

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** December 3, 2007

**SUBJECT:** Planning for Older Adults Block Grant Advisory Committee  
Recommendations for Committee Composition

**ATTACHMENTS:** Memorandum to S. Coffey dated November 15, 2007  
Committee Charter (Draft)  
Committee Bylaws (Draft)

**SUMMARY OF REQUEST:**

Pursuant to the attached Memo, staff is recommending three changes to the Home and Community Care Block Grant Advisory Committee, formerly known as the Planning for Older Adults Block Grant Advisory Committee. These recommendations are to:

1. Change the name of the Committee to the Home and Community Care Block Grant Advisory Committee;
2. Reduce the membership of the Committee from 15 members to 10 members; and
3. Revise the Bylaws to explicitly provide that once the initial recommendation on the disbursements of the Block Grant is finalized, any additional funds received or any decisions regarding reallocation of any under spent funds in the final quarter be at the discretion of the County Manager's staff or an Executive Committee of the Advisory Committee.

**BOARD ACTION REQUESTED:**

Staff recommends approval of these recommendations by our Internal Auditor. Once the Board has approved the recommendations, the Committee's Charter and Bylaws will be amended to appropriately reflect the changes encompassed in this request.

**SUGGESTED MOTION:**

I move that the Board of Commissioners adopt the amendments to the Home and Community Care Block Grant Advisory Committee as recommended.

# MEMORANDUM

TO: Selena Coffey  
Assistant County Manager

FROM: Darlene Burgess  
Internal Auditor

DATE: November 15, 2007

RE: Planning for Older Adults Block Grant Advisory Committee  
Recommendations for Revisions to Committee Composition

I am submitting the following changes relating to the composition of the Planning for Older Adults Block Grant Advisory Committee. It is my opinion that these changes will allow the Committee to better focus on its stated objectives and function more effectively:

1. Change the name of the Committee from “Planning for Older Adults Block Grant Advisory Committee” to “Home and Community Care Block Grant Advisory Committee” and revise the Charter and Bylaws to reflect the new name. This will better reflect the Committee’s stated purpose, which is to make recommendations regarding allocation of Henderson County’s allotment of Home and Community Care Block Grant.
2. Reduce the membership of the Committee from 15 members to 10 members. Of this proposed membership, nine members shall have voting rights and one member shall be the mandated delegate from the Area Agency on Aging (Land of Sky Regional Council), who shall serve in an *ex officio* capacity, having no voting privileges. This recommendation adheres to state guidelines.
  - A. Currently, there are five members on the Committee whose terms are due to expire on December 31, 2007. It is my recommendation that these positions be eliminated, which will bring the membership down to 10 members as discussed above.
  - B. If the recommendations regarding membership are adopted, we will have one vacant position on the Committee. I recommend that we do not accept the two pending nominations and instead, hold this position vacant and continue to accept applications. The pending applicants are employees of a provider who receives Block Grant funds; the Committee’s membership already includes three employees from this same provider; if these two applicants were to be appointed, then this provider may be perceived to have an unfair advantage over other providers.
3. Revise the Bylaws to explicitly reflect that once the initial recommendation on the disbursements of the Block Grant is finalized, that any additional funds received or any decisions regarding reallocation of any under spent funds in the final quarter be at the discretion of County Manager’s staff or an Executive Committee of the Advisory Committee

Please contact me if you have questions or need additional information.

## HENDERSON COUNTY

### ~~PLANNING FOR OLDER ADULTS BLOCK GRANT ADVISORY COMMITTEE~~ HOME AND COMMUNITY CARE BLOCK GRANT ADVISORY COMMITTEE

#### **CHARTER**

#### **What is the committee's purpose?**

As required by N.C.G.S. 1438-181.1(a)(11). To make recommendations to the County Manager, who serves as the Lead Agency, for presentation to the County Commissioners for disbursement of Henderson County's allotment of the Home and Community Care Block Grant. The Committee shall also review contract performance and assist with the recruitment of additional service providers.

#### **Who will the committee report to?**

The committee will report to the County Manager.

#### **Who will be staff to the committee?**

County Manager will assign staff  
on Aging

Land of Sky Regional Council – Area Agency

#### **What is the duration of the committee's existence?**

Indefinite

#### **How will the future tasks or projects of the committee be determined?**

Future tasks and/or projects will be determined by legislation or by request of the committee and approved by the County Manager.

#### **What parameters must the committee work within?**

- North Carolina Open Meetings and Public Records Laws
- Minutes must be provided to the Board of Commissioners

#### **Will the committee give periodic reports on its activities?**

**How often?** Annually

**To whom?** Board of Commissioners and County Manager

#### **What is the makeup of the committee?**

##### **Who appoints the members?**

Board of Commissioners upon recommendation by the County Manager

## Terms of office?

3 years

## Number of committee members?

- ~~• 5 older consumers~~
- ~~• Up to 10 additional members including but not limited to:~~
  - ~~○ Aging services providers (public, private nonprofit, for-profit)~~
  - ~~○ Public members, elected officials and civic leaders~~
- 10 Members consisting of:
  - 9 voting members and
  - 1 ex officio (non-voting) member from the Area Agency on Aging

## Who selects the leaders of the committee?

Committee members

## Whom should the committee go to for guidance?

County Manager

Land-of-Sky Regional Council

Adopted by Henderson County Board of Commissioners on ~~11/19/2003~~

## BYLAWS AND RULES OF PROCEDURE FOR THE

### HOME AND COMMUNITY CARE BLOCK GRANT ADVISORY COMMITTEE ~~PLANNING FOR OLDER ADULTS BLOCK GRANT ADVISORY COMMITTEE (PFOAC)~~

#### I. NAME

Home and Community Care Block Grant Advisory Committee~~Planning For Older Adults Block Grant Advisory Committee~~

#### II. PURPOSE

To make recommendations to the County Manager, who serves as the Lead Agency, for presentation to the County Commissioners for disbursement of Henderson County's allotment of the Home and Community Care Block Grant. The Committee shall also review contract performance and assessment and assist with the recruitment of additional service providers.

#### III. MEMBERSHIP

~~A. The Planning For Older Adults Block Grant Advisory Committee~~The Home and Community Care Block Grant Advisory Committee shall consist of a total of ~~1015~~ members. Nine members shall have voting privileges and one member shall consist of the delegate from the Area Agency on Aging and shall serve in an ex officio capacity, having no voting privileges.~~Five members shall be older adults, with the other ten members including: aging services providers (public, private non-profit, for-profit), public members, elected officials and civic leaders.~~

##### A.

B. All appointments will be made by the Board of Commissioners upon recommendation by the County Manager.

C. Each member of the ~~PFOAC~~ Advisory Committee shall serve for a term of three years, except for initial terms as provided in this section. In order to provide for staggered terms, persons appointed for:

- ❖ Positions (1), (~~43~~), (~~75~~), (~~107~~), and (~~139~~) shall be appointed for an initial term ending on December 31, ~~2004~~2008.
- ❖ Positions (2), (~~56~~), (8), (~~1110~~), and (~~14~~) shall be appointed for an initial term ending on December 31, ~~2005~~2009.
- ❖ Positions (~~34~~), shall consist of a delegate from the Area Agency on Aging and shall serve in an ex officio capacity with no term expiration date.(~~6~~), (~~9~~), (~~12~~), and (~~15~~) shall be appointed for an initial term ending on December 31, ~~2006~~.

Members may be reappointed.

D. New members appointed to fill a vacancy on the committee will serve the remainder of the unexpired term.

#### IV. MEETINGS AND VOTING

A. MEETINGS TO BE OPEN. It is the public policy of North Carolina and Henderson County that the hearings, deliberations, and actions of this committee be conducted openly. Except as allowed by N.C.G.S. 143-318.11, each meeting of the committee shall be open to the public and any person is entitled to attend such a meeting. The public's right to attend such meeting does not necessarily entitle the public to participate in the meeting.

B. REGULAR MEETINGS. The committee shall hold meetings ~~as often as deemed necessary in order to carry out the objectives of the Committee, but in any event, meetings will be held on a quarterly basis~~ quarterly. A schedule of the regular meetings of the committee shall be kept on file with the secretary of the committee and the Clerk to the Henderson County Board of Commissioners. Such schedule must include the dates, time, and place of the regular meetings of the committee. If the committee changes the schedule of regular meetings, the secretary shall forward a copy of the new schedule to the Clerk to the Board at least seven (7) days prior to the first meeting held pursuant to the new schedule.

~~SPECIAL MEETINGS. The chair of the committee or the majority of the members of the committee may call a special meeting of the committee by signing a notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours in advance of a special meeting the notice must be given. (This is already covered in Section B so we recommend this entire section be deleted.)~~

C. QUORUM. A quorum shall consist of ~~eight (8)~~ five (5) members of the PFOAC. Votes of a majority (at least 51%) of those present shall be sufficient to decide any matter before the PFOAC provided a quorum is present.

#### V. OFFICERS

The Committee shall elect from its membership a Chairman and a Vice-Chairman to serve for a term of one-year. The term of office for the Chair and Vice-Chair shall be from January 1<sup>st</sup> through December 31<sup>st</sup> of the calendar year.

#### VI. POWERS AND DUTIES OF THE CHAIR AND VICE-CHAIR

The Chair shall preside at all meetings of the committee but shall also have the right to engage in discussion and vote on any matter before the committee unless otherwise excused. The Chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The Vice-Chair shall have all powers and perform all the duties of the Chair in his or her absence.

#### VII. DUTIES OF THE SECRETARY

A. The County Manager shall assign the staff person to the committee who shall serve as the Secretary of the committee.

B. The Secretary shall ensure that all meetings are properly noticed.

- C. The Secretary shall maintain the sunshine list which is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the committee.
- D. The Secretary shall take and record the actions of the committee and draft minutes of the meetings accordingly. The Secretary shall also forward a copy of the minutes as they are approved to the Clerk to the Board.
- E. The Secretary shall ~~be responsible for maintaining an accurate list of members of the committee, submitting to the~~ maintain and submit to the Clerk to the Board an attendance roster for its members, ~~and notifying~~ the Clerk to the Board of any resignations of any of its members or any other change in membership of the committee.

VIII. REPORTS

Not later than June 1<sup>st</sup> of each year, the committee shall make a written report to the County Manager and the Board of Commissioners on their recommendation for disbursement of Henderson County's allotment of the Home and Community Care Block Grant.

Once the initial recommendation on the disbursements of Block Grant funds are finalized, any additional funds received or any decisions regarding reallocation of any under spent funds in the final quarter may be made at the discretion of the County Manager (who serves as the Lead Agency) or an Executive Committee of this Advisory Committee.

IX. MINUTES

Minutes shall be kept of all meetings of the committee. The Secretary of the committee shall present such minutes to the committee for approval. Minutes of the meetings of the committee shall be public records. The Secretary shall be responsible for sending a copy of all approved minutes to the Clerk to the Board of Commissioners.

Adopted by the Henderson County Board of Commissioners at its meeting on

Signature of Chairman of the Henderson County Board of Commissioners

Date