# SILC Council Meeting

12/17/20 Meeting

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>> Will Harrison: I want to thank you Council members for attending this meeting to approve the minutes. The chair cannot be here today I am Will Harrison the vice chair and I will be acting as Council chair welcome to the ex officio attending as a guest. Accommodation request at this time from Council members or from the members of the public in order to participate in the meeting today?

All right I think nothing being said Tracy can you call the roll?

>> Tracy: Sure. Frank Animikwam.

>> Steve: I think Frank is dialing back in. This is Steve.

>> Tracy: Okay Allen Beauchamp.

>> Present.

>> Jamia Davis.

>> Present.

>> Stephanie Deible.

>> Present.

>> Teddy Dorsette.

>> Which I see he is attending. Will Harrison.

>> Present.

>> Mindy Kulasa.

>> Jan Lampman.

>> Present.

>> Theresa Metzmaker.

>> Mark Pierce.

>> Present.

>> Yvonne Fleener. You have a quorum.

>> Will: Thank you, Tracy. Would someone like to make a motion to approve the agenda for today?

The agenda for today's meeting?

>> This is Jan Lampman it so moved.

>> Will: Thanks Jan.

>> This is Mark Pierce I support that.

>> Will: Thanks, Mark. Now do I have to do another roll call for this?

>> Tracy: Yes.

>> Will: Tracy can you call the roll for me again please.

>> Sure Frank Animikwam?

I am going to admit him right now. Are you there, Frank?

>> Frank: Yes, I am. I went through an area that is low service.

>> Tracy: We are approving the draft agenda for today. Do you approve?

>> Frank: Yes.

>> Tracy: Allen Beauchamp.

>> Aye.

>> Jamia Davis.

>> Aye.

>> Stephanie Deible.

>> Aye.

>> Teddy Dorsette.

>> Will Harrison.

>> Aye.

>> Jan Lampman.

>> Aye.

>> Mark Pierce.

>> Aye.

>> Teddy says aye.

>> Motion carries.

>> Will: Thank you Tracy.

>> Steve: Teddy said aye, this is Steve.

>> Mark: I said aye.

>> Will: All right everyone I am going to turn it over to Steve.

>> Steve: All right, thanks, Will. The one item agenda that we have tonight is a motion to authorize our chair Yvonne Fleener to sign the SPIL amendment. I am going to bring back the e‑mail that we received from ACL back in September, September 29th I believe regarding our SPIL submission. And there were a few corrections that we needed to make. Some of them were very minor in nature. But I do have the e‑mail up on the screen right now. So, the sections that required action were section 1.5 please remove the statement including state match from section 1.5. This has since been corrected because the including state match language is part of ACL's boilerplate so on a follow‑up call with SILCs across the country, it was stated that that could be left in.

The other minor corrections down below under as sorted items that require action, use part B and part C funds instead of sub chatter B and C funds, we made the corrections throughout the SPIL. Use core IL services instead of five core services throughout the SPIL. We did a find and replace using word and made those changes. And then use rehabilitation act as amended instead of rehabilitation act as amended by WIOA and we also made those corrections.

The main sections that needed corrections were Section 4 and Section 5. These are essentially boilerplate language sections. Section 4 had to do with the designated state entity which in Michigan is MRS. They act as the fiduciary for the funds that come into the state. And then section five had to do with the SILC itself.

I have worked collaboratively with Bill Atkinson and Rodney Craig from MRS to update these sections. These sections were sent out to the council members a few days ago. But I want to walk through what we changed.

I have up on the screen in highlight the sections that we modified in response to the e‑mail that we got from ACL. Starting with section 4.4, there is a statement that did not describe how the DSE will not create a conflict of interest within the SILC.

So, we scroll down to 4.4. What they are getting at is there are two ways that a SILC can be staffed. A SILC as a Council can choose to use state employees to act as the administrative function for the Council. Here in Michigan, we do not employ using state staff to fulfill the administrative staffing requirements of the Council. Instead, you have me and Tracy. So, we revised the language to let them know that the DSE is not using state staff at all. With staffing the SILC that we are autonomous with our own staff, the Council has the ability to hire and fire its own staff.

Another section and right here when the DSE employee serve as staff to the SILC, describe how the SILC will hire, fire, and supervise such staff. The DSE does not provide direct staff support to the SILC. SILC is being staffed by employees hired by the Council through its non-profit corporation. The DSE primarily provides administrative support in the form of grant technical assistance, grant monitoring and administering state and federal resources for SILC and the CILs.

Another section. list any state law, regulation, rule, or policy relating to the DSEs administration or operation of IL programs. So, under 4.5 the DSE stated: Through the CIL contracts with the DSE, all CIL grantees are required to utilize the NetCIL Database system to record services, community activities and the funding sources which apply to each. Personal Activity Reports created by the database system, are required for each CIL, and are submitted for review in Section 4.3 post award compliance activities to demonstrate actual work completed.

How will the DSE ensure compliance with state-imposed requirements without restricting the autonomy of the SILC in fulfilling its duties, authorities, and responsibilities. The response is: The state-imposed requirement for the CILs to utilize NetCIL is not imposed on the SILC. This allows the DSE to ensure compliance with the state-imposed requirements restricting the autonomy of the SILC in fulfilling its duties, authorities, and responsibilities.

As a caveat, I worked with the five SILCs in our region and several of them had sections four and sections five completely approved by ACL, so I was able to get copies of the format that they used. And it seems that putting these headers into these sections helps Regina clearly see our responses in relation to these questions. So, I am confident that these responses are going to be acceptable to ACL.

Again, Section 4.5 this section does not describe how DSE has state-imposed requirements without restricting the autonomy of the SILC. And I just read that section to you.

The next section is 5.1 missing the description of autonomy and independence from DSE is assured and explain how the state, actually the SILC, can maintain its autonomy placed within the Governor's office. Our response to Section 5.1, we describe the establishment of SILC. We described how autonomy is maintained. With the SILC established exclusively to fulfill the applicable provisions of the Rehab Act.

Going down further, the DSE administers grant funds for Michigan SILC's operations. Operations for the Michigan SILC are autonomous from the DSE. The Michigan SILC Finance Committee prepares an annual budget that is approved and monitored by the full Council on quarterly bases and is negotiated with the DSE.

SILC operates with funding under state grants and agreements with SILC staff employed through its private nonprofit corporation. The membership of the MiSILC Corporation is comprised of voting council members. The MiSILC Corporation board service terms match the terms of Governor appointment dates to the Council to ensure the Council is independently in control of its own resources independent of the Governor's Office.

The SILC Executive Director is supervised and evaluated by the SILC. The Executive Director as an Ex-Officio non-voting member of the nonprofit corporation. And operationally, additional SILC staff work under the supervision of the SILC Executive Director to coordinate efforts carrying out commitments of the SPIL.

Under Section 5.3, this section does not describe how necessary and sufficient resources are provided for the SILC resource plan to ensure the SILC has the capacity to fulfill its statutory duties and authorities. So, under Section 5.3, we added: Recruitment and Appointing Authority. Members of the SILC are appointed by the Governor of the State of Michigan. When vacancies arise, the SILC recruits potential members considering factors of significant disability, disability type, geographic representation, ethnicity, and background knowledge of Independent Living. When individuals apply, the SILC reviews the applications submitted and will send a letter to the Governor with either a recommendation to appoint or a recommendation to not appoint for a given reason. The State ensures SILC is established and operational and appointments are made in a timely manner in several ways. The DSE is an ex-officio member of the council and attends all meetings. The DSE’s council membership allows for direct interaction with the council’s business operations and affords the DSE with knowledge of SILC’s status and compliance. Contracts with SILC and the DSE for resources also contain a quarterly reporting requirement on all SILC standards and indicators. The State ensures SILC has sufficient resources to fulfill its statutory duties through annual budget negotiations.

So, between June and July of each year myself and the treasurer, and typically the chair, will sit down with the DSE and negotiate our annual budget based on budget projections that I provide to the finance committee and the treasurer on what we are going to need in order to fulfill our statutory duties over the fiscal year. So, it is through the budget negotiation that we assured that we have sufficient and adequate resources based on those budget projections that are overseen by the finance committee and ultimately the full Council.

5.3 does not describe how the SILC has the autonomy necessary to fulfill its statutory duties and authorities. SILC has an ongoing relationship with the Governor's Appointments Office and provides guidance on regulatory requirements for SILC composition and candidates for potential appointment to the Councill. SILC maintains an appointments log to ensure regulatory composition requirements and regularly communicates term limits and reappointment dates to the Appointments Office to ensure SILC vacancies are filled in a timely manner. SILC was created by Executive Order and the Councill is placed in the Governor's office to ensure that it is independent of any state department and has the autonomy necessary to fulfill its duties and authorities as evidenced in the Executive Order. SILC staffing, again, is achieved through the SILC's non-profit corporation acting as the employer of record for SILC staff where the Executive Director and a Director of Operations provide administrative and operational support to SILC in carrying out SILC’s regulatory requirements. Through a resource plan collaborative process with the SILC, the DSE ensures that the SILC has the capacity to fulfill its statutory duties and authorities.

And then again, we go into staffing of the SILC and SILC operations, that SILC operates in following the approved policies that ensure that SILC has the autonomy to operate and conduct its required duties and granted authorities through our bylaws, our member policies and procedures, our fiscal policies and procedures, and our personnel policies.

So that is the majority of the changes that we made to Sections 4 and Sections 5. We did have a debriefing phone call a nationwide phone call with Regina Bly on these changes that need to be made. Yvonne Fleener and I our Council chair had a couple of Zoom meetings with Regina over the past couple months specific to these sections and talked through what we needed to provide in order to have our SPIL approved. I believe that this changes we have made are going to be sufficient for ACL to approve our SPIL 100%. And what we are looking for tonight is a motion to authorize Yvonne Fleener the SILC chair to sign on behalf of the Council the fiscal year 2021‑2023 state plan for Independent technical amendment so that is what we are looking for from the Council tonight. We have a deadline to have it submitted to ACL no later than December 31st. We are gathering the signatures of the CIL directors once again. Just to remind you we have to have at least 51% of the CIL directors sign the SPIL. So far, we have had all of them except for three sign the amendment. We are also having Tina Fullerton as the Bureau director of our DSE sign this as well. So right now, we have about just over 80% of the CIL directors have already signed the signature pages for this amendment. Your action tonight will authorize Yvonne to sign on behalf of the full Council for this amendment and we hope to have this submitted to ACL no later than the beginning of next week. And Will I will go ahead and turn it back over to you.

>> Tracy: I think we lost Will. He is not on here anymore.

>> Mark: Steve, this is Mark.

>> Steve: Yes.

>> Mark: Are we going to have the directors are not required to sign again, are they?

>> Steve: They are, Mark. Tracy sent that out to the directors I think earlier this week and we just need 51% of them to sign. And it went out I think earlier this week with a link to the signature page.

>> Mark: I do not remember seeing that. And I think this is on our agenda for tomorrow, so I will have to check with Diane. Did Diane say the directors have seen that link?

>> Tracy: Everyone signed it but three, I am waiting for you, Mark, and I need Luke and Jim Moore everyone else has signed it. It comes through sign now. Maybe it is going in your junk file. But I sent it on Monday. Then I resent it Wednesday and I think I sent one to you today as well.

>> Mark: Okay, yeah, because I can say I do not remember seeing it. I would have signed it. That was my question. And then I had one more concern. When I looked up 1.3 on page five Steve.

>> Steve: Uh‑huh.

>> Mark: I was understanding that we would at least see CIL on emergency preparedness, but we were not listed there although we are listed in the actual template but on page 11, but we are not listed as the lead CIL. And I would say it just says on page five that we are the CILs and the SILC. I just noticed it all the other CILs were listed as lead CILs.

>> Steve: Hey Mark I can go ahead and make that in here. It would be a replication of what is in the table. And that is just an oversight. I will get you listed right here in 1.3.

>> Mark: Okay thank you.

>> Steve: To call that up. I see Wayne County is lusted up here as the lead organization.

>> Mark: And Flint.

>> Steve: I will put you in, in here before we submit that to ACL. And you are right it is replicated down below in the table. So, for consistency I will put that here in the goal also just for consistency throughout the whole SPIL. Thanks for pointing that out.

>> Mark: I looked at this a couple times, this is the first time I noticed it. I thought I seen it before but okay.

>> Steve: Thank you for that.

>> Mark: Yep, I am looking for that e‑mail while we are talking.

>> Tracy: Will, did you join back in?

>> Will: I did, I am trying to join back with video and my Internet got cutoff.

>> Mark: Hey Tracy, I am in there now trying to find that e‑mail. And I do not see it.

>> Steve: Mark, it might have come from called sign now. I can have Tracy resend it to you again Mark.

>> Mark: No, I found it. I just have to find how to get in. Yeah.

>> Steve: Okay, so Will after you got cutoff, I turned it back over to you for the motion to authorize the SILC chair to sign the SPIL amendment so that we can get this submitted back to ACL.

>> Will: Thanks, Steve. Does anyone have any questions?

>> I did have just a question of past meetings. This is Frank. Can everyone hear me?

>> Steve: Yes.

>> Frank: I just had a question. I know Mark had brought up the emergency preparedness section. I just wanted to know if we could scroll to that because I am not able to find this document in my e‑mails so I just wanted to see kind of just go over it again if you briefly summarized what that entailed or any amendments to that.

>> Steve: There is no amendment to it, Frank. It is just the lead organizations we called out who was going to be the lead on these. And you will notice in some of the other goals like we have Disability Network Wayne County. Well Mark CIL is going to be the lead on the emergency preparedness. We did not include or amend it right there. But when you go down to the table itself, we did call out Mark's organization under emergency preparedness in the table. Here Disability Network capital area so it is just about replicating his name up above in that other section is all that that was.

>> Frank: Got you and all that section is regardless of what emergency we are preparing for in order to meet the needs for our community members, our consumers are that we are identifying who is going to take a lead on that. That is what I just wanted to clarify.

>> Steve: Exactly we had it one place in the SPIL but did not replicate it in the other section for consistency and I will take care of that.

>> Frank: Okay I guess my follow‑up question to that for clarification our role as the SILC would then be just to coordinate that?

And what will we be doing then with regards to emergency preparedness?

>> Steve: Yes, so in some of our ‑‑ let me kind of move this over here.

>> Mark: On the page.

>> Increase the numb of disabilities who have registered smart 911 profiles. Increase number of state county emergency plans that include plans for people with disabilities. Increase number of CILs so CIL people with disabilities who complete a personal emergency plan so some of this is really a lot of the work on the CIL's part and then SILC will kind of monitor that work through the SPIL monitoring report. But the Council can help in some areas. For instance, increase the number of state county emergency plans that include plans for people with disabilities. SILC can assist the CILs with data gathering on what counties already have that in place and which ones do not. So, we can figure out what counties we should start working with as an IL network to get those plans to include people with disabilities for emergency preparedness. So, there is a couple of areas that the Council can offer assistance to the CILs in this work. But the lion's share of the work is with the CILs with Mark's CIL taking the lead on this for the state.

>> Thank you for clarifying that helps.

>> Mark: Thanks for bringing that up, Frank. Just prime example Hillsdale county does not have smart 911 in that area, so it is really good that they say emergency plans that does not have to be smart 911 but some type of emergency plan for people with disabilities. So, we are slowly finding that out. Anyway, yeah, that is interesting, I am supposed to get in contact with you to work together collaboratively.

>> We have been meaning to touch base here sometime in the near future here we will touch base.

>> Mark: Okay.

>> Will: Any questions?

Okay we need a motion to authorize the SILC chair to sign the fiscal year 2021‑23 state plan for independent plan amendment.

>> This is Jan Lampman so moved.

>> Is there a second?

>> This is Jamia Davis I second the motion.

>> Any discussion?

Tracy can you please take a roll call vote.

>> Sure Frank Animikwam.

>> Frank Animikwam aye.

>> Allen Beauchamp.

>> Aye.

>> Jamia Davis.

>> Aye.

>> Stephanie Deible.

>> Aye.

>> Teddy Dorsette.

>> Will Harrison.

>> Aye.

>> Jan Lampman.

>> Aye.

>> Mark Pierce.

>> Aye.

>> Motion passed.

>> Will: Thanks Tracy. Now to our public comments time and members of the public who wish to speak and have a public comment you can give it once you have been recognized by the chair please read the statement and let the speaker know when their five minutes has expired. Does anyone want to give public comment?

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>> Tracy: I do not believe we have anyone on the line for public comment.

>> Will: Okay, for the Council today is there a motion to adjourn today's meeting?

>> Mark: This is Mark I do not want to adjourn until I say happy holidays to everyone.

>> Happy holidays to everyone.

>> Happy holidays guys.

>> We want it on the record.

>> This is Teddy happy holidays everyone.

>> Really good egg nog.

>> Mark: Anyway, I motion to adjourn.

>> Thank you so much, Mark.

>> I second, this is Frank.

>> All in favor say aye.

>> Aye.

>> Aye.

>> Aye.

>> Does anyone oppose?

All right the meeting is adjourned. Thanks everyone.

>> Thank you everyone. Have a great holiday and stay safe.

>> Be safe.

>> Take care.

>> Good‑bye.

>> You too, good‑bye.

[ Meeting concludes]