# June 25,2020 SILC Council Meeting to approve 2021 budget and approve 2021-2023 SPIL

Remote Zoom Meeting

>>>This is a meeting to improve the statewide independent living plan and also to improve the budget. At this time is there any accommodation requests that which is to be noted?

Yes. Joe Harcz. I wish for the CIL make the website for the ADA in section 508 compliant yesterday.

>>> Thank you is there anyone else?

>>> Tracy can you call the roll?

>>> Aaron Andres.

>>> Yes.

>>> Glen Ashlock.

>>> Yes

>>> Jamia Davis.

>>> Here.

>>> Yvonne Fleener.

>>> Here.

>>> Will Harrison.

>>> Here.

>>> Mindy Kulasa

>>> Here.

>>> Theresa Metzmaker.

>>> Mark Pierce.

>>> Here.

>>> Mairead Warner.

>>> Here.

>>> You have a quorum.

>>> Thank you. Do we have a motion to approve the agenda or any additions to the agenda as presented?

>>> I move to approve the agenda as presented.

>>> Is there support?

>>> This is Mairead I support.

>>> Any discussion? Hearing none, Tracy can you call the roll?

>>> Aaron Andres.

>>> Yes.

>>> Glen Ashlock.

>>> Yes.

>>> Jamia Davis.

>>> Yes.

>>> Yvonne Fleener.

>>>Yes

>>> Will Harrison.

>>> Yes.

>>> Mindy Kulasa.

>>> Yes.

>>> Theresa Metzmaker.

>>> Yes.

>>> Mark Pierce.

>>> Yes.

>>> Mairead Warner.

>>> Yes.

>>> Motion carried.

>>> Thank you.

>>> Members of the public who wish to speak will be called on by the chair person you will get 5 minutes as an individual and 5 minutes to represent the group at this time you must address the council and refrain from any unnecessary activity and is there anyone that wish to give public comment at this time?

>>> Joe Harcz.

>>> Joe you may go ahead.

>>> I urge this council not to be a rubber stamp for atrocities not to be a rubber stamp for information that they have not read or many have not read or have the time to read about our independent living movement. The state plan is not a State plan we are going to have new council, do not and I repeat this, do not vote to approve it, and saddle the next council with garbage or at least abstain to the new members you have not had time to read this stuff. When we look at the budget that was dictated by the DSE, the designated state entity and most of it goes to either staff or other areas there is no, there is no I repeat no input taken into account from the public in the state plan and as a matter of fact the current council has not effectively monitored the current state plan. This state plan was developed in secret and in violation of federal law by some of the most abusive CIL directors. People in documented fashion have violated the ADA and discriminated against the very people that are in charge of serving and who continue to do so. We have had major violations of the freedom of information act and all kinds of violations of the law. Vote no or abstain. If you don't know do not move to approve this. Thank you.

>>> Thank you Mr. Harcz. Is there anyone else that wish to give public comments?

>>> Eleanor Canter.

>>> You may go ahead.

>>> Eleanor Canter consumer. I urge you to vote no on the SPIL. I described last SPIL as a road map to nowhere. This SPIL is void of any content that it cannot be described at all. First we were told that we had to accept this garbage plan because centers would not agree to anything else. Then we were told we had to accept the garbage plan the SILC doesn't get enough funding to do anything worthwhile. That only makes sense if the SPIL is viewed as a piggy bank for centers. This is not only, not a legitimate SPIL, it is not a SPIL at all. This plan was illegally developed behind closed doors. The SPIL requires the signatures to affirm that all SPIL planning and development meeting were open to the public that means the SILC will be submitting a false statement to the federal government in order to maintain its funding. We all know that lying is unethical and illegal under the false statements act. I beg you all not to go down this road instead you allow Yvonne to be emotionally abusive towards consumers during meetings. You allow Yvonne and Steve to violate FOIA and the Open Meetings Act as matter of policy during the entire SPIL development process and you allowed the entire SPIL to be once again hijacked Sarah Grivetti and her minions. Now that the council has been abolished I urge you to use this one last opportunity to do the right thing vote no on this garbage SPIL.

>>> Thank you.

>>> Is there anyone else wishes to give public comment?

>>> Okay.

>>> I am going to close the public hearing at this time and we will go to this state plan. Steve?

>>> Yes, Thank you Aaron. This is Steve the Executive Director of the SILC I am going to give the council members a timeline of the development of the new SPIL we started back in December where we held 4 public hearings to receive public comments prior to drafting the SPIL. We held a hearing in Detroit and one in Flint and a statewide public hearing by zoom meeting and on that same day we held an in person public hearing in Lansing. We also put out a community needs assessment survey on survey monkey and we had 81 respondent to that community needs assessment. All public comments were given to the SPIL writing team and used for the development of the current SPIL. The SPIL writing team was made up of council members and SPIL directors the majority of whom is with people with disabilities. We did not a have majority of council members or a quorum of a council members on the writing team. The writing team met 37 times between January and June as a work group and as we spoke with ACL when we were at the SILC congress in San Diego earlier this year and we talked to Regina Blye regarding public meeting for the development of the SPIL and specifically asked if the SPIL writing team work group meetings needed to be open to the public, where we were told, no, they didn't have to be. The work group was the basically the sausage makers of pulling together the public comment on which the current SPIL is based and work out the language of the SPIL for the full public consideration of the council today. I can tell you that 5 out of 6 objectives that were developed in the new SPIL came directly from public comment. As of 10:30 this morning, we have had 12 out of 14 directors affirmatively sign the draft SPIL and the SPIL is due to ACL on June 30th which is this coming Tuesday. The impact on if the SPIL is not approved and submitted to ACL by June 30th will put would put CIL network funding in jeopardy for the next 3 years and that would include funding for SILC's budget, the CIL's budget in terms of part B and part C money and also attached to that is the state's grants combined with the part B funding that the CIL's receive through the SPIL. Again the SPIL was developed in accordance with the regulations and consultations with ACL and the public comments for the pre‑draft meeting and the post‑draft meeting are now available on SILC's website for public inspection and also the CART transcript of the June 12th public hearing for public comment on the final draft. The draft SPIL has been posted to SILC's website for just over 30 days for public review and we are presenting this draft SPIL to the council for a motion to authorize the council chair to sign the SPIL on behalf of the council. The SPIL also has to be signed by at least 51 percent of the directors and then also and the director for the DSE which this Tina Fullerton of MRS signing for the DSE assurances in the SPIL.

>>>

>>> I will be happy to answer any questions along with new members of the SPIL writing team if any council members have any questions on this draft SPIL.

>>> How does the draft SPIL relate to the executive order by the governor? In the executive order by the governor she talks about FOIA and all entities being required to follow the open meetings act and I just wonder were the SPIL writing team with the governor's new executive order the writing team, were they supposed to be open?

>>> The writing team.

>>> The executive order by the governor but in her order it talks about how the SILC needs to comply under that act so is it under that act and is it your understanding that these meeting should have been open meetings?

>>> When you look at the Michigan FOIA handbook and it talks about work groups, they are not final decision-making bodies, those work groups are not required to be open under the open meeting act. We conferred with ACL whether or not the SPIL writing team meeting were required to be part of the open meetings and they said no. Based on Michigan's open meetings act and this being a work group who had no decision making authority and so this council have that decision making authority and this is why we are having the meeting today and it complies with the open meetings act. Regarding FOIA, back in December or January I came upon some advice memos from the Attorney General that called into question that whether or not the council and our nonprofit entity subject to FOIA and they were more on the side that we probably were not subject to FOIA based on those advice memos and I had been working with the governor's legal division the Attorney General to get clarification or reaffirmation of those advice memos. We have been working on the executive order and I have not received and clarity from the AG or the Governor's legal division regarding the FOIA until the new executive order came out which explicitly stated the council is subject to FOIA.

>>> When we got that Friday this past week Tracy and I had been working on fulfilling FOIA request that have backlogged. Since we put a hold on responding to FOIA pending the information we were seeking from the AG and the governor's legal division, since we never got that and now that it is in executive order, which becomes effective July 15th and we are being proactive in responding to those FOIA requests. We will continue complying with FOIA and fulfilling requests in accordance with the law and from my prospective we have been compliant with the open meetings act as well.

>>> Where there any FOIA questions about this document?

>>> About the SPIL?

>>> Yes.

>>> I would have to go back through the list that we have and the document was developed based on public input back in December and the public have the opportunity to give public input on June 12th into this document and as far as FOIA requests regarding the writing team, we are going to be posting the writing team minutes for those 37 meetings to our website by this afternoon or first thing tomorrow.

>>> Thank you.

>>> You are welcome.

>>> Anybody else have any other questions?

>>> Aaron this is Yvonne can I make a comment.

>>> Sure.

>>> In regards to the FOIA and all the work that Steve is doing is also important that as council members that requests for information go through the council staff so when you receive an e‑mail as a council member it's appropriate to be sharing that e‑mail outside the council that needs to go through the FOIA process.

>>> That is it.

>>> Anyone else?

>>> That the lies need to stop. The constant lying.

>>> Can we have non council members please remain quiet unless it's public comment.

>>> Is there anyone else from the council that wishes to find out more information of the SPIL before we approve?

>>Thank you. Hearing none, Tracy we need a motion to approve this bill or to have further discussion.

>>> Aaron this is Steve, the motion would be to approve the draft SPIL and authorize the council chair to sign the SPIL on behalf of the council.

>>> Thank you Steve, is anyone want to make that motion?

>>> This is Yvonne Fleener and I happily make the motion to approve.

>>> Have the chair sign this bill as presented.

>>> Absolutely yes.

>>> Is there support.

>>> The is Mindy Kulasa yes there is support.

>>> Any further discussion?

>>> Hearing none, Tracy could you call the role?

>>> Aaron Andres.

>>> Yes.

>>> Glen Ashlock.

>>> Yes.

>>> Jamia Davis.

>>> Yes.

>>> Yvonne Fleener.

>>> Yes.

>>> Will Harrison.

>>> Yes.

>>> Mindy Kulasa.

>>> Yes.

>>> Theresa Metzmaker.

>>> Abstain.

>>> Mark Pierce.

>>> Yes.

>>> Mairead Warner.

>>> Yes

>>> Motion carried.

>>> Thank you.

>>> I will sign this.

>>> Now we will go over the budget.

>>> This is Steve, Yvonne would you like to go over the budget or would you like me to go over the budget?

>>> I am here but I prefer that you do that if you don't mind.

>>> The budget that we submitted to MRS for negotiations myself, Yvonne and Aaron were on the call for the negotiations and what we have on the screen was a summary page and what we ended up negotiating was about a $350,000.00 total contract for the upcoming fiscal year $350,239.00 and this is close to what our current year’s budget is. This is a summary page showing our total budget of $350,239.00 and then the break down between MRS and BSBP grant that we will enter into for fiscal year 2021. Going through the budget tabs on salaries. The salaries they have been frozen at current year levels in alignment of what is happening at the state and our budget was negotiated against the backdrop of a massive state budget revenue short falls for the current year and what we anticipate seeing going forward due to the pandemic. So in alignment of what the state is doing we followed suit with that. The fringes are in alignment with current salaries and tax rates that are in place occupancy we have a three year lease with disability network capitol area and in that lease are rent increases $20.00 per year so we will be going from $770 to $790 per month and under travel we have budgeted the same amount as we did for the current fiscal year so we suspect this amount will not be fully utilized due to our meetings mostly taking place by zoom meeting and not really knowing when we will be able to meet face to face again. Supplies is in alignment with our current year's budget postage and shipping we probably with not utilize this public expenditure of $996.00 there was a time when we printed council packets and mailed those out to council members and now these things are done electronically. Under contractually, once we get this budget format templet complete there may be two items, that move back from the other tab, but I will talk about that later. So those are our contracts for accounting services and our contract for our annual audit. Under equipment we have 0 and we do not anticipate any equipment purchases in the next fiscal year. Transportation is also 0. Under the other tab is the majority the budget lives. Under travel and accommodation for council meetings we put at $15,380.00 based on in person meetings and this may not be fully realized during next fiscal year but this amount also covers our CART fees for each of our public meetings. Under CIL support and this used to be a line item in our budget that did not have a lot of information around it and we spelled out what we would use in the SPIL support line item. And this ties directly to the SPIL and obligations that the SPIL has in the SPIL you just approved this and we have put in 5 thousands dollar to support Michigan youth leadership summit. $40 thousands for SILC's state wide outreach initiative which is required by regulations and we anticipate for RP for third party outreach services for the project that we have designed and articulated in the SPIL narrative and then we have ten thousand for a Silc survey of stake holders and consumers that SILC is required to perform independent of the satisfaction surveys that each of the CILS are required to do on an annual basis.

We have staff and council training and the cost for $19,230 based on our negotiations with the state we are going to try to limit travel, particularly out of state travel we are going to we will rely on ILRU and their trainings that they have. If there are opportunities for in person trainings we will take advantage of the in state ones. So we will continue with state practices and the DSE when there are opportunities for either in person in state training or out of state training in terms of what the state's current position is on attending those in person but we will try to take advantage of electronic trainings as much as possible.

We also include $17 thousand for the statewide for data licensing for NetCIL and this is the data software that all of the CILS use to capture their service data and information. That information is aggregated on a statewide database every Sunday. It is stripped from identifiable consumer information before all that data in merged and quite a bit of the CIL monitoring report is drawn from that statewide database.

We have budgeted $4800 for our annual audit. We are under a three year contract with our current auditor and so that is the cost for the annual audit. We have a 4 percent increase for our accounting services based on the contract that we signed with them last year and then we have our insurance costs and $6000 for our accommodations related to accessibility and then $17,000 for MISC. The Misc. Are really things due for like the Michigan nonprofit association and our state annual report filing and we do anticipate this be little lower than 2019 because some of the expenses from our current year included expenses for relocation to our new office.

So that is the overview of the budget that is being presented to you today and this begins October 1st of 2020 and run through September 30th of 2021.

Are there any questions that I can answer on the proposed negotiated budget? Yes I do want to mention that during the negotiations one other item that we had under the other tab under SPIL support, during the writing of the SPIL there was the idea that I kicked around, that the CIL resource plan would provide up to 30 thousand dollars to 3 CILS to pilot diversity and inclusion pilots and that would be up to ten thousand dollars and that would be up to like 3 SPILs. During the budget negotiations we pulled that out and the CIL network stated that they would still pursue that objective in the SPIL that you just approved without outside funding.

So the resource plan for the SPIL that you just approved supports SILC operations, council operations and then also required activities of the SPIL that are based in federal regulations during the life of SPIL and those are the SILC independent survey and the statewide outreach services initiative that SILC is required to do.

>>> Is there is motion to approve the FY 2020‑2021 SILC budget?

>>> This is Jamia I move to approve the FY 2020‑2021 SILC budget.

>>> This is Glen I second.

>>> Any further discussion? Hearing none.

>>> Tracy Could you call the roll?

>>> Aaron Andres.

>>> Yes.

>>> Glen Ashlock.

>>> Yes.

>>> Jamia Davis.

>>> Yes.

>>> Yvonne Fleener.

>>> Yes.

>>> Will Harrison.

>>> Yes.

>>> Mindy Kulasa.

>>> Yes.

>>> Theresa Metzmaker.

>>> Abstain.

>>> Mark Pierce.

>>> Yes.

>>> Mairead Warner.

>>> Yes.

>>> Motion carried.

>>> Thank you.

>>> Public Comment: Members who wish to speak you will be called on by the chairperson and you will be given 5 minutes to speak.

>>> Joe Harcz.

>>> Thank you. You may go.

>>> You ready?

>>> Yes.

>>> Okay. Yvonne statements were not totally appropriate. Yvonne and every member on this board are public officials, we members of the public have the right to write to you. Yvonne comments in the past in distinguishing between the so called nonprofit corporation the SILC are totally inappropriate as well. That was settled before Yvonne even became on here by ACL/ILA they have to be consistent and have to be consistent with state law. Yvonne, I have already stated that the SILC Corporation in one of my FOIA responses was not FOIA‑able I sent you Mr. Andres, Yvonne, and Mr. Locke Everybody on this board case law. Jackson V Eastern Michigan Foundation that's the standings. I requested and so have Eleanor Canter all these correspondences related to the AG's opinions and that type of thing and I tell you what ‑‑ they aren't there. They have not been remitted.

>>> I requested all the notes and meeting minutes on the SPIL writing team, and they have not been submitted. I requested them months ago. I only find out today that we had 32 meetings. BS. Every document documented that has been created by this operation is FOIA‑able and people you just approved a certain amount of money into conflicted operations and I'm sure that $40 thousand dollars is going to the disability network just like they did before and who is on that SPIL writing team? Luke ‑‑ a non‑disabled liar, who has violated my civil rights over and over again. And he does nothing. Nothing but dig up contracts. I am telling you people. Some of the new members should be exonerated. But to vote for something you haven't even read and to not have questions‑‑I don't really much care about the SILC as a body it's pretty outrageous but I do care about the non‑performing and often discriminatory centers for independent living that are not being appropriately monitored. You have seen some of my writing related to the outbreak here. Emergency preparedness. You have done nothing on emergency. We are in the middle of a COVID environment. There has been no accommodations for people with disabilities. There has been no accountability for these centers. A bunch of money rolling around on the merry‑go‑round and in the pockets of mostly abusers of people with disabilities and this is an outrage and I want Mr. Locke to send me all those meeting minutes, which I've requested and to send me all those correspondence which have not been remitted to me and I will not wait for those to be put out on the inaccessible website.

I will be applying to be on the new SILC and the first thing I will be doing is to hold the current practices accountable and I complained before and I will complain again. And I will complain until this system is fixed and we are not rubber stamps for illegal activity that have been going on.

>>> Mr. Harcz your 5 minutes is up. Is there anyone else that wish to speak?

>>> Eleanor Canter.

>>> Go ahead.

>>> Eleanor Canter, consumer. Steve said that SPIL writing team does not have to be open to public according to a secret conversation with Regina Blye that we don't need to hear about and he has read the open meeting act and says that work groups don't have to be open to the public. That is not true. That is another lie in a long series of lies. We have been over this topic again and again the SPIL writing team is not advisory they write the SPIL and bring to you to sign under threat of having the entire independent living network de‑funded.

Steve knows that and lies about it over and over. The SPIL instructions themselves say that those meetings ‑‑ All planning and development meetings have to be open to the public but Steve got a wink and nod from somebody so nobody worry about any laws or like actual instructions in the SPIL, I mean this is outrageous and he does this over and over again and so Steve was brought in to cover up embezzlement he promised us that things will be different this time.

But then Grivetti yanked his chain and does and now he does what he is told even to the point of committing crimes to further the coverup of the embezzlement that has gone on in the CIL because that is what the last SPIL was used for, literal embezzlement, literal misappropriations of funds and these funds go to centers who sue their own consumers and there is not a single person on the SILC that can object to this. This is outrageous. Thank God the governor abolished the SILC. And we don't have to ask a question about the most important document that the SILC produces, we just rubber stamp it. I have been betrayed over and over again so this is not a new experience for me it happens all the time, but it hurts every single time.

>>> Are you finished?

>>> I am.

>>> Thank you.

>>> Is there anyone else that wish to give public comment?

>>> Hi Aaron, this is Sara Grivetti.

>>> Sara you may go ahead.

>>> I will keep my comments short and sweet. I just want to say thank you for your effective collaboration with the CILs and the development of the approved state plan for Independent Living, Disability Network Michigan, and the centers for independent living in this state look forward to working with SILC over the next three years to execute this impactful plan, again I want to say thank you once again to the council. This is messy work and I am happy to be a part in executing this next bill. Thank you.

>>> Thank you. Is there anyone else wish to give public comment at this time? Hearing none. Are there any other announcements that I don't know of?

>>> This is Steve and I would like to remind the current council members of the new executive order that was signed by Governor Whitmer on Friday June 19th at about 10:09am and the new executive goes into effect July 15th at 12:01am. The current council members can reapply to be on the council. The new executive order will effectively abolish and reconstitute the council at the same time on July 15th and so you are probably going to receive letters in the mail thanking you for your service on the council and that is because of the receiving of the council that is going to happen of July 15th. If you want to be considered for the council to reapply to the council please do so before July 8th. If you had originally applied through this current administration website after January 24, 2019 your application is still in their system if that is true for you then all you need to do is send an e‑mail to appointments@Michigan.gov and express your interest in being considered for the council for the Michigan State Independent Living Council. If you had put in an application prior to January 1, 2019 you will need to go to the web portal and re‑enter you application on‑line and make sure to select Michigan State Independent Living Council to apply to be on the SILC. That is all I have for right now, Aaron.

>>> Thank you.

>>> Question on that how about people had already applied after January 2019?

>>> Joe anyone that has an application in to that web portal after January 1, 2019 then your application should still be in there. So if your application is in then it requires an e‑mail to appointments@Michigan.gov and expressing your interests in being considered for the council. So what I said holds true to any member of the public.

>>> Thank you.

>>> Just to be clear to current council members you will effectively no longer be on the council as of July 15th if you do not re‑apply to be on the council by July 8th. July 8th is the deadline to re‑apply to be re‑appointed to the council if you desire to be re‑appointed.

>>> Point of clarification that this is same problem we ran into on the last executive order people that people were term limited up and then we had to restart the whole thing and ACL‑‑kicked off Sarah Grivetti and three other members because they over stayed their terms so things do not get reset.

>>> We are aware. Thank you everyone. I adjourn this meeting.

>>> Thank you everyone. Have a great day and we will talk to you soon.