

HUMAN SERVICES BOARD MEETING

COUNTY OF EAU CLAIRE

Eau Claire, WI 54703

NOTICE OF PUBLIC MEETING

In accordance with the provisions of Chapter 297, State of Wisconsin, Laws of 1973, notice is hereby given of the following public meeting: The Human Services Board will meet on Monday, July 25, 2016 at 5 p.m. at 721 Oxford Avenue, Room 2064, Eau Claire WI 54703. Items of business to be discussed or acted upon at this meeting are listed below:

1. Welcome & Call to Order by Colleen Bates, Chair
2. Approval of the July 25, 2016 meeting agenda Page 2
3. Review/Approval of June 27, 2016 Human Services Bd meeting minutes – Jackie Krumenauer Pages 3-6
4. Public Input Page 7
5. Juvenile Court Intake/Dept of Human Services Discussion – Rob Fadness & Diane Cable Page 8
6. Update on Adult Protective Services (APS) – Nancy Shilts, SW Manager Pages 9-16
7. Review of May 2016 Financial Statements including Alternate Care report – Jeff Koenig Page 17
8. Approval/Denial 2016 Personnel Requests – Diane Cable Page 18
9. Approval/Denial 2017 Personnel Requests – Diane Cable Pages 19-20
10. Director's Report – Diane Cable Page 21
  - Legislative Update
  - Dept response to the Living Wage Ordinance
11. Personnel Update – Jackie Krumenauer Pages 22-23
12. Adjourn

**Future Agenda items:**

- Children's Community Options Program (CCOP) update – Bill Stein
- Children's Mental Health Summit – Save the Date October 6 – Tom Wirth
- Statistics on homeless children in Eau Claire County
- Rural Impact County Challenge initiative

**2016 Meetings:** Aug 1 and Aug 15

Sept 19, Oct 24, Nov 14, Dec 12

**(Typically the fourth Monday of the month unless otherwise noted.)**

This meeting shall be an OPEN session. Meeting notice posted this \_\_\_\_\_ day of \_\_\_\_\_, 2016,  
at \_\_\_\_\_ a.m./p.m. by \_\_\_\_\_

**PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, tty: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.**

# REPORT TO THE HUMAN SERVICES BOARD

## Action Required

<b>Meeting Date:</b> 7/25/16		Information-Discussion	
<b>Agenda Item No.</b> 2		Direction to Staff	
<b>Department:</b> Human Services	x	Approval-Denial	
<b>Subject:</b> Approval of July 25, 2016 meeting		Requires Recommendation to:	
agenda		County Board	
		Other: Com on Human Resources	
		Form:	Ordinance
			Resolution
			Report
		Other Action:	

Per HS Board meeting guidelines, we will approve today's agenda.

# REPORT TO THE HUMAN SERVICES BOARD

## Action Required

<b>Meeting Date:</b> 7/25/16		Information-Discussion		
<b>Agenda Item No.</b> 3		Direction to Staff		
<b>Department:</b> Human Services	x	Approval-Denial		
<b>Subject:</b> Approval of June 27, 2016 HS Bd.		Requires Recommendation to:		
Meeting minutes – Jackie Krumenauer		County Board		
		Other: Com on Human Resources		
		Form:		Ordinance
				Resolution
				Report
		Other Action:		

Enclosed please find the meeting minutes of the June 27, 2016 HS Board meeting for your review and approval.

**MINUTES OF THE HUMAN SERVICES BOARD MEETING**

**June 27, 2016**

**Room 2064**

**5 p.m.**

- PRESENT:** Colleen Bates, Nick Smiar, Mark Olson, David Mortimer,  
Lorraine Henning, Dianne Robertson, Sandra McKinney, Stephannie  
Regenauer
- EXCUSED:** Rick Kayser, Paul Maulucci
- STAFF:** Diane Cable, Tom Wirth, Jeff Koenig, Jackie Krumenauer
- VISITORS:** Dieter Frank, Rebecca Nelson, Eleanor Wolf, Jim dunning, Jeff Smith, Josh  
Allison, Joel Breed, Kim Wilson, Larry Heagle, Myron Buchholz, David  
Huber, Rev. Michael Wollman, Shannon Grendzonski, Margaret Dameron,  
Paul Miller, Steve Carlson, Carl Anton, Jeremy Gragert, Terry Ajir, Donna  
Berry, Damian O'Brien
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Colleen Bates, Chair, called the meeting to order at 5 p.m. Welcome & introductions.

**Approval of the June 27, 2016 Meeting agenda** – Nick Smiar made a motion to approve today's agenda. Seconded by Sandra McKinney. The motion carried unanimously and the agenda for today was approved.

**Review/Approval of May 23, 2016 Human Services Board meeting minutes** – Nick Smiar made a motion to approve the April 23, 2016, Human Services Board meeting minutes. Second by Sandra McKinney. The meeting minutes were approved unanimously.

**Public Input** - Per Board operating procedures, a period of public input was held.

Public Input – There were many community members (listed above) who expressed their concerns about the proposed Living Wage Ordinance.

Concerns also heard from a provider who was presented and expressed concerns about employee attraction and retention if benefits have to be compromised to meet the Living Wage Ordinance. When hourly wages were increased recently, to meet budgets, reduction in overhead was necessary cutting staff. If this Living Wage Ordinance is passed as presented, this provider could face a \$1M expense in the first year. If faced with this large expense, they would be forced to eliminate staff benefits or not contract with Eau Claire County. Possibly, they could go out of business.

Lorraine Henning made a motion to close the public input session. Seconded by David Mortimer. The motion carried unanimously and the Public Input session was closed.

Board members thanked the public for attending today.

**Children's Community Options Program (CCOP) update** – Bill Stein

This item was postponed until next meeting.

**Approval/Denial Status report RE: Res. No. 16-17/006 Living Wage Ordinance & Provider Contracts**

Diane distributed and reviewed a summary of Living Wage survey that pertains to Department of Human Services contracts. Highlights of the summary include:

- 31 surveys distributed
- 16 returned
- 2 declined to participate
- Out of the 16 returned surveys, 11 fit the criteria to comply with the Living Wage Ordinance

After significant discussion regarding the Living Wage Ordinance, the HS Board moved forward and approved the following amendment to the LWO and then passed the amended resolution.

Amendment:

1. To lower the Living Wage Structure: (Amendment No. 1)

Amend the Ordinance, Amendment as follows:

On page 2, lines 45-49 strike

- “1. 110% as of January 1, 2017
2. 115% as of January 1, 2018
3. 120% as of January 1, 2019
4. 125% as of January 2020
5. 130% as of January 1, 2021”

Insert

- “1. 100% as of January 1, 2017
2. 103.75% as of January 1, 2018
3. 107.5% as of January 1, 2019
4. 111.25% as of January 1, 2020
5. 115% as of January 1, 2021”

Comments that the above amendment weakens the Living Wage Ordinance.

2. On page 2, line 6, insert "f. Child alternate care contracts." - Service Contracts do not include child alternate care contracts. This rate level is set by the state.
3. On page 2, line 6, insert "g. Child contracts that are administered thru the State TPA (Third Party Administrator)

Board member Mortimer made reference to the provider letter from Lutheran Social Services as part of the Board packet.

After discussion, Colleen asked for a vote just to get a feel where Board members stand. 6 voted in favor of the amendment and the changes to line 6. 2 voted not in favor of the Living Wage Ordinance. Discussion. This is the right thing to do for working people of this community.

A motion was made by Sandra McKinney to accept the amendment to the Living Wage Ordinance and also the language for line 6 as drafted by Keith Zehm's. Second by Lorraine Henning. Discussion about how to fund this if it passes through all the oversight committees and the

County Board. Possibilities could be revenue from other programs. Board member Mortimer proposed to postpone the vote until next year. Board member Olson concerned that we are doing more harm to the community by possibly losing valuable community providers of service for the most vulnerable residents. Nick expects these will not be the only amendments made to the ordinance.

The motion carried 6-2.

**Review of April 2016 Financial Statements including the Alternate Care report** – Jeff Koenig was present at the meeting and reported on the 2016 fiscal reports. The risk areas continue to be in Alternate Care and Mental Health budget areas.

**Director's report by Diane:**

-New DHS Organizational Structure proposal – Diane shared a draft of the proposed new organizational structure for DHS. Assistance was provided and supported by Human Resources and County Administrator. This organizational structure includes the Behavioral Health work we will begin to do by providing the Comprehensive Community Services program.

-2017 Budget

- Review and approval of the DHS Program Prioritization list – We reviewed and approved the 7 DHS Program Prioritization list. Mark Olson made a motion to approve the Program Prioritization list as presented. Second by David Mortimer. The motion carried unanimously.
- Review and approval of the DHS 2017 Capital Budget – Diane reviewed the proposed 2017 Capital requests:
  - 40 Standing workstations - \$15,800 – Has shown to improve staff health and productivity
  - 10 Workstations/cubicles - \$43,000 – Will allow creation of new office space for the Comprehensive Community Services program work.  
Motion by David Mortimer to approve the 2017 Capital Budget. Second by Lorraine Henning. The motion carried unanimously.
- Discussion of future Human Services Board meetings in August & September
  - August 1 – preliminary review of 2017 budget
  - August 15 – public hearing, approval of 2017 budget and regular business
  - No August 22 meeting
  - September regular meeting will be September 19 due to WCA Annual Conference

**Personnel Update** – Jackie reported on the current vacancies for the department.

Motion by Dianne Robertson to close meeting. Second by Lorraine Henning. The motion carried and the meeting was adjourned.

The meeting adjourned at 8:05 p.m.

The next regular Human Services Board meeting will be **Monday, July 25, 2016 at 5 p.m. in Room 2064.**

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Jackie Krumenauer, Committee Clerk

# REPORT TO THE HUMAN SERVICES BOARD

## Action Required

<b>Meeting Date:</b> 7/25/16	<b>x</b>	Information-Discussion	
<b>Agenda Item No.</b> 4		Direction to Staff	
<b>Department:</b> Human Services		Approval-Denial	
<b>Subject:</b> Public Input		Requires Recommendation to:	
		County Board	
		Other: Com on Human Resources	
		Form:	Ordinance
			Resolution
			Report
		Other Action:	

Per HS Board meeting guidelines, we will receive public input at this time.

**REPORT TO THE HUMAN SERVICES BOARD**

		<u>Action Required</u>	
<b>Meeting Date:</b> 7/25/16	<b>x</b>	Information-Discussion	
<b>Agenda Item No.</b> 5		Direction to Staff	
<b>Department:</b> Human Services		Approval-Denial	
<b>Subject:</b> Juvenile Court Intake/Dept of Human Services Discussion – Rob Fadness & Diane		Requires Recommendation to:	
Cable			County Board
			Committee on Human Resources
		Form:	Ordinance
			Resolution
			Report
		Other Action:	

Rob Fadness, Children's Division Director, will be present at the meeting to discuss JCI & DHS services.



## REPORT TO THE HUMAN SERVICES BOARD

		<u>Action Required</u>	
<b>Meeting Date:</b> 7/25/16	<b>x</b>	Information-Discussion	
<b>Agenda Item No.</b> 6		Direction to Staff	
<b>Department:</b> Human Services		Approval-Denial	
<b>Subject:</b> Update on Adult Protective Services -		Requires Recommendation to:	
Nancy Shilts, SW Manager		County Board	
		Committee on Human Resources	
		Form:	Ordinance
			Resolution
			Report
		Other Action:	

Enclosed please find Nancy's APS report. She will be at the meeting to review her presentation and Answer any questions you may have.

**Eau Claire County Department  
of Human Services  
Adult Protective Services**

July 2016

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**Wisconsin Statutes**

- \* Chapter 54: Guardianships and Conservatorships
- \* Chapter 55: Protective Service
- \* Chapter 46.90: Elder Abuse Reporting System

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**Who do these Statutes apply to?**

Wisconsin Statute Chapters 46.90, 54 and 55 seeks to protect adults with:

1. Developmental disabilities
2. Serious and persistent mental illness (not treatable)
3. Alcohol and/or drug dependency
4. Degenerative brain disorder
5. Other like incapacities
6. Persons age 60+ who are experiencing or at risk of experiencing abuse, neglect, self-neglect, and financial exploitation.
7. Any adult age 18-59 who has a physical or mental condition that substantially impairs his/her ability to care for his/her needs who is experiencing or at risk of experiencing abuse, neglect, self-neglect or financial exploitation

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# Definitions

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**Incapacity versus Incompetence**

**INCAPACITY** (determined by physician or psychologist)  
 The inability to receive and evaluate information effectively or to communicate decisions to such an extent that the individual lacks the capacity to manage his/her health care decisions. Physicians or psychologists determine incapacity.

**INCOMPETENCE** (determination from the court)  
 A court determination following medical evaluation by physician or psychologist. Incompetence is "due to impairment (developmental disability, serious and persistent mental illness, degenerative brain disorder, or other like incapacities), an individual is unable to effectively receive and evaluate information or to make or communicate decisions to such an extent that the individual is unable to meet the essential requirement for his/her physical health and safety."

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**Guardianship**

**Guardian of Person**  
 Person or agency appointed by a court to act on behalf of an adult who has been deemed incompetent and is unable to meet the essential requirements for his/her physical health and safety.

**Guardian of Estate**  
 Person or agency appointed by a court to make decisions related to a person's property, money, contracts and other legal matters.

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**Guardianship**  
(cont)

**Rights retained**

- communicate with the court and with government
- petition for court review of guardianship, protective services, protective placement, or commitment orders
- communicate privately with a lawyer, and to ask an attorney for representation.
- communicate privately with rights advocacy agencies
- protest a placement in a residential facility
- withhold certain consents and refuse treatment. *Unless there is a court there is a court order.*
- Freedom speech
- freedom of association
- Freedom to exercise religious expression

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**Guardianship**  
(cont)

The orders and letters of guardianship will indicate if the ward retains any rights. The following rights can be retained by the ward:

1. Vote.
2. Sit on a jury.
3. Create a will.

The follow rights may be retained by the ward only with consent of the guardian:

1. Consent to Marriage.
2. Apply for a drivers, fishing or hunting license.
3. Consent to sterilization.
4. Consent to organ, tissue or bone marrow donations.

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**Protective Placement**

**Protective Placement**

Chapter 55 is designed to establish protective placement and services for individuals suffering form serious and persistent mental illness, degenerative brain disorder, developmental disabilities, or other like incapacities. The primary purpose of protective placement is to ensure care and custody of a ward as well as to prevent abuse and exploitation.

*\*You can be under guardianship and not have a protective placement.  
\*You cannot be protectively placed without guardianship.*

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**Protective Placement**  
(cont)

To be protectively placed you must:

- \* Be under guardianship
- \* Have a primary need for residential care and custody
- \* Incapable of providing for his/her needs which creates a substantial risk of serious harm to self or others.
- \* Require 'care and custody' versus treatment.
- \* Requires annual review to the court by the county APS worker. (WATTS reviews)

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**Protective Placement**  
(cont)

- \* The guardian of person may consent to admission to a adult family home or CBRF if the home/facility is licensed for 16 beds or less without the need for a protective placement order.
- \* If the individual is developmentally disabled and protective placement is sought at a center for the developmentally disabled, an intermediate care facility or nursing facility the court shall request a statement or testimony from county DHS staff whether protective placement is appropriate and the individuals needs are being met in the less restrictive setting.

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**Protective Placement**  
(cont)

- \* Annual Protective Placement – WATTS Review
  - \* County Department of Human Services must review each protective placement yearly and file a report with the court addressing appropriateness of placement.
  - \* At the WATTS review hearing, the ward has the right to:
    - An attorney;
    - An independent evaluation;
    - A full due process hearing on the need for continued protective placement or on the appropriateness of the present placement.

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### Emergency Protective Placement

- Wisconsin Statute 55.135:
  - \* A sheriff, police officer, fire fighter, guardian, if any, or authorized representative of a county department or an agency with which it contracts receives a report and it appears probable that an individual is so totally incapable of providing for his or her own care or custody as to create a substantial risk of serious physical harm to himself or herself or others as a result of developmental disability, degenerative brain disorder, serious and persistent mental illness, or other like incapacities if not immediately placed, the individual who personally made the observation or to whom the report is made may take into custody and transport the individual to an appropriate medical or protective placement facility.

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### Elder Abuse – Chapter 46.90 Adults at Risk – Chapter 55

- \* Elder Abuse relates to persons over 60 years of age and the person has experienced or is at risk of experiencing abuse, neglect, self-neglect or financial exploitation.
- \* Adults at Risk relates to persons age 18-59 who have a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.

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### Elder Abuse – Chapter 46.90 Adults at Risk – Chapter 55 (Cont.)

#### \* Mandated Reporters

- \* An employee of any entity that is licensed, certified or approved by or registered with the State of Wisconsin Department of Human Services.
- \* A health care provider
- \* A social worker, professional counselor, or therapists.

*Exception...if a person believes that filing a report would not be in the best interest of the elder/adult at risk.*

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### 2016 trends for APS

- \* During January – May 2016 there have been 15 completed investigations.
- \* Reason Identified:
  - \* 25% self-neglect
  - \* 37% neglect by others
  - \* 8% financial exploitation
  - \* 15% physical abuse
  - \* 11% sexual abuse
  - \* 4% emotional abuse

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### 2016 Trends

- \* Most abuse occurs in the person home/residence
- \* 50% have an activated power of attorney for health care or a guardian of person
- \* Alleged Abuses are:
  - 35% daughter
  - 11% grandchildren
  - 11% siblings
  - 11% son
  - 11% spouse
  - 10% other relative
  - 11% friends/neighbors

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### Trends for 2016

- \* Substantiation of Harm or Hurt
  - \* 33% are substantiated
  - \* 27% are unsubstantiated
  - \* 40% are unable to substantiate

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**Elder Abuse – Chapter 46.90**  
**Adults at Risk – Chapter 55**  
(cont)

\* Who do you report to:

Eau Claire County DHS – CENTRAL ACCESS  
Direct line (715) 839-7118  
FAX (715) 831-5658  
Email: [humanservices.access@co.eau-claire.wi.us](mailto:humanservices.access@co.eau-claire.wi.us)

\* Civil Liability

\* No person may be held liable or found guilty of unprofessional conduct for reporting in good faith.

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## REPORT TO THE HUMAN SERVICES BOARD

### Action Required

<b>Meeting Date:</b> 7/25/16	<b>x</b>	Information-Discussion			
<b>Agenda Item No.</b> 7		Direction to Staff			
<b>Department:</b> Human Services		Approval-Denial			
<b>Subject:</b> Review of May 2016 Financial		Requires Recommendation to:			
Statements including Alternate Care report -		County Board			
Jeff Koenig		Committee on Human Resources			
		Form:		Ordinance	
				Resolution	
				Report	
			Other Action:		

Jeff will review the May 2016 Financial Statements including the Alternate Care report.

## REPORT TO THE HUMAN SERVICES BOARD

### Action Required

<b>Meeting Date:</b> 7/25/16		Information-Discussion	
<b>Agenda Item No.</b> 8		Direction to Staff	
<b>Department:</b> Human Services	<b>x</b>	Approval-Denial	
<b>Subject:</b> Approval/Denial of 2016 Personnel		Requires Recommendation to:	
Request(s) – Diane Cable	<b>x</b>	County Board	
		Committee on Human Resources	
		Form:	Ordinance
			Resolution
			Report
			Other Action:

We will review 2016 personnel request(s) at this time.

## REPORT TO THE HUMAN SERVICES BOARD

### Action Required

<b>Meeting Date:</b> 7/25/16		Information-Discussion			
<b>Agenda Item No.</b> 9		Direction to Staff			
<b>Department:</b> Human Services	x	Approval-Denial			
<b>Subject:</b> Approval/Denial of 2017 Personnel		Requires Recommendation to:			
Request(s) – Diane Cable		x	County Board		
		x	Committee on Human Resources		
			Form:		Ordinance
					Resolution
					Report
			Other Action:		

We will review 2017 personnel request(s) at this time.

### 2017 position modification/new position summary

Below is a summary of the 2017 position modifications, reallocations, and requests. These positions are reflective of program development of the Comprehensive Community Services (CCS) program and expansion in the GreatRivers Income Maintenance Consortium. With the exception of two positions, the funding of these positions comes from either existing dollars in the 2017 budget or maximizing Medical Assistance

**New:**

Title	Rational	Funding	PR#
Family Services Administrator	Administrative Responsibilities over CPS, Youth Services, Juvenile Justice, alternate care	Community Aids/Tax Levy	1
(5) CCS Service Facilitators	Growth in the CCS program – including one position dedicated to methamphetamine efforts of the CJCC	100% CCS Funding	5
Social Work Manager	Provide clinical and personal supervision in the CSP. This position is required to operate this MA program.	MA/Community Aids/Tax Levy	6
Economic support Specialist	Growth in the Great Rivers Consortia	IM/Fed Addenda/PPACA	8
Economic Support lead worker	Growth in the Great Rivers Consortia	IM/Fed Addenda/PPACA	9

**Position modifications:**

Title	Proposed change	Rational	Funding	PR#
Administrative Specialist I	Increase from .725 FTE to 1.0 FTE.	CCS program needs	50% covered by CCS	10

**Title changes:**

Existing title	Proposed title change	Rational	Funding	PR#
Senior Social Worker	Mental Health Professional	Allows for wider recruitment of Mental health professionals.	100% CCS funding	11
(3) Social Work (NG, GS, AS)	CCS Service Facilitator	Greater recruitment capability. Reallocate funding from community aids to CCS	100% CCS funding reallocated from Community Aids/Tax Levy	12
Adult Services Manager	Behavior Health Administrator	Administrative responsibilities for all behavior health programming including: Comprehensive Community Services (CCS), Community Support Program (CSP), Crisis services, Civil Commitments, Elder Abuse, Guardianship and protective placements.	existing funding/CCS funding	13

## REPORT TO THE HUMAN SERVICES BOARD

### Action Required

<b>Meeting Date:</b> 7/25/16	<b>x</b>	Information-Discussion	
<b>Agenda Item No.</b> 10		Direction to Staff	
<b>Department:</b> Human Services		Approval-Denial	
<b>Subject:</b> Director's Report - Diane Cable		Requires Recommendation to:	
		County Board	
		Committee on Human Resources	
		Form:	Ordinance
			Resolution
			Report
		Other Action:	

- Legislative Update
- Dept response to the Living Wage Ordinance

## REPORT TO THE HUMAN SERVICES BOARD

### Action Required

<b>Meeting Date:</b> 7/25/16	<b>x</b>	Information-Discussion	
<b>Agenda Item No.</b> 11		Direction to Staff	
<b>Department:</b> Human Services		Approval-Denial	
<b>Subject:</b> Personnel Update – Jackie Krumenauer		Requires Recommendation to:	
		County Board	
		Committee on Human Resources	
		Form:	Ordinance
			Resolution
			Report
		Other Action:	

Enclosed please find the latest vacancy report for DHS.

DHS BOARD REPORT  
PERSONNEL—RECRUITMENT  
07/21/16

	POSITION	Vacant Since:	NOTES	NEOGOV #
1	Senior Social Worker	NEW	Reference checks	16-00015
2	Administrative Specialist 1 (MB)	4/1/16	Request to reallocate this position to Fiscal Associate III	16-00044
3	Administrative Specialist 1 (KG)	9/2/16	Rec'd resignation	
4	SW (AH)	3/10/16	Pending reference checks & BID form	16-00032
5	SW (GS)	7/1/16	Interviews the week of July 18	16-00045
6	CCS Services Facilitator	NEW	Interviews the week of July 18	16-00051
7	Drug Court Coordinator/AODA Case Manager	6/8/16	2 <sup>nd</sup> interviews on 7/27	16-00053
8	AODA Case Manager (FJ)	7/8/16	Request to reallocate this position to SW	
9	Fiscal Services Manager (JK)	8/16/16	Reviewing job description	
10	SW Mgr (BS)	7/1/16	Reviewing job description	