



Herman S Robinson, Chair

Brenda Cronin, Executive Director

April 13, 2021

Dear Commissioners of Erie County:

Thank you for the opportunity to participate in this public hearing regarding the Erie County Commissioner's pursuit of splitting the Mental Health and Recovery Board of Erie and Ottawa Counties ("Board").

In preparation for this meeting, the MHRBEO board members have taken a close look at the activities and accomplishments that have been achieved during the tenure of the current MHRBEO Executive Director (which began in July 2017), and we have summarized these results in a document titled **MHRBEO Summary of Accomplishments 2017-2021**. This document has been included in our written testimony, but there are a few points worth noting here.

First, during the past 4 years the Board (for the first time ever) completed six comprehensive assessment and planning exercises, consisting of four Sequential Intercept Mapping exercises and two strategic plans, all of which obtained significant input from a diverse group of community stakeholders. The results of these exercises were the identification of gaps in services along with specific action plans to fill those gaps.

Second, as a result of executing these action plans, additional services have been funded and implemented to provide a Continuum of Care for mental health and addiction for the citizens of both Erie and Ottawa Counties.

Based on the positive, measurable results achieved over the past four years, and the actions identified in the FY21-22 strategic plan approved in December, the majority of the Board members do not believe that the splitting of the Board is necessary.

While we have heard general terms being used, such as "dysfunctional" and "non-transparent", as justification for the split, we have not been able to obtain accurate and complete examples, issues, or shortcomings that support these claims. If we were able to understand these issues and shortcomings, then the Board could define a plan to rectify them. To this end, and in the spirit of continuous improvement, the Board is including formal requests for specific examples, issues, and information that heretofore have not been provided. Furthermore, we are formally requesting insight into the specific issue(s) for which the only resolution has been deemed to split the board.

The MHRBEO would like to know the method that the county commissioners have used to gather input from a comprehensive list of diverse stakeholders such as courts, providers, consumers, etc. regarding the Board's effectiveness. ***The Board is requesting any information that the Erie County Commissioners and Erie County Commissioners staff have by way of texts, emails, documents, surveys or any other records that exist beginning January 1, 2020 up to ,and including, today regarding the***

performance of the Board, Board Director and daily operations so that we may address service gaps that have not already been identified.

After a review of the Boards Summary of Accomplishments, the Board seeks answers to the following questions:

1. What are the reasons for the splitting of the Board? We request specific examples of how the Board and the Director have failed to perform their responsibilities as outlined in O.R.C. 340. With all of the Board's outcomes on serving our primary customers, the consumers, what have you identified as so egregious or negligent that the only alternative is to split the board?
2. How would splitting the Board resolve your list of failures of the Board relevant to O.R.C 340?
3. How would the Board of Commissioners resolve the list of issues they have identified?

At the January 13, 2021 Board of Commissioners meeting, a number of statements were made about current Board operations, Board members and the Board Director that led to the Erie County Commissioners to make a motion to evaluate the splitting of the Board. Because many of these statements were incomplete and/or incorrect, the Board provided a written response to those statements that was read verbatim at our January 19, 2021 MHRBEO Board meeting. For completeness, we are providing our **Response to Erie County Commissioners' Meeting 01 13 2021** document for the record as part of our written testimony. In addition, we are also providing a **Clarification and Correction of Public Information** document for the record as part of our written testimony to address published information regarding MHRBEO that was erroneous and/or misrepresentative.

The Board is still uncertain how the dissatisfaction of Board members led to the decision to resign without any of them first having discussions with the Board chair for potential remedies. We are still interested in when the dissatisfaction began and how the chair may have been able to intervene. This information will also assist the Board in creating a protocol for Board members to express concerns and make recommendations for resolving issues. ***The Board is requesting any information that the Erie County Commissioners and Erie County Commissioners staff have by way of text, emails, correspondence, and any other communication or meeting content relevant to the board member resignations and splitting of the Board such as (but not limited to) pre-planning meetings, meeting invitations, public meeting notices, public resignation strategies and strategies for proposing the evaluation of the split and also any communication post-January 13, 2021 Board of Commissioners meeting regarding Board member resignations and the proposed splitting of the Board. We also request any communication and meeting dates between the Board of Commissioners, Board of Commissioners' staff, current and former Board members, MHRBEO staff, and any others relevant to Board member resignations and the proposed splitting of the Board. We request above documentation beginning January 1, 2020 up to, and including, today.***

After the most recent resignations, a Commissioner was quoted that there was an ongoing pattern of Board members being appointed to the Board and leaving due to the Board being dysfunctional. However, our records indicate that during the past four years, seven Erie County Commissioner appointments to the Board are no longer on the Board. Of these seven, five members completed their terms, and only two left prior two completing their term (one had increased duties after being elected mayor and one left due to being appointed to the Erie County Health Department Board). ***The MHRBEO is making a public records request for any information that the Erie County Commissioners or Board of Commissioners staff have regarding the resignation of board members appointed by the Erie County***

Commissioners so that we may update Board records that are found to be erroneous. We request above documentation beginning July 1, 2017 up to, and including, today.

Information has also been erroneously published that the eight OhioMHAS appointments are controlled by the MHRBEO Executive Director, when in fact, the entire application, screening, and selection process is completely executed by OhioMHAS. As such, the MHRBEO Executive Director has little to no influence on the process (let alone control of it). In the past four years, three new members have been appointed by OhioMHAS, and the other five OhioMHAS appointments were made prior to the Executive Director's tenure with the Board. ***The Board is making a public records request of the Erie County Commissioners and Board of Commissioners staff for any information that has led them to believe that the MHRBEO Executive Director controls the appointment of the eight OhioMHAS seats.*** We believe that it is important to understand how this misinformation continues to be generated so that we may take steps to inform the parties. You may also contact OhioMHAS at 246-5596 to inquire about how this process works.

Because there continues to be a misrepresentation of the events that transpired during the creation of Becky's House and because this misrepresentation is repeatedly used as an example of harm done to Erie County's Circle of Care, the Board is submitting the **Chronology of Events for the Recovery Housing Program at 301 Superior St.** document (created in 2018) for the record as written testimony. This document is supported by Board minutes and emails of the parties involved. It is also worth mentioning that there was a difference of opinion on the number of beds at Becky's House required for Erie and Ottawa residents, and while the 43 beds are typically full, there is a daily average of only 13 women from Erie or Ottawa Counties.

The Commissioners and former board members have stated that Board is "sitting on a pile" of money (in the amount of \$4.6 million) that could be used for services. However, this is once again an incomplete and misleading statement. The Board, like many fiscally responsible operations, has a reserve account. This is normal business practice to meet any future costs or financial obligations, especially those arising unexpectedly. The standard practice is to reserve dollars that will fulfill three months of commitments. While the \$1.5 million currently held in reserve will not completely cover three months of commitments, the Board does not want to increase this amount because it would reduce the amount available for funding services.

At the end of the first quarter of FY 2021, the Board projected total revenues of \$8.9 million and allocated \$10.2 million in contracts and expenses, reducing the Board's carryover cash balance by \$1.3 million. This reduction of the Board's carryover cash balance also reduced its unbudgeted cash balance to \$2.2 million. By the end of the second quarter of FY 2021, the Board's projected revenues increased to \$10.1 million and allocations for contracts and expenses increased to \$11.8 million, reducing the Board's carryover cash balance by \$1.7 million. As of January 31, 2021, all FY 2020 Board obligations had been paid to our contractors and debtors. Unfortunately, our contractors underspent by \$1.1 million compared to their projections because COVID drastically changed the way services were provided. Many consumers did not engage in the remote/virtual mental health or substance use disorder services. Furthermore, on-site programs (such as Peer Recovery Oriented Services programs) were suspended, which reduced required funding for utility bills and for purchasing consumables. These are just a few examples of how COVID affected the ability to deliver, or the desire to receive, services that led to significant reductions in the amounts

being invoiced to the Board. The \$1.4 million in unspent budgeted expenses and contracts for FY 2020 increased the Board's unbudgeted cash balance to \$3.2 million.

With a reduction in spending by contractors during FY 2021, the Board anticipates another carryover of uncommitted funds into FY 2022. Therefore, the Board is making available \$1 million of this carryover for providers to complete an application and a budget for services and supports that address any one of the goals of the Board's strategic plan. The availability of this funding has been announced via a number of distribution lists and advertised in the media. Applications are due this week. Once applications are reviewed and providers are selected, the Board will revisit if additional dollars are to be committed to this effort.

In addition to the questions and formal records requests earlier in this testimony, we have a list of questions below that we would like to have answered:

Is there a detailed plan showing the total cost of separation? This would include, but not be limited to, the following:

- ***proportionate share of all real estate***
- ***all pension contributions***
- ***equipment and furnishings***
- ***reserve account and the current balance***
- ***legal fees to transfer interests***
- ***cost of audit to confirm the interest amounts***

Is there a plan for the employment of existing staff?

Is there a plan for how current provider contracts will be honored?

If there are any plans, the Board requests a copy of said plans.

Our goal for this testimony and for providing you with the referenced documents is to ensure that you are making an informed decision regarding whether it is in Erie County's best interest to pursue splitting the Board. If there are service gaps that we have missed relevant to the Board's mission and charter, our hope is that you advise us of those service gaps so that we may review them as a Board and create a plan of action.