

# Minutes

- The Chowan County Board of Social Services held their regular meeting on Tuesday, July 9, 2013 at 8:00am at the Chowan County Department of Social Services. In attendance were board members Jack Perry, Janet Hines, Darnell White, Philip Thomason, Dr. Alex Kehayes, and DSS Director Clifton Hardison.
- Board Chair, Jack Perry called the meeting to order.
- Board Member, Mr. Jack Perry was sworn in for a second consecutive term. Mr. Perry is the NC Social Services Commission's appointee.
- The Board elected unanimously Jack Perry as the DSS Board Chair and Janet Hines as the DSS Board Vice Chair. The motion was made by Dr. Kehayes, second by Darnel White with a unanimous vote.
- Minutes of the June meeting were approved upon a motion made by Janet Hines, seconded by Darnell White with a unanimous vote.
- There were no public comments.
- Board Training was conducted by Ms. Letecia Newton. Ms. Newton is the Social Worker Supervisor for the Agency. The training concentrated on the Guardianship services the agency provides. Ms. Newton's training is outlined as follows:

## Guardianship Services

Guardianship services are provided to individuals who are alleged to be incompetent and to individuals who are adjudicated incompetent by the court and need a guardian. Services may include assessing an individual's need for guardianship; locating the appropriate person (s) to serve as guardian (s); and when necessary, petitioning or assisting the individual's family to petition for adjudication of incompetence and the appointment of a guardian. Services may also include ongoing case work with the individual, the individual's family, and caregivers when the agency director or assistant director has been appointed as guardian. The responsibilities of the guardian may include making decisions about where the individual will live, authorizing medical treatment, managing the individual's finances, and filing status reports and accountings with the court. If determined by the court, Directors, Assistant Directors of local human service agencies (department of social services are appointed to serve as guardians when no other adult individual or corporation is available and willing as required by North Carolina General Statute 35A.

### What is Guardianship?

Guardianship is a legal relationship in which someone (the guardian) is authorized by the clerk of superior court to be substitute decision maker for an incompetent adult (the ward). Incompetence is determined in a court proceeding and means as adult is unable to manage his own affairs, or is unable to make important decisions.

### How is a proceeding to determine incompetence started?

Anyone, including a family member, representative of a county Department of Social Services, mental health center, health department, or anyone else who knows the person, may file a written request (a petition) with the Clerk of Superior Court alleging that an adult (the respondent) should be declared incompetent and have a guardian appointed. Every clerk's office has forms that may be completed and filed for the petition. The petition must include a sworn statement that the information in the petition is true. A fee for filing the petition may be required

in some situation and may be reimbursed later by the court unless the court determines the petitioner did not have good reason to start the guardianship proceeding.

When a petition is filed, the clerk of court sets a date and time for the guardianship hearing. The sheriff serves copies of the petition and notice of the hearing on the respondent and on his attorney or other representative. The petitioner must mail copies of the petition and notice of the hearing to the respondent's spouse or relatives.

The petitioner may not need to be represented by an attorney at the hearing. However, it is advisable to at least talk with an attorney before starting a proceeding to have the court declare someone incompetent. If the petitioner is represented by an attorney at the hearing, he is responsible for paying his attorney's fees.

### **What is involved in a guardianship proceeding?**

Before the hearing, the clerk may order medical, psychological, social work and other evaluation of the respondent to help determine whether he is incompetent. The petitioner or respondent may request such evaluation at the time the petition is filed, and both may receive a written report of the results.

Once the adult has been determined to be incompetent and a guardian is appointed, the guardian will receive a written order of appointment from the clerk. This order explains the guardian's powers and duties.

### **What are the different kinds of guardians?**

The court may appoint a guardian of the person and/or a guardian of the estate or a general guardian. The specific powers and duties of the guardian can be found in North Carolina General Statutes, Chapter 35 A. Every guardian should have regular contact with his ward and understand his needs, problems and strengths.

If a ward becomes competent to make decisions for himself, the guardian has the duty to petition the clerk to have the ward legally restored to competence.

*Guardian of the person* has authority to make decisions in most areas of a ward's personal life, including;

- Deciding where the ward will live
- Seeing that the ward receives good care
- Giving consent or approval for the ward to receive any needed services (medical, dental, legal, psychological, etc) The guardian will not consent to sterilization of a ward with a mental illness or mental retardation.
- Taking reasonable care of the ward's personal belongings
- Taking any legal action needed to protect the ward

*Guardian of the estate* has the authority to manage the ward's income and property. He must keep good records and make regular reports (annual accounts) to the clerk of superior court about the ward's assets and all expenditures made on behalf of the ward from the ward's estate. The guardian of the estate is required to post a bond for the protection of the ward's estate.

*General guardian* has the powers and duties of both a guardian of the person and a guardian of the estate.

**What are the guardian’s financial obligations?**

A guardian is not required to support the ward financially or to contribute his own resources to the ward, and is not liable for the ward’s debts. A guardian may be reimbursed from the ward’s estate for reasonable expenses incurred in carrying out duties as guardian. A guardian of the estate or general guardian may also receive a commission set by the clerk from the ward’s estate for serving as guardian.

**When does guardianship end?**

A guardianship, and the guardian’s powers and duties end when any of the following occurs:

- The ward dies
- The Clerk of Superior Court removes the guardian from his position
- The ward’s competence is restored; or
- The guardian resigns.

Ms. Newton concluded the training and answered questions from the board.

- Mr. Hardison reported the following in his Director’s report for the services month of June 2013:

**CHOWAN COUNTY DSS SNAPSHOT 6-13**

<b>Food and Nutrition Services</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Active Cases	1,770	1,784	1,775	1,719	1,963					1,729	1,726	1,742
Total Participants	3,384	3,399	3,381	3,294						3,461	3,459	3,498
Total Benefits	2,850,985	418,115	414,517	414,294	407,019					400,261	398,147	398,632
Applications Taken	96	92	60	72	84	85	85			90	81	56
Applications Approved	70	78	30	58	60	56	56				78	83
Applications Denied	17	24	10	9	10	9	9				8	5
Applications Withdrawn				8	6	4	4				4	1
Reviews Processed	179	197	249				175	169		221	176	136
Average Caseload per Worker	450	466	456	494	496	516	516	500		432	432	436

**Note:**

**CHOWAN COUNTY DSS SNAPSHOT 6-13**

<b>Work First Family Assistance</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Total Active Work First Cases	69	68	61	61	65	60	60	67	52	54	49	46
Child Only Cases	48	49	47	47	49	45	47	41	42	43	42	39
Parent	21	19	14	14	16	15	13	16	10	11	7	7
Incapacitated Persons	2	2	2	3	3	2	3	2	2	2	1	1
Participation Rate	43%	31%	50%	53%	71%	50%	33%	42%	16%	100%	67%	
Applications Taken	17	13	14	21	3	5	19	6	7	6	7	6
Applications Approved	13	5	5	13	2	4	11	6	6	5	2	3
Applications Denied	4	3	7	7	3	1	3	2	1	3	3	3
Applications Withdrawn	1	2	0	2	0	0	2	0	1	0	0	1
Reviews Completed	4	5	2	8	7		10	4	4	5	3	3
Cases Terminated	1	1	2	1	1	2	0	2	0	1	2	0
Cases Transferred to Other Aid Prog	4	1	4	3	3	2	4	2	3	2	2	3
Emergency Assistance Applications	2	7	13	7	0	0	0	0	0	0	12	0
200% Applications	7	8	10	12	0	0	0	0	0	0	1	0

<b>CRISIS</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
CIP Applications Approved	27	52	81	101	43	0	26	21	23	25	8	33
CIP Applications Denied	9	13	25	76	15	0	42	71	32	50	36	14
CIP Balance	62,266	32,171	21,020	2,215	923	48,401	40,347	38,866	31,803	25,961	24,148	11,463
LIEAP Applications Approved	0	0	0	0	0	144	1	56	0	0	0	0
LIEAP Applications Denied	0	0	0	0	0	0	0	6	0	0	0	0
LIEAP Balance	-	-	-	-	4	20,572	15,972	172	172	172	172	172

Note:

**CHOWAN COUNTY DSS SNAPSHOT 6-13**

<b>CHILDREN PROTECTIVE SERVICES</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Children in DSS Custody	13	11	11	11	9	8	8	8	8	9	9	9
Reports Received	11	16	18	21	19	12	14	15	11	13	28	12
Reports Accepted	8	9	12	11	9	2	8	8	5	7	11	4
Abuse	3	2	5	6	2	1	0	1	0	5	5	2
Neglect	6	14	13	15	17	10	14	14	11	8	23	10
Dependency	0	0	0	0	0	0	0	0	0	0	1	0

<b>ADULT PROTECTIVE SERVICES</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Wards	4	4	4	4	4	3	3	3	5	3	4	5
Reports Received	3	4	5	4	3	5	4	1	3	6	9	3

<b>MEDICAID</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Cases	2,662	2,678	2,667	2,661	2,630	2,636	2,615	2,601	2,591	2,582	2,570	2,572
Individuals Served	3,189	3,236	3,231	3,207	3,166	3,159	3,140	3,142	3,146	3,149	3,140	3,211
Applications Taken	161	161	135	150	134	119	190	145	154	124	157	117
Applications Approved	83	95	67	35	59	75	91	81	98	86	84	98
Applications Denied	65	66	68	82	64	62	87	66	59	67	59	58
Applications Withdrawn	4	9	9	2	5	4	6	5	4	1	2	1
Reviews Completed	183	199	154	166	157	203	234	173	205	153	142	185
Changes	263	306	277	357	369	271	347	474	319	281	261	327

<b>CHILD CARE</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Children Served	180	209	175	170	163	155	170	182	178	192	170	
Waiting List	0	15	36	46	44	42	41	17	33	28	55	
Benefit Amount	56,062	60,616	49,721	50,794	45,469	41,854	44,546	45,109	50,476	53,973	51,080	

<b>ADMINISTRATION</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>
Visitors	1,051	1,225	1,295	1,225	1,176	1,293	1,359	1,264	1,216	1,400	1,373	1,200

Operating 12% under budget

**CHOWAN COUNTY DSS SNAPSHOT 6-13**

**CHILD SUPPORT**

TOTAL COLLECTIONS			PATERNITY ESTABLISHMENT				CASES UNDER ORDER			
SFY Actual	Goal	% of Goal	Prev BOW	Pat Est	%PatEst	Goal	Open Cases	CUO	%CUO	Goal
\$1,934,230	\$2,033,207	95.13%	1023	1027	100.39%	101.71%	1326	1260	95.02%	93.00%
\$1,745,108	\$2,033,207	85.83%	1023	1017	99.41%	101.71%	1326	1256	94.72%	93.00%

6-13 Not available  
 5-13  
 4-13

CURRENT SUPPORT				ARREARS				MEDICAL		
CSup due	CSup Coll	%CurCol	Goal	Cas Arr due	Cas Arr Col	%Arr	Goal	MedCase	MedSup	%Med
\$2,124,679	\$1,375,426	64.74%	64.35%	1181	790	66.89%	66.25%	898	755	84.08%
\$1,927,284	\$1,243,552	64.52%	64.35%	1166	765	65.61%	66.25%	897	754	84.06%

6-13 Not available  
 5-13  
 4-13

**MISCELLANEOUS**

Director Travels:

- July 10 thru 12 - Strategic Planning Conference - Pinehurst
- July 23 thru 26 - Vacation
- Aug 2 - Vacation
- Aug 9 & 12 - Vacation

Mr. Hardison concluded his report.

- There were no Timely and Important Matters for discussion.
- The meeting was adjourned upon a motion made by Janet Hines, seconded by Philip Thomanson with a unanimous vote.

Submitted by,

Clifton Hardison, Director