

BOARD OF DIRECTORS  
DECEMBER 8, 2011 BOARD MEETING  
MINUTES

**Board Members in Attendance:** Mr. William Ryder, Board Chair, Mr. Stockton Whitten, Board Vice Chair, Judge Kelly McKibben, Board Treasurer, Mr. Leo Roselip, Ms. Brooke Deratany Goldfarb, Reverend Scott Elliott, and Mr. Mel Broom.

**Board Members Absent:** Mr. Sam Gutierrez, Ms. Irene Burnett, and Mr. Michael Cadore.

**Others in Attendance:** Dr. Patricia Nellius, Chief Executive Officer, Ms. Valerie M. Randall, Chief Personnel & Administrative Officer, Ms. Debbie Davidson-Cook, Chief Compliance & Utilization Officer, Mr. James Carlson, COO, Mr. Geo Ropert, Director of Communication, Ms. Gloria Hensler, Finance Director, Ms. Kelly Swartz, Staff Attorney, Ms. Stephanie Strodman and Ms. Laurie Anna Blackburn. Also in attendance were Ms. Valerie Holmes, Brevard C.A.R.E.S., Ms. Christine Barker, Crosswinds, Mr. Christian Burgess, IL youth, Ms. Michele Cassel and Ms. Courtney Gagne, IL youth, Ms. Pam Washington, CHS, Ms. Tina Reina ISI, Ms. LaChrista Jones, BFP, Ms. Kimberly Peppers Connery, Ms. Diane Arnold, Devereux, Ms. Dana Whitson, ISI, Ms. Kristy Fastiggi, ISI, Ms. Teresa Miles, CHS and Ms. Michelle Scott, CHS.

Mr. Ryder called the meeting to order and requested those present state their names for the record.

**Motion:** Judge McKibben moved to approve the agenda. This was seconded by Mr. Broom and the motion was passed unanimously.

**Motion:** Mr. Roselip moved to approve the minutes from the October 27, 2011 Board meeting. This was seconded by Judge McKibben with a request for clarification under "Staff Reports" and the motion was passed unanimously.

Mr. Carlson then introduced our guest, Ms. Kimberly Peppers Connery, one of our adoptive parents and Ms. LaChrista Jones, Child & Family Program Manager. Ms. Jones addressed the board and introduced the adoption team which includes Ms. Tina Reina ISI, Ms. Dana Whitson, ISI, and [Kristy Fastiggi with ISI](#).

Ms. Jones shared that during the month of November, National Adoption Month, that 21 children in Brevard County were adopted. She also shared that the 7<sup>th</sup> Annual Walk For Love, which took place on November 19<sup>th</sup> had over 300 participants and during the Mass Adoption event on November 22 that 13 children were adopted by eight (8) families.

Ms. Jones then introduced Ms. Kimberly Peppers Connery and shared that Ms. Connery had been caring for three (3) of her nieces since 2009 and had made the decision to adopt them.

Mr. Whitten arrived.

Ms. Peppers spoke to the board and indicated she is now the mom to seven children. She shared that in February of 2009 her nieces came to live with her. She shared that the children's biological mother passed away and that she was facing a serious dilemma. She indicated that previously she had adopted but this had been done privately, but she also knew that she wanted to have her nieces remain with her but she did not know what would be required. She indicated that the adoption team did a wonderful job in helping and supporting her and helped her through the process. She recounted that often the adoption support workers would meet her at her place of work to ease the scheduling conflicts and that she was overwhelmed by their commitment to her.

She also shared that she attended the Walk for Love and that it is a wonderful event and that more awareness needs to be brought to the needs of children to have “forever homes.” Ms. Connery indicated that she could not have done what she wanted to accomplish without the support of the adoption support workers and the staff at BFP.

Mr. Carlson thanked Ms. Connery and the board applauded her story and thanked her for sharing her experiences. Mr. Carlson then introduced another group of guests and indicated that three (3) years ago the IL services had been outsourced to Crosswinds. He then asked Ms. Christine Barker, who oversees Crosswinds to address the board and introduce the IL youth in attendance.

Ms. Barker addressed the board and indicated she wanted to focus on the success stories of several IL youth in the academic arena. She reported that as of December of the 61 young adults, 84% are attending school; and 22 are in secondary education and that 29% of the youth are in post secondary. She also shared that recently the 23<sup>rd</sup> young adult received a GED through the Fast Track program. Ms. Barker also commented that 22 youth had participated in a recent IL youth road trip which takes the youth to three (3) BCC campuses as well as one at UCF to help them consider options regarding further education. She thanked BFP and the board for their support of this critical role.

Ms. Barker then introduced Christian Burgess to share his story. He indicated that he is attending UCF working toward his AA degree and has interest in pursuing law or social work with a minor in business. He indicated that the college experience is much different and better than his high school experience as he feels students in the college setting are there because they want to and they are really working to learn. He shared his opinion that high school is a social event and required. Mr. Burgess disclosed that he entered foster care at the age of 15 and as a result attended three different high schools. This was not a positive experience for him and he indicated that it has been suggested to him that he obtain a GED. Mr. Burgess responded that he did not think a GED was “good enough” but he did take the exam and scored very well which permitted him to begin college at age 17. The board thanked Mr. Burgess for sharing his story, and applauded him for his efforts and desire to achieve.

Ms. Barker then introduced Ms. Courtney Gagne, an IL youth attending Eau Gallie High School. Ms. Gagne addressed the board and indicated she had been in foster care since the age of 10 on and off. She indicated that she had aged out of the system but was able to access services and assistance from Crosswinds. She shared that she had been attending high school, but then moved to Palm Bay and attended an adult education program but that she really wanted to return to Eau Gallie to obtain her high school diploma. She recounted her efforts and the work associated with finding a place to be so she could attend Eau Gallie and that her grandparents were able to provide her with a car. She shared that after high school she is interested in joining the military. She specifically commended Ms. Stevette Dukes with Crosswinds for helping her and working with her to achieve her objectives.

The next agenda item was Staff Reports:

### Board Report

Dr. Nellius reviewed information in the board report. She spoke about the proposed budget from the Governor’s office which was released the day before the board meeting. She indicated that initially it appeared there will be a reduction to the CBC’s of \$25M. She also commented that there is a large appropriation for child welfare redesign including a feasibility study, and outcomes. She shared that it is unclear if this is specific to the PI functions or something larger.

She also shared that our ITN scheduled to be posted in June has been delayed until September or October.

Dr. Nellius reported that the Community Meeting has been postponed with a new target of February 10, 2012 but that we need to ensure that both board members and community stakeholders will be able to attend. She also suggested that it would be prudent for the Board to actually call the meeting and provide the invitations to the community.

Dr. Nellius confirmed that the Board Retreat and annual business meeting will take place on January 26, 2012 and that we are considering the Suntree Country Club as the tentative location. A tentative schedule has been set beginning at 8:30 AM with the retreat taking place between 9:00 AM and noon and the annual business meeting convening at 1:00 PM until 3:00 PM. She also shared that Ms. Leigh Holt will work with the board members on the new 5 year strategic work plan.

Dr. Nellius reported that the Holiday Gift Drive will take place on December 13<sup>th</sup> and that this is a full day event and that this year all our children are covered and accounted for and she gave kudos to Mr. Geo Ropert and Ms. Stephanie Strodman for an outstanding job.

Dr. Nellius then reported on her recent community meetings and indicated that she is receiving valuable and important input from our SOC partners. She asked Mr. Roselip to comment as he has been in attendance at many of these meetings. He shared that it has been good to hear positives about the accomplishments of the Agency as well as share where we can improve, but he reported that the organizations are very supportive of the Agency. He also commended Dr. Nellius and her staff for holding these meetings to ask about areas of improvement and he thanked her and the staff and indicated that the meetings are excellent.

Mr. Ryder commented that he believes it is appropriate to have the board send the invitation to the community meeting. Judge McKibben inquired if February 10<sup>th</sup> is a firm date and Dr. Nellius indicated that this is the date targeted, but that we will send a "save the date" announcement to determine if there are conflicts with our community partners.

### Data Report

Mr. Carlson shared that there has been a spike in referrals and that eight (8) months ago there were fewer than 700 children in out of home care and now we are consistently above 800. He commented that at the FCFC conference he met with John Cooper, Assistant Secretary to review the data and that based on an analysis the increase seems to correlate with the I-95 drug corridor. He also commented that we are working with the Center for Drug Free Living to evaluate having this organization become part of BFP. Dr. Nellius also commented on the recidivism numbers and shared again, that this has been historic in Brevard County. She provided a hypothesis that this may be due, in part, to the frequency of the Judicial Reviews which are done every 90-days in Brevard compared to semi-annually in other areas. She reported that in many cases our children return at the second JR and the average length of stay in the system is 5.5 months compared to 12 months in other areas.

Mr. Roselip asked who sets the timing of the JR's. Dr. Nellius indicated this is the Judge's decision and Kelly Swartz interjected that the Judge does decide but based on the case, input from GAL so it can vary to 120 days. Mr. Carlson commented that in April BFP, CHS and Devereux reviewed the greenbelt data and observed that three (3) of four (4) children who do come back in the system were reunified against the CMA's recommendation. It was also shared that the Agency has posted an RFP for reunification services. Mr. Carlson also commented that in the data there are some errors based on how living arrangements are being tracked which impacted five (5) children. It was also reported that our CMA partners are tracking children reunified to ensure that appropriate services are in place.

Mr. Roselip asked to clarify if the reason that the children come back into care is for services or because they are at risk. Mr. Carlson indicated that is for the Judge to decide. Mr. Roselip commented that while this may have a negative "data" impact, it may be the right thing for the child(ren).

Mr. Ryder interjected that Case Managers and the GAL would argue against a reunification but the Judge would reunify and generally in these cases the child would return to care. Mr. Roselip commented that in terms of safety maybe that is not a bad thing. Dr. Nellius interjected that while safety is always paramount, reunifying and then removing is very traumatic for a child. Mr. Carlson commented that it is not a single source problem as this has been a historic problem in Brevard since before transition.

Ms. Goldfarb inquired if the issues facing our children might be different than for children in other counties and wondered what is being presented to the Judge to support reunification. Ms. Swartz commented that the court may not be hearing the concerns from the CMA's or perhaps the information is not being presented. There was further discussion regarding the "status" of BFP and the CMA's in terms of impact and status to the case as we are not considered "parties" to the case. It was also reported that if CMA's are not called to testify, that they don't. Mr. Roselip stated that he still thinks we are doing a good job by removing a child. Mr. Ryder indicated that he believes reunification is a good thing if supported by CMA's and BFP because one removal is bad and a second removal is horrible.

Reverend Elliott inquired why BFP does not have the control and if it does not, why is BFP accountable. Dr. Nellius responded indicating that the GAL, CWL and CMA's represent BFP but that we do not have control over these entities. Essentially, she shared that BFP retains 100% of the accountability with approximately 25% of the control. She went on to share examples where there have been cases of negligence or even a child death where others including DCF have significant responsibility, but that the focus of accountability always falls upon the CBC.. Dr. Nellius indicated that this is one reason BFP hired an attorney to work on staffing these cases. Mr. Ryder then shared his experience as a GAL regarding the attorney assigned to the case by DCF. He commented that this attorney, who may have little to no knowledge of the child or situation, decides what to present to the Judge and that the GAL is the only representative for the child.

Ms. Miles with CHS asked to speak to the board. She commented that CWLS often meets with the parent's attorney to reach agreements which are presented to the Judge and she shared that her staff become so frustrated that it is adversely impacting turnover. Reverend Elliott inquired if the information is shared with the GAL and it was reported that it is. Dr. Nellius stated that CWLS represents the state and the child in court and they are not our staff and may have an opposing position to that of case management. Reverend Elliott inquired if we were in a position to push the GAL's to speak up more. Discussion ensued including the fact that the GAL view may not be in support of the CMA position and that the GAL has no obligation to share the CMA perspective. Mr. Roselip stated that this seems to be the only direction we can take and must focus on trying to reduce the trauma to the child but that we are doing a good job by removing a child from a dangerous situation. Mr. Ryder stated this is a major problem and that it will not be solved today.

### Financial Report

Ms. Hensler addressed the board. She provided copies of the Statement of Financial Position as of October 2011 and the Statement of Activities for October 2011. She indicated there was little to report and that the Agency is in line with projections. She commented on a correction on a coding for an expense (Prevention marketing) and that the high end placement had been reclassified as indicated at the last board meeting. She shared that the APD still had a freeze and therefore we continue to support the expenses of these two (2) children; one of which will age out in December. She then reminded the Audit Committee members that the committee will meet at 12 noon today.

### Legal

Ms. Swartz shared that she is reviewing our policies and procedures to ensure consistency. She also indicated that the Agency is close to finalizing the Agreement for the Center For Community Leadership. She then spoke about the Sunshine Law which is in Chapter 286 of the Florida Statutes.

She commented that Florida has the broadest Sunshine Law. She stated that “informational meetings” are basically the only type of meeting not subject to this law. She further stated that BFP is subject to this law as it was created under statute to perform the tasks formally performed by DCF and therefore we are held to the same standard. Judge McKibben remarked that this is the reason for the public notice where two (2) or more board members may be in attendance as they can not do this absent notice as they may discuss a subject that could come to the full board.

### Legislative

Mr. Ropert had to leave the meeting and Dr. Nellius indicated that the legislative information is located in the board binders.

### New Business

Judge McKibben reported that the Recruitment Subcommittee had been tasked with developing a policy on the election of officers. She shared that a new policy has been drafted for review which is in the board binders and she wanted to share some highlights of the policy for discussion and/or amendments in hopes of having the policy approved at this meeting,

She directed the members to the policy and shared that some key points of this draft include that officers are expected to adhere to the attendance policy, that to be considered for an officer position a member would have to have a minimum of six (6) months on the board, that an officer would be expected to be able to fill in for another officer and that an officer would be expected to participate in board subcommittee work. Judge McKibben then spoke specifically about two paragraphs on page two of the draft policy which she thought should be discussed by the board. These paragraphs addressed the succession planning for the board officers to ensure continuity of knowledge and service. Specifically the policy provides for the succession of the Treasurer Officer to move to the Vice Chair and ultimately the Chair roles. Judge McKibben commented that each position has term limits so these are taken into account as well. She also commented that if an individual who was elected to the Treasurer position did not want to assume the roles of the Vice Chair or Chair that the incumbent would be requested to share this with either the Board Chair or the Chair of the Recruitment Subcommittee.

**Motion:** Mr. Roselip moved to accept the policy as written. Ms. Goldfarb seconded the motion

Reverend Elliott commented that by setting up a succession plan he wondered if this provided an opportunity for a vote or for other candidates to be considered. There was discussion about prior officer elections which were more “ad hoc” and not very effective. Reverend Elliott suggested that the policy as written seems to be a succession plan versus an election should individuals other than those identified by the subcommittee wish to be considered for an officer position. There was discussion on this point and it was suggested that the policy be amended to allow for the Subcommittee to propose the slate of Officers as documented in the policy, but that others could be considered as well.

It was requested that the policy be amended to read that the sixth paragraph of page two be amended to read: To that end, in a succession planning approach it is intended that those who serve in the Treasurer position “will ordinarily be nominated to move to the Vice Chair and ultimately Chair role.”

Mr. Roselip indicated that his motion would be amended to include the amended language. Ms. Goldfarb expressed that her second would also be amended to include the amended language. The motion was unanimously passed.

Judge McKibben also indicated that there are updated job descriptions and other policy and procedure changes that will be presented at the January meeting. She then reminded the members of the Audit Committee which will be held at 12 noon after the board meeting.

### Old Business:

Ms. Swartz indicated she has been working with outside counsel on the purchase and sale agreement for the CFCL. She stated that BFP is purchasing the “assets” not the corporation. She remarked that regarding the actual materials that we are working to ensure that these materials can be purchased free from any proprietary or other considerations. She indicated that the purchase of these assets would become an LLC under BFP where BFP would be the “sole member” and manager of the LLC.

### Strategic Goal:

Goal 9: Improve communications with foster parents, relative and non-relative caregivers, Guardians Ad Litem, and interested parties from all agencies.

Objective 9a: Ensure that all interested parties are kept informed of the status of the dependency process.

Strategies: \* Work with the Judicial Circuit and CMA's to develop a system that allows caregivers, care managers, and GALs to look up up-to-date case status for children in their care. Consider web-based PRM, or recommend automatic updates from FSFN.

Mr. Carlson spoke about this strategic goal. He shared that when this goal was created we did not have the Mindshare system or the QPI and that with Mindshare the notes and information are more easily available which is a great improvement to the sharing of information. He also stated that the QPI initiative has increased foster parent voice and involvement. It was also reported that the GAL office now has access to FSFN all of which have increased the flow of timely information.

**Motion:** Mr. Whitten moved to adjourn the meeting. This was seconded by Mr. Broom and the motion was passed unanimously.

Respectfully Submitted,

Valerie M. Randall  
Recording Secretary

Approved at Board of Directors Meeting January 26, 2012