

Request for Board of Commissioners' Action

From: Faye Hughes, County Administrator Date: 8/27/2020

Subject: DFCS Board Appointment Item Number: VIII-B

August 26, 2020

Faye Hughes, County Administrator
Cook County Board of Commissioners
1200 S. Hutchinson Ave.
Adel, Georgia 31620

Dear Mrs. Hughes,

I am writing to you regarding a member of the Cook DFCS Board. The term for Board Member Derrell Bennett expired July 2020. Mr. Bennett has indicated a desire to remain on the Cook DFCS Board for another term. I would ask that the Cook County Commissioners consider re-appointing him a Cook DFCS Board representative.

Should the Cook County Commissioners decline to reappoint Mr. Bennett, I would ask that the Cook County Commissioners nominate a new representative for the Cook DFCS Board in the next 90 days. Attached to this letter you will find state mandated requirements for DFCS Board members to assist you in your nominations.

If you have any questions, please feel free to contact me at 229-412-1306. I look forward to hearing from the Cook County Board of Commissioners.

Thank you for your time and consideration in this matter.

Sincerely,
Sky Robinson
Cook DFCS County Director

Chairman will need a motion to reappoint Derrell Bennett to the Cook County DFCS Board.

Motion made by _____

Second made by _____

Any discussion: _____

Votes _____ yes _____ no

Motion carried/ failed



Division of Family & Children Services

DFCS Local County Advisory Board Charter

PURPOSE

The purpose of the local county Department of Family and Children Services (DFCS) board shall be to support the staff who protect the well-being of this state's children while preserving family integrity. The Local County Advisory Boards may review the administration of all welfare and public assistance functions for the county, including such programs as temporary assistance for needy families (TANF), supplemental nutrition assistance program (SNAP), employment services, child protective services, foster care, and adoptions. County Advisory Boards will assess the county's effectiveness in providing services to the community.

ROLES

The roles and responsibilities of local county board members shall be:

- Serve as an active liaison and a link between the county department and the local community.
- Advocate on behalf of the local county office concerning DFCS' legislative priorities and appropriations, and unmet needs in the community.
- Support the overall mission of the Division of Family and Children Services.
- Advocate for additional county funding for specific needs beyond state appropriations, and set standards for expenditures of county funds.
- Acquire knowledge of Division programs and services offered.
- Assess the county department's provision of services in relation to the needs of the community.
- Assist the County Director in building staff morale and motivating employees.
- Provide recommendations for improving local county operations via annual report.
- Submit Annual Report to the Division Director each year by December 15th.
- Assist the Regional Director in the selection process for the County Director should the position become vacant.

MEMBERSHIP

Per O.C.G.A. § 49-3-2 (amended via SB 138) the governing authority (Local County Board of Commissioners) shall ensure that all appointments made on or after July 1, 2015, are made from the following categories:

- (1) Pediatric health care providers;
 - (2) Appropriate school personnel;
 - (3) Emergency responders;
 - (4) Law enforcement personnel;
 - (5) Private child welfare service providers;
 - (6) Alumni of the child welfare system;
 - (7) Mental health care providers;
 - (8) Former foster parents; and
 - (9) Leaders within the faith-based community.
- Each board will have five to seven members.

- Terms of County Board Members are for five years, beginning on July 1st, and are staggered so that one term expires each year. A Board Member whose term has expired may continue to serve until a successor is appointed.
- Appointments to fill vacancies on County Boards caused by death, resignation, or disqualification before the expiration of a term are made for the remainder of the term.
- Board vacancies which occur for any reason, including but not limited to expiration of the term of office, shall be filled by new criteria within 90 days.
- No elected officer of the state or any subdivision thereof shall be eligible for appointment to the county board.
- Public Assistance recipients may not be appointed to the board since the appointment would create an illegal conflict of interest.
- As a matter of policy, the Division does not support the appointment of anyone who has immediate family members on the staff of the local office. The County Board Chair and/or the County Director shall make the Chairman of the County Commission aware of this policy.
- Any board member in one of the situations defined above is automatically and immediately disqualified for continued membership on the board. The County Director must advise the County Commission and request another appointment to fill the vacancy.
- All appointments should be reflective of gender, race, ethnic, and age characteristics of the county population.
- County Directors are responsible for timely notification to the Division Director and Regional Director of any changes to the membership of the county boards.

PROCEDURAL RULES

Meetings:

- Each DFCS Local County Advisory Board shall meet no less than once each quarter. The frequency will be determined by each local county board.
- Members of the county board shall serve without compensation, except that they shall be paid a per diem of not less than \$15.00 per month and shall be reimbursed for traveling and other expenses actually incurred in the performance of their official duties.
- The Chairperson and Vice-Chairperson are elected by the Board Members at the regular meeting each July. In case of an officer vacancy before that date, a new officer may be elected at any regular or called meeting.
- The County Director acts as Secretary to the Board.
- The Chairperson presides at Board Meetings and signs all official documents that require action of the Board.
- All County Board Meetings are open to the public. Any business shall be void if conducted during a closed meeting unless the Board is considering matters which are exempt from the open meeting requirement. Visual and sound recordings must be permitted during open meetings. Portions of the meeting may be closed; guidelines can be found in the *Official Code of Georgia Annotated* (50-14-1).
- **Robert's Rules of Order**, may be referenced for additional parliamentary procedures.

Minutes:

- The County Director, as Secretary to the Board, is responsible for the preparation and custody of the minutes and for writing letters as directed by the Board.
- Minutes of all Board Meetings must be recorded and are legal and public records of the Board's decisions. An agenda and official reports are to be presented to the Board in written form.
- At the following Board Meeting, the minutes of the previous meeting are to be read and approved by the Board. Any necessary corrections to the minutes should be made by recording the changes in the minutes of the current meeting. After the minutes of the previous meeting are approved, the Chairperson of the Board will sign the minutes to indicate approval.

- A copy of the minutes will be made available in the county office for public inspection. Copies of the approved minutes are no longer required to be sent to the State Office, however they may need to be attached to expenditures that are being sent to Regional Accounting, depending upon your initial county funds approval. If you have questions about this, please seek assistance from your Regional Accounting Office.

Reports:

Each Local County Advisory Board is required to submit an annual report no later than December 15th each year. This report shall be submitted to the Director of the Division of Family and Children Services regarding the effectiveness of the local county department's provision of services, the needs of the community, and its recommendations for improved operations of the county department. These reports can be mailed to:

Bobby Cagle, Director
Georgia Division of Family and Children Services
2 Peachtree Street | Suite 19.472
Atlanta, Georgia 30303

Financial Responsibilities:

The County Director, in collaboration with the Local County Advisory Board proactively seeks out additional funding each year from local entities to supplement their budgets in meeting specific needs. These local funds are subject to the same internal control policy and procedures governing state and federal funds. A sample funding letter can be found on the Field Fiscal Services Website at <http://ffs.dhs.ga.gov/ffs/index.php>. Using this letter for County Funding approval will help eliminate unnecessary audit findings around county funds.

Local entity funds can be used for specific needs when state funds are not allowed, or there is a need to supplement state funds. Expenditures must be specified and be approved in the county's budget and Board Members approval must be documented in the board minutes.

Examples of these expenditures are:

- Travel
- Regular Operating Cost
- Equipment
- Foster Care Expenses (including haircuts, allowances, musical instruments/lessons, diapers, school activity fees, camps, photo packages, etc.)
- General Assistance to Clients (Indigent Care)
- Training/Staff Appreciation/DFCS related meeting expenses (including training material, meals/refreshments with an agenda.)
- Certificates or plaques of merit, achievement or retirement, etc. following Policy 803 of the DHR Personnel Policies titled Incentive Pay and Meritorious Awards
- Plaques to a retiring employee (Retirement Reception must be funded from outside of state or county funds.)
- Funds received from Interest on local County CD's and Savings accounts should remain on the DFCS' books, and can be used for Staff Appreciation Day/Luncheons where a meeting and luncheon occurs. An agenda for the meeting should be attached to the payment as supporting documentation.

County funds may also be used to provide additional compensation for agency staff. When approving funds for the purpose of compensating employees within the county DFCS office, use of these county

funds must comply with state policy as well as IRS guidelines for appropriate compensation of state employees. There is no authority, regardless of the funding source, for awarding across the board bonuses to state employees. Providing a bonus or other form of lump sum payment without specific authority to do so would violate the gratuities provision of the state constitution.

Examples of appropriate compensation expenditures include:

- Salary and fringe benefits
- Temporary or conditional salary supplements
- Ongoing salary supplements
- Lump sum incentive based payments

Payment of salary and fringe benefits may be used to augment local operations. Temporary or conditional salary supplements may be used in the same manner as state funded supplemental pay when state funds are not available.

Ongoing local funded salary supplements may be used to support retention efforts by the agency. A plan for providing monthly supplements must be submitted for review to state personnel by the Division before payments may be scheduled to begin. The plan must be funded for a minimum of one year, include all job titles to receive the supplement, and give any specific inclusion criteria such as tenure. All incumbents in a job title must be included when they meet other inclusion criteria.

Local funds may be used for one-time lump sum payments for incentive or meritorious awards. Incentive pay is a one-time lump sum payment and must be based on achievement of a pre-determined goal which does not become part of an employee's based salary. Meritorious award payments are a one-time lump sum payment based on extraordinary achievement which does not become part of base salary. Plans for lump sum payments to state employees must meet the provisions of DHR Personnel Policy #803, Incentive Pay and Meritorious Awards.

Local entity funds that are on the local DFCS' books cannot be used for state employee gratuities in the form of lump sum cash payments or gifts. A gift is defined in the Governor's Executive Order as anything of value exceeding \$25.00. This covers gifts from any funding source.

Examples of prohibited items include but not limited to:

- Gift cards of any amount
- Holiday hams or turkeys
- Replacement salary for furlough days
- Spa Retreats
- Out of pocket cost incurred by an employee while on the job, such as insurance deductibles if in an accident, towing, etc.
- Retirement reception or a Faithful Service Cash Award in lieu of a retirement reception

Dismissal from Board:

Please refer to the local Board of Commissioners for their specific policy regarding meeting attendance and dismissals from boards.

Liability Insurance:

County Boards are covered by general liability insurance for "errors, omissions or negligence" in job duties under the Tort Claims Liability Act. The Self Insurance Trust Fund provides for a maximum of

\$1,000,000 per person or \$3,000,000 for each occurrence. DFCS Board Members are included under the State of Georgia Fidelity Bond Insurance.

Public Announcements:

The time, place, and dates of regular meetings must be prescribed and made available to the public with a notice posted which gives this information. Whenever a meeting is to be held at a time or place other than the regular time or place, notice must be given to the public. This is done by:

1. Posting the changed date, time, or location for at least 24 hours at the regular meeting place
2. Giving at least a 24 hour notice in advance of the meeting to the legal organ, in which legal notices are published, in the county where the regular meetings are held.

Policy Statement of the Division of Family and Children Services

It is the policy of the Division of Family and Children Services that no applicant for or recipient of services of this agency shall, on the grounds of race, color, sex, age, religion, national origin, political affiliation or handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted or supported by the Division. This policy also applies to individuals, childcare facilities, and other agencies/organizations to whom the Division makes referrals or from whom it purchases services.

Legal authority assuring equitable participation in federally funded programs is provided in part from Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. The Division, however, is conscious of a moral obligation to deliver all services, whether federally financed or not, in a non- discriminatory manner.

It is also the policy of the Division that applicants/recipients of services, who feel that they have been discriminated against, have the right to a fair and prompt investigation of their complaint. Each county office must have written procedures for the handling of customer complaints and concerns.