

**Workforce Solutions Deep East Texas  
Executive/Finance Committee Meeting Minutes  
415 S. First Street, Suite 110B, Lufkin, TX 75901  
February 13, 2024**

**I. VICE-CHAIR ELLEN MILLS CALLED THE EXECUTIVE/FINANCE COMMITTEE MEETING TO ORDER AT 1:01 P.M.**

**MS. MILLS ANNOUNCED IN ACCORDANCE WITH GUIDANCE FROM THE TEXAS WORKFORCE COMMISSION (WD LETTER 28-19) DATED NOVEMBER 19, 2019, REGARDING THE TEXAS OPEN MEETINGS ACT GOVERNMENT CODE CHAPTER 551 ALLOWING THE USE OF VIDEO-CONFERENCING AS A METHOD FOR CONDUCTING BOARD MEETINGS, THE BOARD IS PROVIDING FOR PUBLIC PARTICIPATION IN ITS BOARD MEETING AT THE ADDRESS LISTED ABOVE AND VIA VIRTUAL MEETING WEB LINK. SHE ALSO SAID THE MEETING IS BEING RECORDED AND THE OPEN SESSION PORTION OF THE MEETING IS AVAILABLE TO THE PUBLIC UPON REQUEST. THE BOARD SERVES TWELVE (12) COUNTIES AND LISTED THE HOST LOCATION; AND PRESIDING OFFICER, ELLEN MILLS, WAS PHYSICALLY PRESENT.**

**AFTER THE ROLL CALL, MS. MILLS CONFIRMED THAT A QUORUM WAS PRESENT:**

**Members Present:** Tyane Dietz, Robert Fitzpatrick, Garvey Jackson, Kotosha Jeffery, Gene Lee, Ellen Mills, John Allen Slocomb

**Members Absent:** Lisa Balty, Wayne Haglund, Kelli Marshall

**Board Staff Present:** Mark Durand, Dara Harmon, Debb Homman, Lauren Phipps, Cassie Riegle, Maribel Soto-Mendoza, Karen Stubblefield

**Visitors:** Scott Amey, LaTreaser Cartwright, Rhonda Cartwright

**ELLEN MILLS, REMINDED THE BOARD MEMBERS OF THE CONFLICT OF INTEREST DECLARATION.**

Ms. Mills asked that all members sign a conflict of interest declaration and send the form to Board Staff.

**WELCOME OF GUESTS:**

New Employee Cassie Riegle, Business Analyst.

**II. Public Comments**

None.

**III. Discussion/Action: Approval of Minutes – January 23, 2024**

**Motion:** Gene Lee made the motion to approve the minutes as presented.

**Second:** Robert Fitzpatrick

**In Favor:** All

**Oppose:** None

**Abstain:** None

**Motion:** Passes

**IV. Information and Briefing Items**

None.

**V. Discussion and Possible Action**

**A. Action Item 24-06 Diaz, Smith and Associates Child Care Services Contractor Monitoring Reports**

Mark Durand reported that Diaz, Smith & Associates (DSA) performed a fiscal and program review of Child Care Services contractor, Goodwill Industries of Central East Texas (Goodwill). In the Fiscal Review, the procurement of audit services was for 12/31/2022 through 12/31/2025. The Procurement was evaluated for compliance with the FMGC and other TWC regulations. Procurement exceptions were noted lacking date of issuance; specification of time deadline on the due date; timeline for response to questions to bidders; pro-forma matrix for evaluation scoring did not include numerical category scoring values and evaluation categories do not match the document, and the Request for Proposal (RFP) did not include protest procedures. Goodwill will issue a new RFP for Auditing Services addressing the findings for the FY 2024 financial audit. DSA has accepted the corrective actions taken by Goodwill and concluded that the actions are sufficient to resolve the finding. This area will be reviewed during the next monitoring cycle to assess the effectiveness of the implementation of the corrective action.

In the Program Review, the scope was for the period September 1, 2022, through August 30, 2023. The eligibility in one case is in question due to the lack of documents collected to show homelessness based on the McKinney-Vento Act. Contractor has updated the Homeless Procedure to include acceptable forms of verification. Contractor developed a Determination Request Form for the staff to complete when determining homeless eligibility. Training has occurred to correctly verify homeless eligibility. Following this report, it was found that there was sufficient evidence of their homelessness and will meet the requirements and there will be no fiscal impact. DSA has accepted the corrective action taken and concluded the finding as resolved.

Regarding DFPS Referrals, four cases (27%) did not have information entered into TWIST that matches the exact information listed on Form 2054. Section D-704 of the Authorizations of Care for Children in Protective Services of the Child Care Guide requires information entered in TWIST to reflect exactly what is listed on Form 2054. The four errors occurred due to incorrect spelling of a child's name. Contractor has provided training to staff to check spelling and to ensure TWIST data entry matches the 2054. Contractor staff auditing the cases will review for errors. DSA accepted actions taken and concluded the finding as resolved.

The finding in Early Terminations reported Section D-101.a of the Child Care Guide states Boards must be aware that a parent is ineligible to reapply or be placed on the waiting list for services for 60 calendar days when terminated due to excessive unexplained absences or nonpayment of parent share of cost. Contractor updated procedure that a child cannot be added to the wait list if they have been terminated in the last 60 days for excessive absences or nonpayment of parent share of cost. Based on the comparison between the submitted updated procedure and the Child Care Guide the procedure does not comply with the 60-calendar day and the child care contractor will need to change procedure to state 60 calendar days in place of 60 days. Finding is unresolved until procedure has been changed to reflect the correct verbiage.

Motion: Tyane Dietz made the motion to accept the report and resolutions as presented.

Second: Garvey Jackson

In Favor: All

Oppose: None

Abstain: None

Motion: Passes

**B. Action Item 24-07 Diaz, Smith and Associates Workforce Contractor Monitoring Reports**

DSA conducted an annual off-site desk review of workforce fiscal and program services provided by Workforce Solutions Deep East Texas, sub-recipient, Dynamic Workforce Solutions (DWFS). DSA



issued the final attached report for the period September 1, 2022 through August 31, 2023. For the Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) it was found that a hard copy of documentation did not match TWIST Daily Time Tracking in five of fifteen files (33%). In some instances, job logs were not completed entirely. The Workforce Contractor has implemented a monitoring process as of October 2023, to review for errors prior to the Data Integrity Entry deadline. Quality Assurance will validate hours by review of case notes and documentation for match. DSA has accepted the corrective actions taken by the Board and concluded that the actions are sufficient to resolve the finding. This area will be reviewed during the next monitoring cycle to assess the effectiveness of the implementation of the corrective action. The finding for Temporary Assistance to Needy Families (TANF/CHOICES) was that Non-cooperation is defined as the "lack of response to outreach notices or a failure to participate in CHOICES activities in accordance with the Family Employment Plan (FEP)". The CHOICES Guide provides guidance that Boards must ensure that within seven calendar days of noncompliance, Workforce staff must reschedule intake appointment, ensures CHOICES participant resumes cooperating with program requirements, determines good cause or initiates a sanction. In two of eight cases the penalty was not initiated within the required time limit. The Case Managers responsible for the errors are no longer employed. Case Managers are self-monitoring weekly to verify timely and reasonable processes are followed. Board and contractor Quality Assurance Managers are reviewing cases monthly. DSA has requested additional information to ensure corrective action is in place to correct finding. The self-monitoring was put into place in February 2023, and errors still occurred during the review scope. Status of finding is unresolved. The finding for Temporary Assistance to Needy Families/Non-Custodial Parents (NCP) was that the NCP Guide requires staff to document case activity, services, employment, wages, and court order compliance within three business days in TWIST and COLTS. The review found that case notes entered in TWIST were not entered into COLTS. In 10 of 14 cases (71%) all actions were not documented in COLTS, or the TWIST counselor notes did not match the counselor notes in COLTS. When corrections were made in case notes, the corrections were not always entered into the other system. It was also noted that case notes were not entered into COLTS within the required three-day period. NCP Guide states that Office of Attorney General be notified of NCP customer noncompliance immediately, which is defined as the same day the Letter of Participation is mailed to the customer regarding noncompliance. In 4 of 9 cases (44%) staff did not adhere to this requirement. Due to this finding noted in the PY'22 DSA report and TWC Annual monitoring report the Board has requested DSA return in February and review the November, December, and January NCP files to ensure corrective action is in place to ensure compliance with documentation and reporting requirements. The Board has also placed the contractor under a Corrective Action Plan that requires reviews and reports to the Board.

There were no reportable findings for the Workforce Innovation and Opportunity Act (WIOA).

The fiscal review examined were: Applicable Contracts; Budget vs Expenditures; Cash Management; Payroll; Direct and Indirect Disbursements; Audit; Work Experience Payroll; Allocation Testing; Insurance; Individual Training Accounts; and Procurement and did not determine any reportable findings or observations.

Motion: Tyane Dietz made the motion to accept the report and resolutions as presented.

Second: Robert Fitzpatrick

In Favor: All

Oppose: None

Abstain: None

Motion: Passes

### **C. Action Item 24-05 Deliberation of Executive Directors Evaluation and Employment**

Removed from the agenda items and no action or discussion taken.

**D. Open Session Action, if any, as a result of Closed Session**  
None

**VI. Discussion and Acceptance of Financial Reports**

**A. Financial Reports for December 2023**

- **Statement of Financial Position**
- **Budget vs. Actual**
- **Grant Report**

Finance Director, Maribel Soto, provided financial updates for December 2023. Ms. Soto referenced the variance narrative and Mr. Durand reviewed the Contracts Outstanding report, stating no concerns.

**VII. Discussion of issues to be brought before the Committee**

None

**VIII. Adjourn**

Ellen Mills adjourned the Executive/Finance Committee Meeting at 2:11 p.m.

Duly passed and approved on this 12 day of March 2024

  
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Kelli Marshall, Chair

Attest

  
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Dara Harmon, Exec. Administrative Assistant