

Item Deleted

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - June 12, 2018

June 12, 2018 - Regular Meeting
Agenda Item #4

Subject

2:00 P.M. - ITEM #72 - Health Care Advisory Board - Membership

Briefings

None

Contact and/or Presenter Information

Action Requested

Enabling/Regulating Authority

Background Discussion

See Item 72 for supporting materials.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Cost and Funds Source Account Number and Name

Amount and Frequency of Recurring Costs

RESOLUTION R-17-035

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING A MANATEE COUNTY HEALTHCARE ADVISORY BOARD; PROVIDING FOR THE PURPOSE AND DUTIES OF THE BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is important for Manatee County to have a healthy and economically vibrant community; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida desires to have access to the insight, knowledge, and experience of community stakeholders, as well as to gain a greater understanding of the best evidenced-based practices related to the provision of healthcare for those who are medically needy; and,

WHEREAS, since the Board of County Commissioners must, on an ongoing basis, make policy and fiscal decisions as to the County's current and future role in the County's overall healthcare network, it is important for the Board to be kept informed of issues and concerns which may relate to healthcare; and,

WHEREAS, the Board of County Commissioners determines that it is in the best interest of the people of Manatee County to establish a "Healthcare Advisory Board" to provide the advice and insight discussed above to the County on issues relating to the provision of health care delivery methods and funding for services to the medically needy in our community.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

Section 1. Creation of the Board.

There is hereby established a voluntary advisory board, to be known as the Manatee County Healthcare Advisory Board. Appointment of members of the Advisory Board shall be in manner set forth herein, and members shall be appointed by the Board of County Commissioners, pursuant to this Resolution. This Advisory Board is advisory only, and may be abolished or disbanded at any time, or reorganized at any time, by the Board of County Commissioners.

Section 2. Purposes and duties.

The Healthcare Advisory Board shall:

- A. Evaluate, monitor and discuss the healthcare system in Manatee County including physical health, behavioral health and substance abuse, emerging state and federal legislation and policies that will have a direct or indirect impact on Manatee County.

- B. Make recommendations to the Board of County Commissioners that represent the consensus of the Advisory Board regarding the funding of services for healthcare for the medically needy in this community.
- C. Review evidence-based practices and programs, as well as data available related to health care in Manatee County to determine how available resources may be maximized and new resources engaged to enhance the long-term health and quality of life for Manatee County citizens.
- D. Perform such other evaluative or other advisory tasks as the County Commission may, from time to time, refer to it.
- E. The Advisory Board does not have the authority to “self-assign” projects, issues or initiatives not referred to it by the Board of County Commissioners, nor to take any policy position in the name of the County. The Advisory Board shall present its work product to the County Commission primarily through the delivery of written reports to the Commission, and where appropriate, through presentation to the Commission in a live setting.
- F. To the extent such resources are available to it, the Advisory Board may be assisted in these duties by County staff, consultants and other sources.
- G. The County Administrator shall assign one or more County employees with the suitable knowledge and background to serve as the County’s staff liaison to the Advisory Board. The County Attorney shall ensure the Advisory Board is provided with necessary legal advice.

Section 3. Organizational Authority.

- A. The Advisory Board shall conduct an annual meeting between the beginning of the County’s fiscal year and December 31. At this annual meeting, it shall elect from its membership a Chair and Vice Chair. It shall also designate a Secretary, who shall be charged with creating the minutes of each meeting. Officers shall serve in their positions through the fiscal year, or until their replacements are voted into office or their membership on the Advisory Board ends for whatever reason. Vacancies in any office shall be filled by the Advisory Board.
- B. The Advisory Board shall meet at such additional times and places as it determines necessary to conduct its duties. In scheduling meetings, the Chair of the Advisory Board shall coordinate dates, times and locations with the County’s liaison. Meetings may be rescheduled or a special meeting called by the Advisory Board at any time. The County’s liaison shall be charged with ensuring that the proper Sunshine notices of meetings are posted, that meeting locations are accessible to the public, and that the copies of the minutes taken by the Secretary are kept and maintained by the County. A meeting may be cancelled only by the Chair, either due to an expected lack of quorum or for other good cause. The County staff liaison shall be charged with informing the Advisory Board of all scheduling and cancellation notices.

- C. Advisory Board members are required, prior to embarking upon their duties, to be trained in Florida's Sunshine, Ethics and Public Records laws by the County Attorney's Office, and shall be personally responsible to ensure they understand and fully comply with those laws, including the need to publicly announce meetings and to refrain from discussing Advisory Board business with other Board members, verbally or via electronic means, outside of publicly noticed meetings.
- D. The Advisory Board may establish subcommittees as it determines to be necessary to allow for more focused or specialized research and discussion on discrete issues. The work product of the subcommittee must be adopted by the full Advisory Board prior to being presented to the Board of County Commissioners. The officers of each subcommittee shall be appointed by the Advisory Board Chair, and serve at his or her pleasure. Any subcommittee must ensure compliance with the Sunshine law in the same manner as the full Advisory Board.
- E. The Advisory Board (and any subcommittees thereof) shall use the Procedures Manual of the Board of County Commissioners where portions thereof are relevant. Otherwise, it shall utilize the most current version of Roberts Rules of Order.
- F. A quorum of the Advisory Board shall be 50 percent of the membership plus one member. The Board may not conduct business other than to adjourn absent a quorum. While physical attendance is preferred, Advisory Board members are permitted to appear electronically so long as Sunshine law requirements are followed, and such appearance shall count toward being "present" for a quorum.

Section 4. Membership.

- A. The Advisory Board will be made up of no more than thirteen (13) members. The members will represent specific disciplines and interests within Manatee County, either through current or prior affiliation. These disciplines will include: health care, mental health care, substance abuse care, medical care, social services, higher education, uninsured consumer(s) of county-funded healthcare, and representatives of the business community from disciplines not previously listed. At a minimum, the members shall include: two (2) uninsured consumers of county-funded healthcare, one (1) member of Hispanic or Latino heritage, one (1) member of African-American heritage, and one (1) practicing physician who receives no more than (\leq 1%) one percent of their gross income from county-funded healthcare.
- B. Each member shall be a Manatee County resident knowledgeable about healthcare and, with the exception of the practicing physician(s) as described in Section 4.A above, shall not be currently employed by, a contractor for, an owner of, or a voting member on the Board of Directors of any agency or company receiving Manatee County government funding. No member may be a current employee or officer of Manatee County Government.

Section 5. Terms and Eligibility.

- A. Initial appointments shall occur prior to December 31, 2015 and include four (4) Members appointed for one (1) year terms, four (4) Members appointed for two (2) year terms, and three (3) Members appointed for three (3) year terms. All subsequent terms shall be for three (3) years. All terms become effective on October 1 of the year of appointment, regardless of the actual date of appointment, and expire at midnight of September 30th of the last year of the term.
- B. To the extent a position becomes open mid-term, the County Commission may fill the vacancy for the remainder of that term or leave the position open as it desires.
- C. Applicants for membership shall complete all application forms and provide all supplemental information as the application procedures of the County may require.
- D. Advisory Board members may serve no more than two full consecutive three year terms. Service for one of the initial one and two year terms shall not count as a full term for purposes of term limits. Upon completion of two full terms, an Advisory Board member shall not be eligible for reappointment to this Advisory Board for a minimum of one year.
- E. A member missing three (3) consecutive meetings, without being excused for cause by the Chair shall be deemed to have resigned his or her position, and the seat shall be deemed open.
- F. Advisory Board members serve at the will and pleasure of the Board of County Commissioners and the Commission retains the right to remove members of the Advisory Board for any reason including, but not limited to, Advisory Board Members becoming ineligible to serve due to receiving County funds or ethics related concerns.

Section 6. Sunset of Board.

Unless earlier abolished by the Manatee County Commission, the Manatee County Healthcare Advisory Board shall sunset and cease to exist at 11:59 p.m. on September 30th 2022 unless the County Commission, prior to that date, votes to provide an extension of its existence.

Section 7. Repeal of prior Resolution.

Resolution R-15-173, as adopted by the Board of County Commissioners on November 3, 2016, is hereby repealed and replaced in its entirety with this Resolution-17-035.

Section 8. Effective Date.

This Resolution shall become effective immediately upon adoption.

ADOPTED in Open Session, a quorum present and voting this 4th day of April 2017.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

ATTEST:

Angelina Coloneso
Clerk of the Circuit Court

By: *Amberly L. Brownell*
Deputy Clerk

By: *[Signature]*
Chairperson

Healthcare Advisory Board - Current Members – 05/02/18

Name	Category	Term Expires
Vacant	Business	9/30/2018
Barbara Schubert	Social Services	9/30/2019
Lori Dengler-Secretary	Business	9/30/2019
Francis Curd	Higher Education	9/30/2018
Thomas Skoloda	Substance Abuse	9/30/2019
Kirk Zeppi	Mental Health	9/30/2020
Ray Fusco	Health Care	9/30/2018
Arthur J. Cohen	Health Care	9/30/2020
Daniel J. Austin	Business	9/30/2020
Ernest (Sandy) Marshall- ViceChair	Business	9/30/2019
JoOni J. Abnar	Consumer	9/30/2020
Bonnie H. Ramseur	Consumer	9/30/2020
James Nguyen	Practicing Physician	9/30/2019

MEMORANDUM



To: Ed Hunzeker, County Administrator
From: Diane Vollmer, Agenda Coordinator
Date: June 11, 2018
Subject: **Agenda Update for Meeting of June 12, 2018**

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

CHANGES TO CONSENT AGENDA

NEIGHBORHOOD SERVICES

31. **Amendment #2 to the FY 17/18 Community Care for the Elderly (CCE) Grant Agreement – Budget Resolution B-18-078** was updated and replaced to complete the Batch ID number depicted in the Resolution.

PROPERTY MANAGEMENT

45. **Lease Agreement between Manatee County and Commercial Ownership LTD for the relocation of EMS Stations 1 and 11** – The requested action was revised to read:
“Motion to authorize the County Administrator to execute and deliver the Lease Agreement substantially in the form set forth in the agenda item, with such insubstantial changes, insertions and omissions, and such exhibits thereto, as may be approved by the County Administrator and County Attorney, the execution thereof by the County Administrator on the advice of the County Attorney being conclusive evidence of such approval.”
46. **Permanent Drainage Easement Agreement between Manatee County and Home Depot U.S.A., Inc., and execute the Consent, Joinder and Subordination Agreement between Manatee County and Great Lakes Developments, Inc., and Small Pond Holdings, Inc.:**
- The Permanent Drainage Easement Agreement was updated and replaced to provide for a correction to the notary on Page 3 of the agreement.
 - The Consent, Joinder and Subordination Agreement was updated and replaced to correct a scrivener’s error on Pages 1 and 2.
 - An Incumbency/Secretarial Certificate and a Real Estate Delegation of Authority from Home Depot U.S.A., Inc., were added to the agenda item.
48. **Sale and Purchase of Surplus Property located at 3521 222nd Street East, Bradenton; PID 301100004**
49. **Sale and Purchase of Surplus Property located at No Assigned Address, Myakka City; PID 313600009**
50. **Sale and Purchase of Surplus Real Property located at No Assigned Address, Myakka City; PID 316000009:**
- Exhibit A to each of the Contracts for Sale and Purchase was updated to correct the Form of County Deed; and
 - The County Deed attached to each of these items was updated and replaced to reflect the correct signature block.

REDEVELOPMENT AND ECONOMIC OPPORTUNITY

65. **Board Approval of Proposed Funding for FY 2018-19 Action Plan Projects and Activities –**
- The CDBG Application Summary was revised to show a reduction in the award for the UCP Adult Training Center by \$20,000 and the addition of funding for a roof replacement at the Anna Gayle Center (as outlined in an email to Commissioners on June 8).
 - The Background Discussion section of this item was updated to indicate the change in the number of CDBG eligible activities proposed for funding from 10 to 11.

County Administrator’s Office
1112 Manatee Avenue West, Bradenton, FL 34205
Phone number: (941) 745-3717

CHANGES TO ADVISORY BOARD/COMMITTEE APPOINTMENTS

NEIGHBORHOOD SERVICES

72. **Healthcare Advisory Board – Membership** – Deleted from the agenda.
- The list of the Health Care Advisory Board’s (HCAB) current membership was corrected and replaced; and
 - The following documents were attached to the agenda item: (1) Letter from the HCAB Chairman; (2) Draft minutes of the HCAB meeting of June 5, 2018; and (3) Resignation letter from Ernest Marshall.

CHANGES TO REGULAR AGENDA

BUILDING AND DEVELOPMENT SERVICES

77. **Authorization for Staff to Make Repairs - Bradenton Associates, Code Enforcement Case #CE2016120294:**
- The requested action was updated to include: “Adoption of Budget Resolution B-18-086 amending the annual budget for Manatee County, Florida, for Fiscal Year 2017-2018.”
 - Budget Resolution B-18-086 was added to the electronic agenda.

PARKS AND NATURAL RESOURCES

79. **Strategic Initiatives & Policies / Draft Parks Master Plan** – A PowerPoint presentation was added to this item.

ADDITIONS TO CONSENT AGENDA

The following agenda items are to be incorporated in, and considered a part of, the Consent Agenda as previously published in the agenda for this meeting of the Board of County Commissioners of Manatee County

ADMINISTRATOR

82. **Letter of Non-opposition for Skyway Bridge 10K Charity Run** – Request to: “Authorize Chair to execute a letter of non-opposition to Florida Department of Transportation (FDOT) for a proposed 10k charity run across the Skyway Bridge March 3, 2019, and sponsored by the Armed Forces Families Foundation.”

FINANCIAL MANAGEMENT

83. **Supervisor of Elections - HAVA (Help America Vote Act) Grant Award** – Request for:
- Authorization for the Chairman to execute Certificate Regarding Matching Funds (Attachment D of MOA 2017-2018-0001, included in the required documentation package for this agenda item) obligating Manatee County to provide the required 15% local match of \$5,387 for the Help America Vote grant of \$35,915.
 - Adoption of Budget Resolution B-18-087 amending the annual budget for Manatee County, Florida, for fiscal year 2018.

Healthcare Advisory Board - Current Members – 06/08/18

Name	Category	Term Expires
Barbara Schubert, MS	Social Services	9/30/2019
Lori Dengler, MBA, MSN, ARNP, FNP-C HCAB Secretary	Business	9/30/2019
Francis Curd, DDS, DMD ** HCAB Chairman	Higher Education	9/30/2018
Thomas Skoloda, PhD	Substance Abuse	9/30/2019
Kirk Zeppi, LMHC	Mental Health	9/30/2020
Ray Fusco, MBA, RN	Health Care	9/30/2018
Arthur J. Cohen, MD, JD	Health Care	9/30/2020
Bryan Boudreaux, BS	Business	9/30/2018
Daniel J. Austin, MA	Business	9/30/2020
Ernest (Sandy) Marshall, JD HCAB Vice Chairman	Business	9/30/2019
JoOni J. Abnar, **	Consumer	9/30/2020
Bonnie H. Ramseur, **	Consumer	9/30/2020
James Nguyen, MD	Practicing Physician	9/30/2019

** African American – Minimum one member required representing ethnic group

June 8, 2018

Chairman, Priscilla Whisenant-Trace
Manatee Board of County Commissioners
1112 manatee Avenue West, Suite 900
P.O. Box 1000
Bradenton, Florida 34205

Subject: Request for consideration of the removal of Business Representative, Mr. Ernest "Sandy" Marshall from the Manatee County Healthcare Advisory Board (HCAB)

Chairman, Priscilla Whisenant-Trace,

On Tuesday, June 5, 2018, the Manatee County Healthcare Advisory Board met in regular session. A quorum was established with ten (10) members present and the eleventh (11th) member was present by telephone. There are a total thirteen (13) members on the Healthcare Advisory Board. A motion was made and passed by 10 members in favor and one member abstained (Mr. Ernest "Sandy" Marshall) to request that the Chairman of the Healthcare Advisory Board send a letter to the County Commission Chairman for the consideration of enacting Resolution R-17-035, Section 5., Terms and Eligibility, to request the removal of Healthcare Advisory Board member Mr. Ernest "Sandy" Marshall, Business Representative from the Manatee County Healthcare Advisory Board.

The reasons for the request are summarized below. The full Resolution R-17-035 is attached the appropriate section listed here for your reference;

Resolution R-017-035, Section 5., Terms and Eligibility, Item F. Advisory Board members serve at the will and pleasure of the Board of County Commissioners and the Commission retains the right to remove members of the Advisory Board for any reason including, but not limited to, Advisory Board Members becoming ineligible to serve due to receiving County funds or ethics related concerns.

In an open session of the Healthcare Advisory Board with Mr. Marshall present, the Healthcare Advisory Board members discussed that Mr. Marshall has repeatedly displayed in the past and continues to display presently the lack of orderly conduct at regularly scheduled meetings such that Mr. Marshall is hindering the Healthcare Advisory Board from performing its duties and fulfilling the charges given to the Healthcare Advisory Board by the County Commissioners. Mr. Marshall was involved in the discussion at this last meeting and stated that he desired to continue to remain on the Healthcare Advisory Board. That being said, Mr. Marshall made no acknowledgement of the concerns of the members nor did he make any attempt to modify his behavior towards the other members of the Healthcare Advisory Board and he made no acknowledgement of the charge of the Healthcare Advisory Board from the County Commission.

Mr. Marshall's behavior has included but not limited to the following:

- Repeatedly attempting to substitute his own will for the will of the Healthcare Advisory Board at large both at Healthcare Advisory Board meetings and at County Commission meetings;
- Being unduly repetitious and presenting matters not relevant to the Healthcare Advisory Board's charge;
- Continuing to speak on subjects about which the Healthcare Advisory Board has already taken a position which he did not favor even when the Healthcare Advisory Board has voted not to receive further comment;

- Mr. Marshall failed to remember or acknowledge the passing of various votes by majority of the members and other subject matters, some of which Mr. Marshall has voted in favor of at the meetings of the Healthcare Advisory Board then he states his desire to oppose those very same items at the County Commission level;
- Mr. Marshall continues to speak well beyond the allotted time on matters that have expired and does not allow time for other members to provide comments;
- Mr. Marshall has used threatening behavior and verbal statements towards litigation against the members of the Healthcare Advisory Board both as a group and individually; and
- Mr. Marshall has misrepresented the official actions of the Healthcare Advisory Board in writing and in publications through inaccurate details of the proceedings of the Healthcare Advisory Board based on approved minutes.

It is for these reasons that the Healthcare Advisory Board members request that this action be taken so that the Healthcare Advisory Board can attempt to resume the important work it wishes to accomplish on behalf of the County Commission. I have met with the County Attorney and he is now aware of this request to have Mr. Marshall removed from the Healthcare Advisory Board as soon as possible.

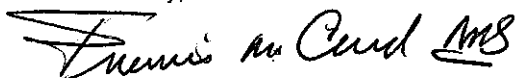
It is with regret that the members of the Healthcare Advisory Board are making this request to the County Commission. But after many months of debate and attempts at trying to resolve the situation by speaking with Mr. Marshall about the above mentioned concerns an over whelming majority of the membership of the Healthcare Advisory Board feel that it is in the best interest of the County Commission, the Healthcare Advisory Board and Mr. Ernest (Sandy) Marshall that he be removed from the Healthcare Advisory Board. Mr. Marshall has been favorably acknowledged at the meetings of the Healthcare Advisory for his contributions to the work of the Healthcare Advisory Board thus far, however, he has been unable to work collaboratively with the membership and has become adversarial in many meetings.

The members of the Healthcare Advisory Board has asked County staff to bring this request forward on this day, June 12, 2018 at the Board of County Commission meeting 2:00PM time certain.

The members of the Manatee County Healthcare Advisory Board have received a copy of this letter and have been invited to be present today for this discussion.

Thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Francis M. Curd" followed by the initials "M.C." in a stylized, bold font.

Dr. Francis M. Curd,
Chairman,
Manatee County Healthcare Advisory Board

DRAFT**Health Care Advisory Board
June 5, 2018**

The June 5, 2018, meeting of the Health Care Advisory Board (HCAB) was held at the Manatee County Administration Building, 1112 Manatee Avenue West, Bradenton, FL 34205, in the 9th Floor of County Commissioner Conference Room. A quorum was established and the meeting commenced at 5:05 PM.

Members Present: Barbara Schubert
Kirk Zeppi
Daniel Austin
JoOni Abnar
Dr. Arthur Cohen
Bonnie Ramseur

Lori Dengler -Secretary
Dr. Francis Curd -Chairman
Ernest "Sandy" Marshall
Tom Skoloda via telephone
Bryan Boudreaux - new member

Members Absent: Ray Fusco
James Nguyen

County Staff Present: Cheri Coryea, Deputy County Administrator
Janice Dunbar Smith, Administrative Services Coordinator
Ava Ehde, Interim Director Neighborhood Services Department
Joshua Barnett, Healthcare Services Manager

Public Present: James McCloud

1. **Welcome and Introductions:** All present introduced themselves and Dr. Curd- Chairman, welcomed newly appointed member Bryan Boudreaux- Business Representative.
2. **Approval of April 25, 2018 minutes:** Sandy Marshall raised objection to the minutes as recorded, making a motion for content from his most recent letter, dated May3, 2018, to be incorporated into the minutes for correction. There was no second to his motion. Motion died. Dr. Arthur Cohen made a motion to accept the minutes as written, second by Kirk Zeppi. Sandy Marshall opposed, all others in favor. April 25, 2018 minutes were approved as written.
3. **Review of Timeline:** The HCAB meeting schedule for the remainder of the year was clarified. The next meeting is scheduled for June 27th, there is no meeting in July. Schedule will resume with the August 22nd meeting for the fourth Wednesday of every month. Time line goal is the final review of the Healthcare Advisory Board (HCAB) Annual Report in conjunction with the annual budget review and recommendations as indicated in time line.
4. **Healthcare Advisory Board Membership Discussion:** Barbara Schubert presented a discussion concerning the membership of Sandy Marshall in his position on the HCAB. This was presented at the April 25, 2018 meeting however, was being re-addressed due to a procedural matter. It was explained that the Healthcare Advisory Board does not use executive sessions. Barbara Schubert reiterated the consideration of asking Mr. Marshall to step down from the board due to his behavior over the past several months as contentious to the HCAB members and impeding the work charged to the HCAB by the Commission. She had made this request in effort to maintain the dignity of Sandy Marshall.

Prior to her presentation, Sandy Marshall asked this discussion be deferred until another date so he can refer the matter to the county attorney for review to avoid contentiousness that may take place due to his concern that the HCAB may not follow proper protocol with the following five points as stated by Sandy Marshall:

- A. No valid motion was made at the previous meeting to request his removal from the HCAB.
- B. Barbara Schubert may be in violation of the Sunshine Act (how this may have occurred it was not clarified).
- C. Quorum was not present at the previous meeting. (Due to Mr. Marshall's objection days after the meeting, that he was unable to vote of the matter because it was concerning his own removal)
- D. No advanced notice was given to him of the discussion planned to take place this day aside from what was placed on the meeting agenda.
- E. A total of four trials with litigation may occur because of this discussion if it is not deferred to the county attorney to decide what should be done to follow proper protocol.

Motion made by Sandy Marshall to defer agenda item (#4) discussion regarding his removal from the HCAB. No second. Motion died.

Barbara Schubert indicated the letter written to BOCC requesting Sandy Marshall be relieved of his position on the HCAB she had not yet provided to the BOCC as she felt the decision from the HCAB contained more weight than that of one individual. A copy of this letter (see attached) was provided to all HCAB members as part of the packet in preparation for this meeting. Barbara Schubert stated Mr. Marshall continues to drive the agenda of the HCAB preventing other members from being heard which prevents the HCAB from moving forward by obstructing their progress and rather than being focused on the issues the HCAB is charged with the focus is directed to concerns that are tangential and often irrelevant. Mrs. Schubert made a motion recommending the HCAB have Chairman Curd write a letter to the Board of County Commissioners with a request that Mr. Marshall be removed from the HCAB due to reasons as noted in her letter and stated above as well as his going around the HCAB directly to the county attorney. Second by JoOni Abnar.

Discussion: JoOni Abnar who spoke about her reasons for joining the HCAB and concerns regarding Mr. Marshall's practices at the HCAB meetings preventing forward movement of the HCAB charge. Kirk Zeppi commented to Mr. Marshall that his activities are continuing to prevent forward movement of the HCAB in that rather than sharing his experience and wisdom at meetings he is focused on other issues and blazing a legal paper trail. Mr. Marshall suggested that this must follow Roberts Rules of Order and the rules the County Commissioners. You cannot remove a person, you must have a trial. Mr. Marshall also stated he is not going to win any personality contests, that anyone has a right to be ignorant, and that no one else on the HCAB is at his level of understanding in how to follow Roberts Rules of Order as they have not had specialized training and his purpose is to enlighten the members and prevent them from aiding and abetting an error. Mr. Marshall did state Dr. Arthur Cohen may have the same level of understanding of proper procedure. Mr. Marshall stated the proper procedure to remove a board member calls for a trial and administration of due process. Dr. Curd stopped the discussion as Mr. Marshall was over his allotted time of ten minutes. Dr. Arthur Cohen stated he had offered to resign due to his three consecutive absences (these were excused by the chairman as required) due to family and medical issues which were expressed in advance of his starting the HCAB. He also expressed in the meetings he has attended Sandy Marshall is attempting to practice law at this meeting rather than focus in a positive manner setting several examples of not following the rules and accused Mr. Marshall of trying to take over the meetings. Dr. Cohen stated he preferred Mr. Marshall to remain a positive member of the board, however he does not do that and the members do not have the time to spend on Mr. Marshall's continued obstructive behavior. Dr. Cohen volunteered to litigate this case for free if it goes to trial. Dr. Curd reinforced this is not a personality issue we have business to discuss and we are not here to practice law. The goal is to conduct a community meeting to help develop a health care system throughout the county for those in need.

Mr. Marshall elected a 30 second rebuttal defending his actions indicating he did not violate the sunshine law and indicated Dr. Cohen has not read HCAB resolution in its entirety.

Motion Made by Barbara Schubert to HCAB recommending Sandy Marshall be relieved of his duties on the HCAB due to the issues as outlined in the letter drafted to the Board of County Commissioners and the issues from the HCAB be transmitted by the chairman of the HCAB to the BOCC in letter form. Motion second by JoOni Abnar and Tom Skoloda. Mr. Marshall withdrew his vote stating according to Roberts Rule of Order he was not able to vote on his recommendation for removal from a board position. Vote passed 10-0.

Mr. Marshall referenced legal liability and a law suit. Dr. Curd stopped further discussion.

5. **Draft #2 of HCAB/BOCC Recommendations Annual Report Document:** see attached
Corrections recorded to draft at meeting by Joshua Barnett, Healthcare Services Manager.
Discussion: Mr. Marshall questioned why guideline remained at 200% FPL instead of 150% FPL to save the county money. It was noted the draft are general recommendations at this time. It is at the June 27th meeting where the financial and programmatic information will be compared. HCAB has recommended staying at 200% of Federal Poverty Guidelines in prior meetings. Tom Skoloda suggested HCAB has discussed this guideline on several previous occasions with a motion made and voted on regarding this matter therefore no further discussion needed at this time. Sandy Marshall continued discussion going on record he does not agree with the recommendation as made by the

HCAB. Discussion occurred over reimbursement rate of 110% of Medicare with the feeling over time the amount may be reimbursed further.

Recommendation made by Joshua Barnett to add Health Management Associates (HMA) report as a reference to the draft. Motion to include by Lori Dengler, Second by Dr. Arthur Cohen. Vote 11-0.

Sandy Marshall inquired if information from the hired consultants was incorporated into these HCAB recommendations. Joshua Barnett stated that the HMA report detailed above is the consultant's report. Sandy Marshall asked for evidence on the Impact Community Health Worker Program. It was noted by HCAB members and Cheri Coryea that this information has been provided in the past and she will again bring data to the next meeting. Discussion occurred over the importance of the availability of a community resource provider list with note the 211 system has the most updated resource list though funding information may not be current. Dr. Curd suggested a complete survey of medical services in the county be published. It was noted many people do not know how to access the system or have the technology to do so. This reinforces need for Case Manager/Community Health Worker Involvement. Americorp funding was discussed briefly with the possibility for a guide for health services one year grant for a Masters Level Intern. Sandy Marshall asked if the HMA plan has been incorporated into the draft recommendations, it was noted by Joshua Barnett and other board members the recommendations the HCAB is suggesting within this report is more specific and in accordance with the priorities identified by the HMA plan.

James McCloud requested public comment prior to finalization of draft recommendations suggestion a change in terminology to avoid placing barriers to service. Joshua Barnett recorded recommendations suggested with support of the HCAB.

Motion made by Dr. Arthur Cohen to accept changes to the draft of the HCAB recommendations to the BOCC. Second by Kirk Zeppi. Vote passed 11-0.

Draft will be reviewed at the June 27th meeting, document will be distributed to HCAB members ahead of time. This plan is approved without associated costs which will be brought forth at the June 27 meeting. Dr. Cohen asked for preparation of cost analysis at 200% and 135% for evaluation and agreed to by Cheri Coryea. Suggestions unanimously accepted.

6. **Board Member Request for Discussion items:** Sandy Marshall requested HCAB stand on the information in his letters to represent what they stand for and what he wishes to accomplish as the letters speak for themselves. Mr. Marshall stated he tried to emphasize earlier in the meeting a solution to the request and that he is trying to comply with the rules of order. He indicated it is the job of the HCAB chair to see if he is in order and should not be penalized if the chair does not make sure he doesn't talk too much. The Chair should be able to control him and the members could have raised a Point of Order. He sees the HCAB charge as a serious problem and why he joined the HCAB to come up with a sensible solution to the health care needs of the county. He stated he is done practicing law and this isn't what he is here for referred to the high waters as the experience he brings to the HCAB. He referenced avoiding law suites and a trial regarding erroneous judgements about rules that are being violated and what needs to be done to over to come them stating per Roberts Rules of Order. The HCAB cannot remove him, this decision must be made by the BOCC and in order to remove a board member a trial must be held according to due process. He requested all letters and information elicited tonight be submitted to the county attorney for evaluation of proper procedure. Mr. Marshall stopped others from making a comment maintaining the floor.
7. Motion made by Mr. Marshall that all issues raised in the letter by Barbara Schubert and his letters be forwarded to the county attorney for a meeting between the attorney, he and Barbara Schubert to take place. No second. Motion died.
8. **Public Comments:** James McCloud voiced concern regarding Medicare vs Medicaid rates of funding with the HCAB adopting the philosophy that monies designated by the BOCC equal power with the health care providers suggesting HCAB start the thought process with the limits of funding available as a basis for setting reimbursement as providers should not have a monopoly. He suggested looking for providers who are interested in serving the target population.

9. **New/Old Business:** None.

10. **Next Meeting:** June 27, 2018, 5-7:00PM

11. **Adjourn:** Motion to adjourn meeting made by Dr. Arthur Cohen. Meeting adjourned at 7:06PM

Approved:

Francis M. Curd, Chair
ld

Date

DRAFT

ERNEST S. MARSHALL

Item 72

P.O. BOX 320
BRADENTON, FLORIDA 34208
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June 11, 2018

SENT BY FAX ONLY

Cheri Coryea
Deputy Manatee County Administrator
and
Joshua Barnett
Health care Manager
1112 Manatee Ave. W.
Bradenton, Fl. 34205

Re: HAB

Dear Cheri and Josh:

Please be advised that I will be unavailable on Tuesday, 6-12-18, due to doctors appointment for myself, which was previously made.

I have advised Mickey Palmer, County Attorney and Mrs Trace, County Commissioner Chairman, I plan to resign from HAB, effective July 1, 2018. Accordingly, to my knowledge the item you scheduled for Tuesday, 6-12-18, will be removed from the Manatee County agenda, per my phone conversation with Mr. Palmer and Mrs. Trace.

Yours very truly,



Ernest S. Marshall

ESM/pm

cc: Mickey Palmer, Esquire
Mrs. Priscilla Trace,
Manatee County Commissioner,
Chairman