

FAYETTE/HIGHLAND COUNTY BOARD OF DD
SEPTEMBER 13, 2017
5:30 PM REGULAR BOARD MEETING
LOCATION: Fayette County Board of DD

The Fayette and Highland County Board of Developmental Disabilities met in a regular session at 5:30 pm, Wednesday, September 13, 2017 at the Fayette County Board of Developmental Disabilities.

Board Members present for Fayette: Larry Mayer, Cody Kirkpatrick, David Sanders, Mark Heiny, Caryl Bookman and Alice Craig. Absent: Janelle Mead

Roll Call: Larry Mayer, present; Cody Kirkpatrick, present; David Sanders, present; Mark Heiny, present; Caryl Bookman, present, Alice Craig, present. Absent: Janelle Mead

Board Members present for Highland: Karen Adams, Deborah Tissot, Matthew Roberts, Elizabeth Fryman , Paul Pence, and Cheryl Lyle. Absent: Linda Allen.

Roll Call: Deborah Tissot, present; Elizabeth Fryman, present; Matthew Roberts, present; Karen Adams, present; Paul Pence, present, Cheryl Lyle, present, Linda Allen, absent

Others present were Debra Buccilla, Superintendent, Sherry Burns, Executive Administrative Assistant, Lori Moore, Business Director, and Larry Gray, Highland Operations Director

ADDITIONS TO AGENDA: None

OLD BUSINESS:

Independent Provider Overtime – The US District Judge Amos Mazzant, issued a decision that the overtime rule is invalid. Judge Mazzant found that, while DOL has the ability to use salary test, it must base eligibility for overtime pay on a combination of workers; duties and wages and that the rule relied to heavily on a salary threshold to determine overtime exemption. At this time, the current salary threshold for an employee to be exempt from overtime remains at \$455 per week, or \$23,660 per year.

OPERS 9 month update –**OPERS** will no longer give a full year service credit to employees that only work 9 or 10 months per year. OPERS service credit is granted on a monthly basis.

OPERS requires that the public employer report a public employee's earnable salary and contributions for the month when the public employee performs the work and therefore earns the salary, as opposed to when payment is made to an employee for past work, but which is deferred from the time in which the work was actually performed. You may continue to pay individuals over a 12 month period, but contributions are required to be reported and remitted as they are earned when work is performed, not as salary is paid.

DRO Lawsuit – U.S. District Court grants OAB’s motion to intervene as defendant in Ball vs. Kasich

Ball v. Kasich also enters a new phase of the litigation. Friday, Aug. 18, the State of Ohio filed a brief in opposition to certifying the lawsuit brought forward by Disability Rights Ohio (DRO) as a class action lawsuit.

It is assumed, however, that the lawsuit will be certified as a class action lawsuit. OACB has now also become a defendant in the suit in order to assure County Boards of DD are represented.

No Executive Session

Larry Mayer, President of the Fayette Committee Board moved to adjourn the meeting at 5:50 pm.

Prepared by Sherry Burns, Executive Administrative Assistant

Karen Adams, Highland Board President

Larry Mayer, Fayette Board President

Deborah Tissot, Highland Secretary

Janelle Mead, Fayette Secretary