



DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Marin HIV/AIDS CARE Council Meeting
Draft MINUTES
August 8, 2007
4:30 - 6:30p.m.
899 Northgate, 4th Floor Conference Room

Council Members Present: Roy Bateman, Diva Berry, Will Boemer, Wade Flores, James Frazier, Elyse Graham, Peter Hansen, Pam Lynott, Jennifer Malone.

Council Members Absent: Lisa Becher (Leave of Absence), Jeff Byers, David Witt.

Staff Present Cicily Emerson, Chris Santini, Michael Schieble.

Public: None

I. Call to Order

Meeting called to order at 4:39p.m. by CM Boemer.

II. Roll Call

The roll was called at 4:42p.m with **Council Members**; Roy Bateman, Will Boemer, Wade Flores, James Frazier, Elyse Graham, Peter Hansen present.

Quorum was not established with 6 of 11 Council Members present.

CM Boemer called for a recess at 4:44p.m. contact CM Lynott.

A second roll was called at 4:44p.m with the addition of CM Lynott attending via telecom.

Quorum was established with 7 of 11 Council Members present.

CM Becher is on a Leave on Absence. CM Berry arrives at 5:19p.m. CM Byers absent. CM Flores was present via conference call / telecom. CM Malone arrives 4:57p.m.

III. Review and Approval of Agenda - VOTE

The agenda was reviewed and amended with the following edits. VI. Review and approval of June 13, 2007 and July 25, 2007 Minutes. XIII. Meeting Adjourned was the last item. Agenda items XIV, XV, and XVI were deleted.

CM Graham motioned to approve the agenda. CM Malone seconded. A voice **vote** was conducted. All were in Favor. None were Opposed. The edited agenda was approved unanimously.

IV. Review and Approval of June 13, 2007 and July 25, 2007 Minutes – VOTE

CM Graham made motion to approve the June 13, 2007 minutes. CM Hansen seconded.

The June 13, 2007 minutes were approved.

Vote:

Ayes: CM Boemer, CM Frazier, CM Graham, CM Hansen, CM Lynott

Noes: None

Abstain: CM Bateman, CM Flores

CM Graham tabled the approval of the July 25, 2007 minutes since not all the Council Members had a chance to review them prior to the meeting.

V. General Announcements

CM Boemer distributed flyers from CAEAR -Communities Advocating Emergency AIDS Relief. He participated in a conference call on August 8, 2007 with 9 other Delegates that will be traveling to Washington, D.C. to attend the Coalition meetings September 17th-19th, 2007.
See Attachment "A"

CM Graham stated that she will be moving to the East Bay at the end of 2007. The move may impact her position on the CARE Council.

VI. Public Comment

None

VII. Co-Chairs Report

1. CM Boemer reported that he had been contacted by "P&E", the Prevention and Education Committee with a request to have a joint meeting. This group targets prevention in Marin County to both HIV positive and negative individuals. They wanted to meet with the Council to give an over view of their mission and efforts. C. Emerson reported that their "LIG" Local Implementation Group was ready to make a presentation to the Council of what they do. They had requested 30-45 minutes of time on a future agenda. It was agreed that the Council would invite P&E and LIG to present at the September meeting and in turn make a short presentation of the CARE Councils Mission, structure, and efforts. Included would be a round table discussion of the process used by each group for budget planning, allocation, and in year budget changes.

2. Possible name changes of the Council were discussed. The following suggestions were made for other names: 1.) CM Flores- Marin HIV / AIDS Health Council, 2.) CM Boemer- Marin HIV / AIDS Treatment Planning Council.

Note: CM Malone arrives at 4:57p.m.

3.) C. Santini- Marin Ryan White Planning Council. 4.) CM Lynott- Ryan White New Modernization Council.

CM Graham made motion that the current Council name be changed to "Marin HIV / AIDS Planning Council". Seconded by CM Lynott.

CM Flores offered a friendly amendment that the word "Care" be substituted for "Planning". CM Malone stated that in the past CARE was from "The Ryan White CARE [Comprehensive AIDS Resource Emergency] Act. Although the Ryan White act will expire, the Council is still caring for people, so the name should include "care" [lower case].

CM Graham accepted the amendment.

Public Comment: None

The motion passed unanimously to change the Council name to the Marin HIV / AIDS Care Council.

Vote:

Ayes: CM Bateman, CM Boemer, CM Frazier, CM Flores, CM Graham, CM Hansen, CM Lynott, CM Malone

Noes: None

Recuse: None

VIII. Membership Committee Report -VOTE

Co-Chair Frazier yielded the floor to CM Graham to make the Membership report as he is new to the position

1. CM Graham stated the unanimous Committee recommendation of Walter Kelley as Member for the Council. He is an individual that is HIV+, represents diversity, and has served on other HIV / AIDS Boards.

CM Graham motioned to approve Walter Kelley as a member of the Care Council. No second required.

Public comment: None

The motion passed unanimously to approve Walter Kelley as a Member of the Care Council.

VOTE: Vote was done by a voice vote.

AYES: All. CM Graham confirmed that CM Flores and CM Lynott (via telecom) were a Yes Vote.

Noes: None

Abstain: None

2. CM Graham reported that the bylaw revisions to quorum and the recommendation of Membership Committee had been discussed at a past full Council meeting. The bylaw changes had now been noticed to the public and therefore the vote would be conducted today.

Public comment: None

See Attachment "B" Marin HIV/AIDS CARE Council Bylaws. Edited page 4 of 6.

CM Graham made the motion to change Bylaws Article VI – Meetings, Section 1 to read as:

"Quorum. A quorum of the CARE Council must be present at all times during a regular or specially scheduled meeting when the Council engages in formal decision-making. A quorum is defined as fifty percent of the membership plus one member, excluding those members on an authorized leave of absence."

Public comment: None

VOTE: Vote requires a two-thirds majority to pass. The motion passed with a Yes vote of 8 of 11 Council Member or 72%

Ayes: All. CM Graham confirmed that CM Flores and CM Lynott (via telecom) were a Yes Vote.

Noes: None

Abstain: None

IX. Reduction and Increase Scenarios 2008/'09 Budget - VOTE

5:19p.m. CM Berry arrives.

CM Witt was unable to attend the meeting and sent an e-mail stating his views on future scenarios. CM Witt's e-mail stated categories he would like to freeze and the percent change applied to categories on a pro rated increase/decrease basis. CM Graham read to all present and for the record CM Witt's e-mail dated July 30, 2008 9:30a.m., RE: Care Council. See Attachment "C".

CM Graham recapped a conversation with CM Byers that there is no updated information of the status of funding for the San Francisco EMA.

A general discussion occurred. Categories that should be "held harmless" or frozen and how a percent change would be applied were considered.

Public Comment: M. Schieble suggested that a percent change of (+/-) 10% or more trigger a special Council meeting, otherwise the percent change would be automatically applied evenly to all categories.

CM Lynott made the motion: "In the event of a reduction in the 2008-'09 budget of 10% or less, the service categories of Primary Medical Care, Case Management (Medical), Non-Medical Case Management, and Attendant & Professional (Home Nursing) be held harmless. All other service categories would be evenly decreased. CM Boemer seconded.

CM Malone offered a friendly amendment to change the budget percent change from 10% to 5%. The amendment was not accepted by CM Lynott and withdrawn.

CM Graham offered a friendly amendment that in the event of a budget change 10% all service categories would be reduced equally. The amendment was not accepted by CM Lynott and withdrawn.

VOTE: The motion passed.

Ayes: CM Berry, CM Boemer, CM Frazier, CM Flores, CM Graham, CM Hansen, CM Lynott

Noes: CM Bateman

Recuse: CM Malone

Following the vote the Chair recognized CM Berry. CM Berry asked, "What do you hold harmless". Additional discussion occurred and it was concluded that the motion approved was not fully understood by all Council Members who voted. Had "Hold Harmless" been defined some Council Members would have voted differently.

CM Lynott made motion to address any decrease/increase when they occur. This would include revisiting the decision of holding harmless certain service categories. CM Graham seconded.

VOTE: The motion passed.

Ayes: CM Bateman, CM Berry, CM Boemer, CM Frazier, CM Flores, CM Graham, CM Hansen, CM Lynott, CM Malone

Noes: None

Recuse: None

The Chair asked M. Schieble for parliamentary procedure and clarification on how to reconcile two Council votes which were contradictory. M. Schieble stated that the exact steps to proceed would need to be researched per Roberts Rules of Order. The resource was not immediately available and he suggested tabling the agenda item due to time. Council Support will advise Co-Chairs of the required steps to proceed.

CM Graham tabled the agenda item and requested that Council Support advise the Co-Chairs of the required steps to proceed.

X. Review 2007/08 Budget and distribute \$150, 000 additional State funding - VOTE

CM Graham reported that Marin County had provided additional funding of \$150K to the budget and the State had made available \$150K of budget funding from the State Office of AIDS. This scenario was outlined by the Council in the meeting on June 6, 2007 and is Column "C" on the spread sheet titled "CARE Allocations for 07-08 With Various Backfill Scenarios" See attachment "D".

CM Graham stated that the County of Marin will be taking an administration charge of \$15K from the available \$150K of budget funding from the State Office of AIDS. The net State amount will be an additional \$135K. Therefore the Council will need to consider the \$15K shortage. Given the changes of categories that are no longer fundable and have been eliminated [e.g. acupuncture, vitamins, etc.], the Council would need to make a reduction of \$1,427.

CM Frazier asked, "Do we know if we are getting the \$150K from the State?" CM Graham replied that per CM Byers "everything was a go", but in fact the State budget had not been passed. CM Bateman stated that, "HOPWA funds do not move money into home health care".

CM Graham made motion to decrease the service category of Community Outreach by the amount of \$1,427. This would change the budget amount from \$9,000 to \$7,573. CM Hansen seconded.

Public comment: None

VOTE: The motion passed.

Ayes: CM Bateman, CM Berry, CM Boemer, CM Frazier, CM Flores, CM Graham, CM Hansen, CM Lynott

Noes: None

Recuse: CM Malone

XI. Division of Public Health Report

C. Emerson stated that the handouts included an updated listing of CARE Council Members' contact information and there was nothing additional to report.

CM Malone made a request that the County give the Council and MAP a presentation on the new health care campus and plans specific to HIV services.

C. Emerson will send a link to Council Members of the plan. Currently the plan is for an integrated campus of Marin Women's Health Care and HIV Services. The Community Clinic will serve WIC, CPC, Children & Family Services, and Mental Health. The project is in the planning stage and will open in September 2008.

CM Bateman stated that, "It sounds like there will be more than one waiting room".

Public Comment: None

XII. Next Step – New Business

- Co-Chair elections. Nominations in September.
- September meeting agenda to include 30-45 minutes for P&E and LIG presentation.
- Co-Chairs to prepare a Care Council presentation for the P&E and LIG joint meeting.
- Reconsider and reconcile 2008-'09 budget change votes and rescind.
- Re-examine the expectation of Council minutes.
- Robert Rules of Order training by CM Byers.
- Report by Marin County of plans for new health care campus.
- C. Emerson to send out link to Marin County new health care campus to Council Members
- Council Support to make place card / sign for new Member(s) Pam Lynott and Walter Kelley.
- Next Meeting. September 12, 2007, 4:30p.m.-6:30p.m

Public Comment: None

XIII. Meeting Adjourned at 6:30p.m.