn't mean, it is, it is a vulnerability but some of those are very, very low level and Dan goes on in his report to describe different levels and like I said, just checking it the other day, we were down 120 unresolved risks then. If there is a new vulnerability that comes out, Microsoft Office patch, you know that's why it can fluctuate by the hundreds every day. Some of these risks, we actually have to

accept. We have our old system, Avatar, that runs on a very old platform. We are in the process of getting that off our network but we still need that for certain reports. We access that with a very old program called Java. Some of you might be familiar with Java and how unsecure it is but we have a lot of filters in our network router and firewall to block traffic externally. But just because we have that on our network, it is a risk. So, we are in the process of getting rid of those.

Jeremiah referenced page two where there's a chart there, that's a base score of zero, low is 1.1 to 3.9. You're never going to have zero unless if we got rid of all of our cellular devices and turned off the internet and went back to typewriters. Then I don't even think we could get a base score of zero. You'll see that we are currently in the high (the low high) severity range for our average score. The nice thing about Artic Wolf is that it will shed light on some of the issues we had with the third party not patching our Windows on time. That's why our current score is a little higher than we would like. We will get this down into the medium. Artic Wolf says that it's impossible, but we will get it down to the medium and I hope that Dan or myself can report on that next year that we will be down there. Artic Wolf says it's impossible because there's just no way to patch and maintain a network, but that is our goal and if we set that goal, we are going to get it. So, right now we are at 7.9 as of today and considering the medium is at 6.9 and we had a goal of 4, so we have a pretty lofty goal in IT but if we make a game of it, I think we can do it. When we got Artic Wolf and they reported on our current risk assessment, we were at a 9.1 and that was to do with our software, our (we call it our mobile device appointment platform) wasn't pushing out a feature update, which is a huge update to push out, especially on a mobile workforce like we have. Some people are using cellular for internet and some people have faster internet. The people with faster internet get the updates a little quicker and the people with cellular were struggling. Since Artic Wolf has been able to bring these more to the forefront, we have been able to get these results a lot quicker, you can find the systems a lot faster than in the past of going through all the devices and figuring out which devices are running behind on their system updates. He referenced page three; he already covered this a little bit. It goes into certain types of things that Artic Wolf helps us track and log ins from Microsoft Office 365 from anything externally in the United States, foreign or domestic, any suspicious activity. So, say the CEO signs in in Michigan and then in a span of five hours signed into Office 365 in California then that would be flagged and could be potentially blocked quickly. We actually had this, we had a third-party supplier of the phone system, they remoted into our Office environment, Office 365 environment because we have TEAMS voice, and he is from Bulgaria and we knew this and we allowed his login from Bulgaria but once we got Artic Wolf, they automatically blocked his logins. That's just one instance of how Artic Wolf works.

Jeremiah referenced page four, we're using our attack simulator to do our phishing campaigns, send out spam that way, we do spear phishing and if you guys need to know I'd be more than happy to provide that. But before we ran any kind of campaign to train our staff on fraudulent emails, what to look for, we had a very, very high failure rate when we would send these out. Now, I don't have the current numbers on the attack simulator, but they are very low. I get people asking me on legit emails now just because they weren't expecting that email to come from a user and I'll check it out and I, and I discuss it with them what to look for. But ultimately, I say "well then, let's go ahead and contact this person, not through this email and see if they meant to send it." It's things like that that really makes our network environment more secure. Most of the texts you see today they're going to attack people with security questions, or the social engineering attack as opposed to somebody hacking into our network. That's where most of your attacks come from these days. It's much easier to trick people than it is to get in through a network.

Hardware upgrades, the final thing we want to cover. We've upgraded our devices. We had old iPhone 7's for the most part in the agency and now we're on iPhone 12's. We're also on a company called FirstNet, which is like a third party on top of AT&T. So, they use AT&T's towers, but FirstNet is a first responder's network. It is a privilege to be on their network. Essentially, all first responders in Michigan can be on either FirstNet or Verizon has their own as well. But basically, if we are in a time of crisis, or anything like that with a high volume of cyber traffic, we actually will get priority. We get this priority because we do a lot of crisis work with the police, a lot crisis work with the EMS system as well, as well as the emergency departments in the four hospitals. The three or four hospitals. So, with TEAMS, we do remote calls. Crisis will tell you all about that. I had the privilege when I delivered all the iPads to the local jails and hospitals, I got really good feedback on that. I've gotten really good

feedback on the new FirstNet in Roscommon where they were previously on Verizon and now, they are on FirstNet and their coverage has been much better. At times when Cherry Festival is in full swing in Traverse City, it's hard to get a cell call through. Well, our traffic is priority on the network so it's more likely that our calls will go through (crisis calls) which is amazing. That was kind of the selling feature for making the migration. That pretty much wraps it up. If anybody has any questions, feel free to ask. No? Going to let me off the hook? Thank you. Ty said we are going to hold you accountable having that down to 6. Jeremiah said alright. Rose noted next on our agenda is the Administrator Paper. She asked if Ben would like to talk about that?

## **7. ADMINISTRATOR PAPER:**

Ben noted he was surprised this topic was on the agenda just by the graciousness of our chairperson. He was supposed to just forward it to everybody else's email and then I find it in the packet. So, now I have to explain myself and some of it is kind of delicate. I was concerned this last summer when I found out that some of the commissioners were looking for a way to get rid of our Administrator. He noted he is in research, or I've been a researcher since well most of my life. 2004 Library of Congress researcher, ever since, so I could write the books that I write. Lexus Nexus is the law group I was with ever since 1991, and it has both the legal research plus it has all kinds of corporate research. I took off December completely from work and delved into this to see if there were studies done. I found out right away there's so many studies being done for county administrators as to their longevity or why there's a turnover and how that reciprocates with the board members and the kind of boards and turnover of boards, and this is kind of the thumbnail sketch of all the research that I was into. I wrote this paper in late January this year and gave it out to the other commissioners. I got some very good feedback from about three of them and didn't hear a word from the others. I think it struck a nerve. Then about three weeks later, our administrator resigned, and I know the behind-the-scenes of that resignation and it's more of a (if you read the paper), it was a push-induced. For example, it's the type thing where, well, if I resign graciously, as the attorney told her to do, then I can at least get three month's pay and I can look for another job, which by the way, she already has a better-quality job, because I don't know if you know her, but she was brilliant. In speaking with board things, with the entire board there, everyone could tell she was the smartest person in the room. But nonetheless, I did this really on behalf of that to try and help the board understand a few things. I was looking for ways that we could, by the way, I used two different studies. There are 15 different studies in this area from all across the country. One from Colorado dealt with larger counties, and the one from Wisconsin, which I used mainly, dealt with more counties like we have here and the turnover rate there. There was a lot of research on this, and I could actually write a book on it, but nobody would buy one. I was trying to think what could we learn as board here from this? From what I have researched, just number one, just off the top is write a contract of trust when we get a CEO. We got to trust them that they're going to implement their own procedures and we got to be patient with them as a board. The studies say at least three years, at least a three-year contract. Five years is the normal or is the average, national average for an administrator, to be an administrator. We had one 26 years ago for 9 years and I delved into that also. I also had to delve into past commissioners and talked to them about the administrators. Larry Huebner back 30 years ago was there for 9 years and there were reasons he was there for 9 years. I have all the contracts here in front of me for every administrator back then. I saw how the contracts changed over the years to where when the board was burned by a couple of administrators that were only there for three months each, then they restructured the contracts to where they had full control over getting rid of someone when they wanted to and they did not have to pull the knob for another year or two years to the end. I went back and got the newspaper it helped me out quite a bit with the past articles, and in this area.

So, contractor trust secondly, having an administrator for more than 5 years builds trust throughout the whole county. Through the county offices mainly, that's the Sheriff's Department, that's all the way through. An administrator really is the coordinator of all the different functions of the county and if you have someone, you're all automatically going to have a head-to-head with the county clerk and the administrator because the county clerk, we all know, is basically the one that runs the county. There's always going to be a head-to-head there. They've got to learn to work together, and the board needs to help them to learn to work together. Having one for five years or more is a good thing. Long term administrator (and I was thinking of Karl in this too since I've been here for a while), long term administrator equals a healthy board. Because it's a board that trusts the process and



knows their limits and does not overreach the limits. You know I was thinking that AI helps Lauri and that's a normal thing because of his expertise. If I helped Lauri, that would be a problem with Lauri because I would be overstepping anything that I am supposed to do. But you know, so there's a difference obviously with each board. Then fourthly, train board members. One trained board member equals twenty, twenty one percent decrease in a push induced turnover of administrators. In other words, if a board member gets trained on how to be a board member, how not to overstep their bounds, how to understand that everything goes through the chairman or vice chair, chairperson. Then it's better for a pull induced environment. The difference between push induced is we want to get rid of the administrator, and so we just start suggesting that they get another job somewhere. A pull induced is when another county sees that the administrator has been here for at least five years and they think, "wow, we're a much larger county, we can pay them more. Let's court them!" That's very positive thing for a for a small county such Wexford is a small county. That's basically the bottom line and I'd be glad to answer any questions even though I wasn't expecting this, but I'd be glad to answer your questions. I don't know if it applies to this or not, for what it is, there you go.

Randy noted first, for clarity, you all need to know that I asked permission to share this. I received permission to share this with you. I intended to share this with you at a different venue and it didn't work out and I thought it was so important to share with you. I wanted to share it with you at our next opportunity and today is our next opportunity, so that is why it is on the agenda. I am ever grateful for the talent around the table that brings things to bear. This was very timely because of our current path. For our current, where we are on our journey together. So, I personally look at it from a couple of different perspectives. First and foremost, I looked at it from the standpoint of how the Carver Model lends itself to creating a structure that allows us to manage our one employee effectively. Yet, I guess I'll go back here and just underline the word effectively because what I've experienced in other boards, and what I read about other boards it's outlined in this paper, many times, boards tend to micromanage. That is death to the administrator of our CEO. It creates such havoc, and problems and I have a feeling none of us want that. I know there's been a lot of criticism or commentary (probably both) of the Carver Model. But this paper drove home, the benefit frankly of the Carver Model when used effectively. In which goes to your point of training. So, if I may, I'm going, I went through the paper as you might imagine a number of times. Thank you again, for sending it. I think that's important as we go along our journey, that we focus on fact. So, the research, and I'll just run through what I highlighted. On page one, which is page 67 of your packet, I highlighted the final sentence. I'll just read it. "What this actually reveals is that a long-lasting administrator is no guarantee. Especially if the administrator is not allowed the freedom to build their own system of guiding the county under the helpful guidance of the full body of the county commissions."

Now, I believe that us, the system, or better said, the setup of Ends and then Executive Limitations is the guidance we currently have right now. So, that allows our CEO to operate and build as long as they operate within the of Executive Limitations. The Ends is what we all want. So, that's the fruit.

Next, on page two of 68, I highlighted, it says, DeHoog and Whitaker found that this agreement between elected board members and administrators directly influenced turnover. DeSantis and Newell solidified this view by estimating that one half of all administrator turnovers are attributed to political conflict. We have our politics here, and we like to keep our disagreements simple, but nevertheless, we have conflict. We've got to figure out a way to dispel that conflict in a continuing civil manner, so that we don't end up losing a person that we pay good money to run the organization. Then later on, the elected body is responsible for establishing jurisdictional missions and policies, the administrators are responsible for carrying them out. Again, the Carver sets that up beautifully for us.

Next page, page 3 or 69 of your packets. "Any deviation from this model such as board meddling in operational aspects of the jurisdiction may lead to increased conflict between board members and administrators." How many times have we seen that? You may look at further down "not taking measures to help the administrator succeed but instead turns into a board that causes conflict, this conflict can be used as an accurate predictor of county administrator turnover." So, that's what I highlighted there. Then we got into our recent search, what's the right wage? It says in the second paragraph "wages just aren't high enough," this would be false. Going down to the final paragraph. "There are six predictors of push induced" and Ben touched on that so I won't dwell on that. Then

later on, it says "this instability only increases after two years if the board culture is not corrected." So, we have a very fragile, if you will, that that is probably not the way to put it but it's the only way I can put it right now. We have to be mindful of how, what we do and how we do it because it takes a long time. I recall how long it took us to return this organization after we had a really difficult time a number of years ago with Recipient Rights.

On the next page, this is beautiful. Very top last sentence on the first paragraph. "As trust in the administrator increases, the trust in the County Board also increases." We touched on trust. Many people touched on trust, trust the board. We have to get there together. Then, in conclusion, or in the conclusion piece, I highlight "it leaves the department heads with no assurance (in other words, it's talking about short term contracts or that type of thing), it leaves the department heads with no assurance of any stable leadership or help. Forcing them to be more independent from the administrator's office for fear of losing budgetary items, including pay raises." So, did you, another word for it is anarchy. We've all got to go together. It all has to work together. We're all human beings, we're not going to be perfect but the more we strive to work together the better we are going to succeed. Then, finally, each member of the board must ask themselves a question, "am I part of the problem, or will I be part of the solution?" Those are my takeaways from this. I appreciate the time. I appreciate Dr. Townsend bringing this to my attention. I certainly appreciate your willingness to allow this to be shared with everyone. I found it very, very thoughtful. Thank you. Rose recognized Ty and then Al.

Ty noted Ben, thank you very much. I found this interesting too and our county is facing retirement of our administrator and on our agenda next month is "how do we keep and attract our administrators", and this will be shared with them, with your permission. Ben noted I'm really in trouble now! Ty noted it was very informative, very helpful, insightful. Thank you.

Al noted I would just like to correct one word to this. You said Al helps Lauri. I work with Lauri to help the board better understand our complex financial situation. Ben responded that's exactly right. That's true, yes. But if I tried to do that, I would be overstepping. Randy noted well, I guess to pile onto Al's point, within the Carver Model, Al, like everybody else in the room and this table helps. Rose asked for anymore comments? She thanked Ben.

## **8. BOARD RETREAT:**

Rose noted next on our agenda is our board retreat planning. We've been talking about this a lot in our NLD meetings. We're really hoping for some input from people about, you know, just about how you guys want to go about it. She asked Barb, did you take the notes about what exactly we are looking for. Barb noted I think our question because it there's several ideas on the table like having two half days, having a board training, maybe we were talking about bringing somebody in to do the Carver Model with us all? Barb noted we're at the point of trying to clarify how much time you need Randy for bringing the information to all of us together? Do you want to call that a retreat, or do you want to call it an informational meeting? That is one of our questions. Because we determined by our committee that we do need a retreat. Randy noted I read your minutes. One of the things that was said in the minutes contradicted what I had said in the previous minutes. So, I'll just clarify. I have not made any plans, inquiries, nothing regarding a facilitator for a learning session on the Carver Model. None. Zero. I guess I'd like also to clarify, I am, I know we said we but I want to emphasize we, it's what we want. Right? Now, what if you would ask me specifically, I would say that years ago, we had a retreat and Dave Stephenson, Dave Stephenson was the local Carver expert. I believe it was a full day session. We also had a retreat where we had a Carver facilitator. This was 7 years ago, 8 years ago, something like that. For me, that had mixed results. What I would propose is that we, for schedule purposes, and okay now, now you get a lot of feedback when you're in my position because you say well, we're going do this on this day and this day and somebody says well that doesn't work for me or I've got to schedule things. They're right, I mean me too, I've got a business to run. To take two from my perspective, and you know everybody's not going to agree on this, but from my perspective, I would say one day, period. Rather than two days and the only reason I say that is for me, running a business, it's easier for me to say I'm going to be out of pocket all day rather than half days. You know, you want to have, you would prefer to have this session off site, away from all the distractions from everything under the sun. So, there's those things to be considered. But that's just me. The other comment, regarding that one of the most impactful sessions

I've gone to in my whole life was I labeled it as a brainwashing session. The only reason it was effective is because I was locked in, and I couldn't get out. It was literally forbidden to leave. So, if you have one session and you say, you know, "ya'll come on in, we're going to lock the door and you can't leave" and this is got to be Carver is a very, very complex, very complex, very high level but very structured. It's so beautiful in its construct to me, that to gain an appreciation of what the Carver Model can do, in my humble opinion, you're going to need A- the standard Carver Model diagram. But to me, for people to be able to understand it, you've got to have a couple more things. You got to have the ability to have real life application. People will say "oh, now I get it! Now I understand how that connects the that!" A real, real simple example of that would be, our sheets that we fill out. On the sheet, it says "was this reported? Was this report submitted?" Well, that connects to the calendar that we all have that says, "this is supposed to occur at that time". That's a real-life explanation as to why that question is there, how that links to the calendar we have, etc. I think for us to be really at least start being able to use the Carver Model effectively, we need to know the power we have. We, somebody says "I don't like the way we handle this." Well, the response to that would be, alright, well, let's first identify what this is. Meaning, is it an End, or teach people how to write an End. So, perhaps we could have a session of End writing. Then from there, Executive Limitations and then from there we can become.

Ty asked if he could respond to Randy? I'm sitting here and I want to respect our governance process but for me, what I need is some learning how then not to have it be so cumbersome, so paper dependent. So, I feel like we get bogged down in all the things that don't matter and we lose focus about Ends. We're more inclined to worry about our governance process than we are our institutional mission. I've been on a number of boards and I find the Carver Model, at least as we use it is very cumbersome, very awkward. I think it hurts us in some of the public communications. I think we've seen a piece of it when we've struggled with some issues in the last couple of years. For me, before we have instruction on the Carver Model, I want to make sure we're committed to the Carver Model, if that's the right model. If I'm alone I apologize. I'm not committed that it's serving us well. Rose recognized Justin.

Justin - I guess, if anybody can on the Board, come to a better solution, you know we can criticize the Carver Model as you want to. On the other hand, if any Board member here wants to do some sort of research to figure out a better model and bring it to the Board I understand that if we commit to the Carver Model, then we commit to the Carver Model. Thank you.

Barb asked did we cover what we needed for the NLD question or are we at a point where we just need to not deal with it today and go back to our meeting again?

Rose noted no I think we need this this input. It's what we wanted. Just in general, because we were pretty confused in talking about it at the NLD, what exactly people wanted.

Randy asked if I may, Ty I hear you loud and clear, I really do. I think it is a function of two things. Number one, we're a public body and what the Carver Model really sets a wonderful structure for beyond even small things like how to do an agenda, how to interact, how to review, all of these things. I think we owe it to ourselves to learn how to use it. I truly believe that other than one very insignificant Executive Limitation change, since I've been here, there have been opportunities formed but when it came up against it, folks felt uncomfortable or they were unwilling to proceed. I don't know, it doesn't make any difference. But had they been comfortable using the Carver Model, I believe we would have had a better outcome than what we did. So, I think it needs worked on. Rose recognized Al.

Al noted I think that before we dump the Carver Model, we need to really understand it. Randy, I agree with Randy, that we don't want that presentation we had 7 years ago which explains the mechanics of it. We don't need that. I would make a title of "Living with the Carver Model." Then develop an agenda around that. I think that piece, a half a day on that is something that we really need to do. We can figure out who the presenters are and so on, but I think a good topic is Living with the Carver Model. So, that we completely all understand it and then we can go from there. For example, a full day or half a day, I personally love the half day sessions. My experience with first days is about three o'clock in the afternoon somebody's got to leave, and it starts drifting off, so I'm all for

half day morning sessions. Rose recognized Mary.

Mary noted I have a tendency to agree with Ty and also with Al. But I think that the beginning place is to look at all of the responsibilities that we have as a Board. Responsibilities that are laid out in the administrative rules, responsibilities that are laid out in the Mental Health Code. Any other sources of Board responsibilities that are out there and then that is the starting place. That we figure out a model that will allow us to ensure that we are doing what we are required to do under the law. Rose thanked Mary and recognized Penny.

Penny noted so maybe you will answer this question right now or maybe you can give me some required reading and I'd be glad to do that. But, when you sit on as many boards as I do, it does tend to get a little muddled as to what models does which and if, maybe someone with more experience than I could suggest some compare-and-contrast, this model versus that model, that would be extremely helpful. Then I do agree with Ty and I agree with Al, and I think the best thing that we can do as a Board is to just find whatever it is that works for us and, and get happy with it.

Randy noted building on Al's comment, and I think Mary makes a very valid point. Of a half day on Mental Health Code/By-laws and whatever else. That's the foundation of our house. Then we go into how we live in our house. The Carver Model at this point. As far as Penny, I'm going. I will inundate anybody that wants to be inundated with governance model options. Give me some time. I can say this to you, my experience is you have a choice between the Carver Model or controlled chaos. That's been my experience. That's my knee-jerk reaction but you're going to find out what you find out. How about that first day that we have Mental Health Code/By-laws and different governance models and then the next day Living the Carver Model? That's gives you how about that for structure? If that sounds good, I'll shut up. Rose recognized Justin.

Justin noted can I also say, probably should we look at Open Meetings Act of the state statutes?

Rose thanked Justin. Absolutely. That would be a good for that first day and the By-laws. Rose noted moving on.

## **9. AGENDA PLANNING OPTIONS:**

April 21, 2022 meeting we have on our agenda: Update on Recipient Rights; CEO Evaluation; Financial and Compliance Audit; Code of Conduct and Conflict of Interest Forms. Rose recognized Nicole.

Nicole noted that on our calendar she is noticing that next month the meeting is listed as Traverse City. She noted that she is just checking in with the Board if we're maintaining coming to Cadillac or are we going to resume traveling to our Traverse City offices. Rose noted I thought I read we were going to stick coming to Cadillac until all of the COVID was lifted? Joanie note that is what I thought. Joanie noted that we had decided to stay in Cadillac until the COVID restrictions were lifted because we are still using the conference rooms in other offices to provide treatment. Nicole suggested that we update what is on our web-page for the Board. Randy, point of clarification, question asked COVID has not been lifted? I see no more mask mandates. I just need clarity. I like most, I can't speak for anyone else. Coming to Cadillac is all good and fine but we need to start traveling around and getting back to whatever the new normal. Is there any indication as to when?

Joanie noted that we fall under the Emergency Orders. I have been told it is due to expire April 17. We should know more. In our treatment areas we are required to wear masks.

## **10. MEETING EVALUATION/COMMENTS:**

- #1 – We spent our time on the most important governance topics – excellent
- #2 – We encouraged diversity of viewpoints – excellent
- #3 – Our decisions were made collectively – excellent
- #4 – The Board used it's time effectively – excellent
- #5 – What is the most important thing the Board could do to improve our function as a Board?

Comment – None.

**11. OTHER/ADJOURN:**

Meeting adjourned at 2:16 p.m.

Respectfully Submitted,

Deb Lavender  
Executive Secretary

Heather Sleight  
Administrative Specialist

DRAFT