

**Workforce Solutions Deep East Texas**  
**Board Meeting Minutes**  
**415 S. First Street, Suite 110B, Lufkin, TX 75901**  
**August 20, 2024**

**I. CHAIR KELLI MARSHALL CALLED THE BOARD MEETING TO ORDER AT 2:44 P.M.**

**MS. MARSHALL 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, KELLI MARSHALL, WAS PHYSICALLY PRESENT.**

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

**Members Present:** Joe Clyde Adams, Kerry Ballast, Lisa Balty, Rebekah Burkhalter, Ashley Courtney, Tyane Dietz, Tim Ditoro, Phyllis Grandgeorge, Eddie Hopkins, Anita Humphreys, Melody Jenkins, Dan Kern, Gene Lee, Kelli Marshall, Robert McLeod, Ellen Mills, Marisa Phillips, Benjamin Mott, John Allen Slocomb, John White

**Members Absent:** Garvey Jackson, Kotosha Jeffery, Matthew Lowery, Quincy Martindale, Jessica Rogers, Rich Scott

**Board Staff Present:** Mark Durand, Jeff Eichman, Dara Harmon, Debb Homman, Samantha Inguanzo, Maribel Soto-Mendoza, Lauren Phipps, Karen Stubblefield

**Visitors:** Jessica Blair, Michelle Blanchard, LaTreaser Cartwright, Rhonda Cartwright, Paul Dunn, Michelle Kennedy, Monica Peters-Clark

**KELLI MARSHALL REMINDED THE BOARD MEMBERS OF THE CONFLICT OF INTEREST DECLARATION.**

Ms. Marshall asked that all members sign a conflict of interest declaration regardless of whether they have a conflict and return the form to Board staff.

**WELCOME OF GUESTS:**

None.

**II. Public Comments**

None.

**III. Discussion/Action: Approval of Minutes – June 25, 2024**

**Motion:** Tyane Dietz made the motion to approve the minutes with edits as suggested.

**Second:** Ellen Mills

In Favor: All  
Oppose: None  
Abstain: None  
Motion: Passes

**IV. Board Members Comments on Activity in their Respective Areas**

Tyane Dietz reported that Crown Colony was hosting a “Night Out” in downtown Lufkin. Lisa Balty reported a Nacogdoches business, SuSu’s, which sells gourmet popcorn, has opened a second location in Lufkin.

**V. Executive Director’s Report**

**A. Contracts/Agreements**

WD Letter 22-23 requires Board to have Memorandums of Understandings (MOU) with Perkins-Funded post-secondary programs. The Board has executed MOUs with Panola and Tyler Junior College and is currently coordinating with Angelina and Lone Star Colleges.

The WD Letter also requires an MOU with Indian and Native Programs. The Board executed an MOU with the Alabama-Coushatta Indian Tribal Council.

**B. Performance**

**Child Care:**

The Board’s current YTD average per day is 2,638 which is 98.32% of the YTD goal of 2.683. July enrollment was 2,827. Current number of children on the waitlist is 1,119.

**Workforce:**

The Board was placed on a Technical Assistance Plan (TAP) for missing two end-of-year Workforce Innovation & Opportunity Act (WIOA) measurements. The Board and contractor have developed an action plan and as of July are meeting both measures.

**C. Contacts and Coordination Efforts**

A Human Resources (HR) Consultant provided team development for Board Staff in June.

Our Career Coach attended the State Conference in Temple. The Child Care Team attended SPLASH conference training in Grapevine. The Tri-County Alliance of Jasper, Newton and Tyler met to discuss partnership training for Police Academy in Jasper. Angelina College will be the training provider with classes beginning in January.

Mr. Durand presented at the August 2, 2024, Lufkin Chamber of Commerce First Friday Luncheon.

Mr. Durand attended West Sabine Ribbon Cutting of new Administration and Community Center. It has a Community Room that our workforce contractor will utilize for classes in the future.

**D. Rules and Legislation Update**

The Department of Labor (DOL) announced the Wagner-Peyser Act Staffing Final Rule, which makes changes to the regulations regarding how State Employment Services (ES) Staff are used to provide services. Texas Workforce Commission (TWC) is still providing clarification of the final rule changes.

**E. Funding**

The Board received the National Disaster Recovery Dislocated Worker grant to assist all but two (Angelina and Nacogdoches) counties in our region that were impacted by March’s severe storms. The Board was awarded \$309,562 of the total request of \$812,019. When 60% of the \$309,562 is spent the remaining funds will be distributed upon request by the Board.

**F. Other Activity and Administrative Matters not requiring action by the Board**

Mr. Durand reported the July 2024 unemployment rate of 5.4%.

**VI. Information and Briefing Items**

**A. Rapid Response Services Update**

July YTD activity reflects ten closures affecting 149 workers. Two of these closures are child care centers. The Board received notice that another child care center plans to close October 31, 2024.



## **VII. Discussion/Possible Action**

### **A. Action Item 24-18 WIOA Policy Update**

Mark Durand presented updates as required by TWC to follow guidelines for Workforce Innovation and Opportunity Act (WIOA) programs. Some changes are with terminology regarding the implementation from TWIST to WorkInTexas as TWC's case management system. Workforce center staff must not use more than 10% of the combined total of adult and dislocated worker funds to subsidize transitional jobs. Also, language was added and updated regarding the Universal Employment Plan.

Motion: Tyane Dietz made a motion to recommend acceptance of the updates to the WIOA Policy as presented.

Second: Lisa Balty

In Favor: All

Oppose: None

Abstain: None

Motion: Passes

### **B. Action Item 24-19 Child Care Policy**

Per WD Letter 06-24, TWC began to replace the Child Care Services (CCS) case management functionality in TWIST with the TX3C project. The transition includes changes to Board local processes as well as several policy changes: Statewide Parent Share of Cost (PSoC) federal requirements will be implemented based on the family gross income and State Median Income (SMI). For one child, PSoC established at a minimum of 2% at the lowest income level, gradually increasing to a maximum of 7%; Expanded Age Groups for Reimbursement currently have four age groups, but now will be expanded to eight groups; The current policy states parents must wait two weeks before transferring, however the new policy states that transfers will not be permitted until the start of the second pay period following the request. Provider reimbursement payments will be made prior to care of each active referral and the reimbursement rates will be based on the child's age on the first day of the two-week billing cycle. (Prospective Payments). This has been placed on hold by TWC until further notice. The changes to our local Board Policy would include adding to Priority Group Three the staff of Child Care centers, or child care homes, Board and contractor staff who meet eligibility requirements for subsidized care.

Motion: Eddie Hopkins made motion to approve with the modification that the language be amended to override Transfer policy on a case-by-case basis if for a child's safety.

Second: Tyane Dietz

In Favor: All

Oppose: None

Abstain: Ashley Courtney and Melody Jenkins

Motion: Passes

*Ashley Courtney and Melody Jenkins abstained due to potential conflict of interest.*

### **C. Action Item 24-20 Compliance Monitoring Contract**

The Board contracts with Diaz, Smith, and Associates (DSA) to perform annual fiscal and program monitoring of subrecipients. The FY'25 contract will be the third renewal of a five-year allowable contract period. Cost to perform services for FY'25 will be \$40,350.00.

Motion: Ellen Mills made a motion to approve the contract from Diaz, Smith and Associates as presented.

Second: Lisa Balty

In Favor: All

Oppose: None

Abstain: None

Motion: Passes

**D. Action Item 24-21 Fiscal Audit Contract Renewal**

The Board has contracted with Alexander, Lankford & Heirs, Inc. of Lufkin for Independent Auditing Services since 2022. Alexander, Lankford & Heirs, Inc. submitted a proposed budget for the fiscal audit to be performed for the period of October 1, 2023 – September 30, 2024, for \$42,340.50, a 3% increase from the 2023 amount based on rising costs of Personnel and inflation.

Motion: Tyane Dietz made a motion to approve the contract from Alexander, Lankford & Heirs, Inc. as presented.

Second: Ellen Mills

In Favor: All

Oppose: None

Abstain: None

Motion: Passes

**E. Action Item 24-05 Closed Session – Deliberation Regarding Executive Director Employment and Evaluation Concerning Action Item 24-05, Gov't Code Section 551.074**

The Board did not enter into closed session regarding Action Item 24-05.

**F. Open Session Action, if any, as a result of Closed Session - Deliberation Regarding Executive Director Employment and Evaluation Concerning Action Item 24-05, Gov't Code Section 551.074**

Motion: The Executive/Finance Committee recommended for approval a 3.2% raise in pay for Executive Director, retroactively effective January 2024. Also, a recommendation for a change in policy of the evaluation of Executive Director to coincide with the Fiscal Year.

Second: Gene Lee

In Favor: All

Oppose: None

Abstain: None

Motion: Passes

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

**a. Financial Reports for April and June 2024**

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

Chief Financial Officer, Maribel Soto-Mendoza, provided financial updates for June of 2024, stating no concerns.

**IX. Adjourn**

Kelli Marshall adjourned the Board Meeting at 3:44 p.m.

Duly passed and approved on this 10 day of September 2024

  
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Kelli Marshall, Chair

Attest

  
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Dara Harmon, Exec. Administrative Assistant