# SILC Executive Committee Zoom Meeting 9/8/2020 5:00pm

\*\*\*\*\*

This text, document, or file is based on live transcription. Communication Access Realtime Translation (CART), captioning, and/or live transcription are provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings. This text, document, or file is not to be distributed or used in any way that may violate copyright law.

\*\*\*\*\*

>> YVONNE: Looks like we're all here then. We will officially call the meeting to order 601 p.m. And we'll do the roll call. And then take accommodation requests. Tracy, do you mind doing a roll call?

>> TRACY BROWN: Sure. Sorry, just want to make sure I was unmuted.

(roll call)

>> TRACY BROWN: You have a quorum.

>> YVONEE: Fantastic, we have our whole executive committee here.

>> Yea.

>> YVONNE: Are there any accommodation requests?

>> Yes. Joe Harcz, consumer, blind person. People need to announce themselves. Who they are? The SILC website needs to make fully ad complaint which it is not and has not been. It's in violation of the American with Disabilities Act section 504, section 5508, and people need to read what we're talking about. Because we don't have access to the screen. I don't. Either.

>> YVONNE: Okay. All right. Thank you for that reminder. I appreciate that. The agenda is to approve the agenda, review and approve the September 26th Council meeting agenda, review the August 2020 financials and then public comment. I would like to add an item and that is a discussion about how to recognize Aaron Andres for his work as chair. We didn't really get to say good‑bye to him and thank you to him. I would like to add that to the agenda, maybe the first item after approval, Steve.

>> Sure, this is Steve. Add that to the September 26th business meeting agenda? Or to today's agenda.

>> YVONNE: Well, today to todays to discuss how we want to recognize him at the September, so probably before ‑‑ probably before we do the agenda so that we can figure out where it fits.

>> STEVE: Well, what you can do, when you go into No. 3 for approval, get a motion and then a second and then in discussion, that's when we can amend today's agenda.

>> YVONNE: Okay, so I can't amend it first. Okay.

>> JAMIA: I'll make a motion to approve.

>> YVONNE: And a second.

>> MINDY: I'll second that.

>> YVONNE: And now discussion. And what I just said pretend I said it here, to add an item to today's agenda to discuss how we might want to recognize Aaron at our September meeting. Are there any other items that need to be added to today's agenda? All right. We'll go ahead and just ‑‑

>> STEVE: Go ahead and have your vote.

>> YVONNE: Just waiting for you to finish up. All right. Let's go ahead and do a roll call vote. To approve the agenda.

(Roll call)

>> TRACY BROWN: Motion carries.

>> YVONNE: All right. So next item, discussion of how to recognize Aaron. Have there been things in the past that have been done when a member has left that's served for a certain amount of time, Steve, or chair ‑‑

>> STEVE: This is.

>> STEVE: Yeah, when I was on the council a longtime ago, the previous director before Rodney sometimes would get things from, gosh what were those, that place in the mall where you would get a awards that can be engraved ‑‑

>> YVONNE: Like Things Remembered.

>> STEVE: Exactly. I have seen that done before. I have seen certificates in framed award‑type certificates done before. So, there's been a variety of things. I don't know recently what has been done or if anything has been done. Tracy would probably know better than I. Tracy, do you know what has been done in the recent past for when folks leave after a long term of service?

>> TRACY BROWN: We have not had any. Another than when they termed out, we have not done anything another than just like a verbal thank you.

>> YVONNE: When they term out, what do you do?

>> TRACY BROWN: We used to engrave plaques.

>> YVONNE: Okay.

>> TRACY BROWN: You know, we've had the same council for a while.

>> YVONNE: Yeah. Anybody have any thoughts on that? Why don't we maybe Tracy, if you want to just do some looking of, if people aren't ‑‑ do people agree that it would be nice to recognize him in some way?

>> JAMIA: Yes, I think it would be a nice idea. This is Jamia Davis.

>> MINDY: This is Mindy. Absolutely.

>> YVONNE: Okay. All right. So maybe we'll leave it up to Steve and Tracy to figure out what that looks like. It doesn't have to be super fancy. I think just the public recognition of his work. Is, you know, means a lot to him, I would suspect anyway. But maybe a little something for his desk or, you know, he just got ‑‑ you know, he just got his master's in public administration. You could get one of those desk plate things that has the name and then, you know, comma MPA after it. So that as he's job searching, and you know that he can put that on his desk. I don't know, that's just a thought. I'll let you guys figure that out.

>> STEVE: This is Steve. That's a great idea. We will look into that. Because he could take that wherever he goes.

>> YVONNE: Yeah. Okay, all right, cool. And that leads into, if you don't mind popping up the September 26th meeting agenda. And so, we have to approve, do a second, and then a discussion before we add these items, Steve?

>> STEVE: Yes. Motion to approve, second, and then discussion for modification.

>> YVONNE: All right. So, if have had a chance to review the agenda or do you want Steve to go through it. As an accommodation for Joe, why don't you read the items, Steve, and then we will go ahead and move to approve.

>> STEVE: Yep. We have our call to order and then approval of quarterly business minutes for September ‑‑ oh, I'm sorry, approval of the agenda for September 26th. Approve from June 13th and August 22nd. And then we have Thomas from the Attorney General's office coming in to do a Freedom of Information Act and Open Meetings Act overview presentation with a Q&A session for the full council. Then we have reports, director report, executive committee report, SPIL monitoring report. And then we have partner reports from our five partners at the State level, Michigan Rehab Services VSVP, Department of Civil Rights, Department of Education, the DD Council and an IL Network update, under new business, operational policy discussion, committee assignment, and then accomplishing meeting dates for next fiscal year. Public comment at the end. And then announcement and then adjournment.

>> YVONNE: All right. Can I get a motion to approve the September 26th council meeting agenda?

>> WILL: This is Will Harrison and I make the motion.

>> YVONNE: Thank you. And a second.

>> MINDY: Mindy, second.

>> YVONNE: Thank you, Mindy. And discussion.

>> JAMIA: This is Jamia Davis, Yvonne, I know we had discussed at the operational committee meeting about adding a section where we could discuss like what's going on in the community or some new updates with laws or, you know, just little update corner.

>> YVONNE: Yeah.

>> JAMIA: I was thinking where we could put that.

>> YVONNE: I love that idea. Steve, where do you think it should go.

>> STEVE: We could put it as a standing agenda item. Either under other because it's not really business, it's going to be a standing item. So, where we have announcements under other as a standing item, what would we want to title this? Like training updates? Information sharing. Or ‑‑

>> YVONNE: Education and information. Because education sounds a little more formal. And then the announcements get the other part, if we have things going on, we want to share. Does that capture do you think, Jamia?

>> JAMIA: Yes.

>> YVONNE: I like that a lot. And then as council members get used to it, so I don't expect a lot to happen probably at the sent meeting but as they get used to the item being on there, hopefully they'll remember to bring things to share because it's on there as a standing item. That's great. Mindy, that discussion was looking at the expectations of councilmembers and one of the expectations is they attend two trainings through IRLU or some other groups that helps benefit the council. And we realize we don't really follow up on that. So Jamia suggested if we put that on the agenda that people can share, a tended these webinars and these are the top three things I thought were beneficial from it that we can share what we're learning so that others are able to get the cliff note version of the training too. So that's what that was for. And then let's add, do you think right before or maybe right after lunch recognizing Aaron? I'm trying to think of a time where we stick really close to that time in case, he can't stay the whole time. Or maybe first thing.

>> STEVE: Sure, you know, we could squeeze it in right after the training is done and just before we do our reports.

>> YVONNE: Okay. You think 45 minutes, that's enough for him to do that training? He feels comfortable with that.

>> STEVE: Yes, Tom said his training takes about a half hour and we want to block some time for questions and answers from the councilmembers.

>> YVONNE: Okay.

>> STEVE: So that should give us plenty of time. But if we run over, that's fine because he's probably going to start before 10:15. The rest of this probably within five or 10 minutes. So, there will be plenty of time. And if we go over, that's fine because the training is very important. And we want to make sure everyone gets all of their questions answered.

>> YVONNE: Okay. The other question I have is going through the different policies and procedures is going to take some time. And could we do that before people give their reports? Just in case, like is that ‑‑ because that's a half hour. Do you think, that only gives us ‑‑ the meeting ends at 1:00, right?

>> STEVE: Well, let's see. We're scheduled to go until 2:00.

>> YVONNE: 2:00. Okay. I forgot we added that. That should be fine then. That should give us plenty of time. So, scratch that. Okay.

>> MINDY: This is Mindy. Steve, is there a typical point at which we would review the financials in our quarterly business meetings?

>> STEVE: Yes.

>> MINDY: Because I did not see that on the agenda. I reference to financial policies, discussions, but I did not see an agenda item.

>> STEVE: Yeah. Yeah. We're going to go over financials in today's meeting. So, do we want to just now separate that out Yvonne and put financial report?

>> YVONNE: That's what I was going to suggest. Yep, under reports, I think that makes sense.

>> MINDY: Okay.

>> YVONNE: And you will put Mindy's name by that to help lead the discussion?

>> STEVE: Yes.

>> YVONNE: And then the SPIL monitoring report, mark was going to finish that up for us. And I know that you Steve will do a lot of this work, but ultimately, I think Mark said he would take the chair back to finish up this year's monitoring.

>> STEVE: Yes. Yep.

>> YVONNE: Okay. All right.

>> Excuse me, we haven't had a SPIL meeting and they're supposed to be open to the public and all the monitoring.

>> YVONNE: Right, we have not had one. We are going to move monitoring as part of our council meetings. So that the whole council can participate in monitoring.

>> STEVE: This is Steve. The current policies state that we do a SPIL monitoring report twice a year. When we started going with a monthly meeting, that was because we were backlogged in looking at the objectives. And we were playing catch‑up. We are currently in compliance with our current policy by doing it twice a year so, this will be probably the eighth time this year that we're doing it. And we will finish out the year. As we move forward with revising our policy, we will look at the Friday single digits of how the council wants to have that report done.

>> Excuse me, Steve, but you have not ‑‑

>> YVONNE: You're not on ‑‑ please wait until public comment.

>> Yeah, which was supposed to be done at the beginning and the end. But whatever.

>> YVONNE: All right,

>> STEVE: Go ahead.

>> YVONNE: Do you feel like you're going to have enough information to wrap up this year's or the three‑year SPIL between you and Mark, will you have enough data to share with us at this point?

>> STEVE: Yep. We will.

>> YVONNE: All right. So, we added a couple item, the finance report, the Aaron Andres recognition. And the member education and information time to share under other. So, with that being said, I'm sorry, I'm just a little confused today. Is this ‑‑ do we have to make another motion or just vote on it now that we have discussed it?

>> STEVE: Nope. You can just motion to approve the agenda as amended.

>> YVONNE: Okay. Can we have a motion please to approve the agenda as amended?

>> MINDY: This is Mindy. I move that we approve the agenda as amended.

>> YVONNE: Okay and a second?

>> JAMIA: This is Jamia Davis, I motion to second that amendment.

>> YVONNE: Thank you, and Tracy, can you do a roll call vote for us?

>> TRACY BROWN: Sure.

(Roll call vote) trace motion carried

>> YVONNE: All right. We got on the agenda for that meeting so that will be an important one. All right.

>> STEVE: Yeah.

>> YVONNE: 2020 financials, I don't know if Mindy, you probably may not be prepared yet to take that on so, we'll let Steve lead and let you chime in.

>> MINDY: Yes. That would be ‑‑ this is Mindy. That would be wonderful, Yvonne.

>> STEVE: All right, we have our balance sheet up on the screen through August 31st of 2020. In our bank account, we have $97,714. We have outstanding accounts receivable of $10,882. Which is just an in‑process payment from MRS for a total current assets of $110,500. When we drop down to our liabilities, the one-line item I want to point out to you is 202900‑00 which is deferred revenue of $42,417.93. This amount represents the overpayments that SILC received from BSBP prior to 2015. As you will recall, we had almost $80,000 in overpayments at one point. The portion that we received after 2015 we have already spent down in agreement and with BSBP. I was waiting for direction from BSBP on what to do with the pre‑2015 overpayments. And back in, I believe June Bill Robinson indicated that he was confirmed with the new department BSBP has been transferred to and they would like it handled the same way we did the post‑2015 overpayments so. We are going to start billing against this deferred revenue until it goes down to zero. And not bill our current contract. We will also submit supporting invoices to them to support those payments as asked in his email. So probably sometime in the 1st quarter of the next fiscal year this amount will be completely spent down, and we will no longer have over drawdowns, historical overdraw downs from SILC. So that's the main item I want to point out on our balance sheet. Are there any questions on our balance sheet or that deferred revenue situation that occurred? And just to give you history on it, the way it happened is we used to ‑‑ SILC and the Sills back in the day used to be able to draw down money on their grants before they spent it. And about five or six years ago, they changed to it a reimbursement model. So, getting your money ahead of time and billing against it, you now submit your actual expenditures and you get reimbursed dollar for dollar. So, you are not holding money that you have not expended yet. These amounts represented that overdraw down and never spending it or have expenses against it. And then year after year, it built up and built up. The way that they're doing the reimbursement model now, that situation will never occur again.

(Dog barking)

>> YVONNE: This is Yvonne. Want to wait for the dog for a second here. Dog's got something to say about our meeting. So, this doesn't change our bottom line. We ultimately just won't get as much that we had budgeted as we thought, right? Because they're just ‑‑

>> STEVE: This is money that's been sitting in our bank account since like 2013, 2014. And it has built up.

>> YVONNE: Right.

>> STEVE: So we sequestered this amount in our bank account and have not touched it because we knew we were either going to have to pay it back or they were going to allow us to keep it and we could decide what we want to do with this nest egg that we have.

>> YVONNE: Right. Let's say our budget for the state was $100,000. So now it's $50,000, right? Because they're basically going to take this and use this first, they're not going ‑‑ we don't have 150,000 to use now, we still have 100,000. Just coming from a different pot.

>> STEVE: We have $100,000 contract with BSBP this year. We are going to stop billing against the current contract and bill against this amount that's sitting in our bank account until it goes to zero. And we will pick back up with the contract that is in place at the time. And then start billing that contract.

>> YVONNE: Cash flow, and this eventually isn't a cash flow issue for you?

>> STEVE: Not at all. Because SILC should not have any money on hand another than being reimbursed for our expenses unless we engage in fundraising so. We are money in, money out. When we negotiate our budget, we are going to spend every penny that we have so at the end of each year, we should come out to zero on our budget at the end of each year. Revenue in, expenses out should always zero out. We should not have a net revenue ever in a year.

>> YVONNE: Right, but since you're being reimbursed, are there months where you will have a cash flow issue to pay for them before you can be reimbursed?

>> STEVE: No. MRS and BSBP are quick on turning around our requests. They do it typically in less than 30 days.

>> YVONNE: Okay. All right.

>> STEVE: If we run into a cash flow issue, they'll assist us with that. But it's never been an issue before. And we have never had to tap into this reserve because of a cash flow issue within a month or over a two‑month period, that's never happened.

>> YVONNE: Okay. Great. Anybody else have questions for Steve on the balance sheet? Go ahead Steve, move on to the next one.

>> STEVE: All right. Oops. Wrong one. The next one is budget versus actuals year‑to‑date. I brought it up through August. And then our total overall budget through August, we have the month of August and then our total budget. We are underspent in almost every account, almost every line item. Our total revenue of budgeted total revenue is $291,699. Our actual is $242,618. We have not had as many expenses as we anticipated when we set the budget. Some of that is due to a third employee position that was never filled. You will see our year‑to‑date over and under variance column every almost column is in the negative. The one column that I want to point out is under travel. Let me scroll down here real quick. Under travel, year‑to‑date we budgeted $4,907 and expended $9,813. For an over expenditure of $4,900. That was due to the SILC council trip that we took back in February. What we have done is worked with MRS to do a line item transfer in our grant. And we pulled some money out of SPIL support and funded them between the two-line items, so we weren't over on that line item. That paperwork has been sent through and approved. And as we come down to the very bottom, we have, here is where we should be at zero for the year of net revenue because it's money in, money out. And we are at $28.16. We are just about on target as far as the reimbursement model works. Are there any other line items that you have questions about, I would be happy to answer those? But we are under spent in almost every category. With the next, the budget for next year, we should be pretty well on target. We work with our accountants. We looked at past historical data to make sure that our expense like items were on target for health insurance. We're under prevent on council meetings because we are meeting by Zoom meeting. We don't have the expenses of councilmember reimbursements for travel or overnight stays. We have become efficient in the use of our public resources so that's money that we simply don't draw down if we don't have the expense against it.

>> YVONNE: Okay, any questions about this?

>> No.

>> YVONNE: All right. Do you have one more report, Steve?

>> STEVE: One more which is our check detail for August. The check register is tabbed out by month. So, if you have questions on the checks that were cut, we would be happy to answer those. You can see for August, supporting strategies is our accountant form. Delta dental is our dental insurance. Verizon is cellphone reimbursement. AT&T is our internet at the office. Biweekly payroll. Zoom video communications which is what we're doing now. Disability Network Capital Area is our office space rental. Jennifer Welling is our interpreter. Tracy Brown is for monthly expense reimbursement; Microsoft is for our office 365. Q&A reporting is for our CART services and then again biweekly payroll. Apple is I believe for a replacement keyboard for a tablet.

>> YVONNE: Steve, this is Yvonne. The Microsoft when we were looking at the budget for this coming fiscal year, we talked about nonprofits get a big discount from Microsoft. Is that amount monthly, that 281 or a quarterly amount?

>> STEVE: I believe it's a quarterly amount. Tracy, do you know if that's a quarterly amount?

>> TRACY BROWN: I believe it is, yeah.

>> STEVE: I know that we can go through tech soup for that stuff. If you're a nonprofit, you can get deeply discounted software for nonprofits.

>> YVONNE: Right. And Microsoft, you can just sign up directly but 213 for the number of accounts that you have with the councilmembers is not bad. That seems reasonable.

>> STEVE: And we have to continue buying licenses because we have past members that leave. We still have to keep their emails. For FOIA purposes so we have to purchase additional licenses when new councilmembers come on. We're looking into a way to archive that, so we don't have to pay for active licenses for accounts that are now defunct, but we still need to keep ‑‑

>> YVONNE: Okay. Any other questions about this month's checks? All right.

So that leads us to public comment. And I'm going to go ahead and read the public comment policy. Members of the public who wish to speak will be called on by the chair. You will be allowed five minutes as an individual and five minutes if you are a designated representative of a group. The public must address the council and not utilize this time to engage in dialogue with members of the council. We will ‑‑ well, when we're in in‑person, we have an opportunity to meet and engage in such dialogue. Members of the public are requested to refrain from repetitious comment during this portion. Is there anyone on the line who would like to give public comment?

>> Yes, this is Joe Harcz, blind advocate.

>> YVONNE: Okay, go ahead Joe.

>> First of all, relating to the Open Meetings Act and the violations that were ongoing for months, I will be writing to Mr. Thomas Quasarano and sending him out the FOIA related to you in making arbitrary and capricious decisions not to follow, not to apply it. It's all in black and white. It's not a gotch ya. It's a fact. Also, we have not received and that includes the public or anybody the bi-annual report on the performance of this is almost the fourth year of the current SPIL. Which has not been monitored or implemented. Not at all. Thirdly, we don't have the checks and the check register between approximately April or up until August. And when I say we, I mean the public. The public has a right to know. The public has the right to know the performance of this SILC which has been dysfunctional forever. And in violation of laws. I have informed you in writing. Over and over again about your obligations under the Open Meetings Act. And the FOIA. And yet everything goes ad hoc. Everything gets denied. You Ms. Fleener keep wanting to cite this as a nonprofit. It is in the law that nonprofit is an applicable under Jackson V. Eastern Michigan Corporation or Foundation which I cited over and over again. I've cited the responsibilities of making all committee meetings open to the public. And not just label them advisory. I cited the responsibility to have all deliberations made before the public. And those will go over again. I've cited the executive directives of Governor Whitmer in relationship to these items. Which have continually been violated. Continually. We've had no SPIL meeting period. Since March, none. We've had no information related to the monitoring of the current SPIL. As I stated over and over again, we've done nothing in four years relative to emergency preparedness. That was in the data before. Now we're in the pandemic. Now people with disabilities are suffering. Period. And the relationship to the current, to their CILs and their performance. And I am totally incensed at the take‑over of this SILC by non‑disabled people who are condescending and demeaning and violate laws over and over again when I sent it to you. It's in black and white. It's in black and white, ladies and gentlemen. Some of this stuff.

Jamia is new, but she's seen some of this stuff. Mindy is new and hasn't seen this stuff. But it's been a constant battle. Plus, we continually dismiss consumer input and when I say we, it isn't me, it's the SILC. And defer, in condescending manners. I believe it doesn't apply to us and that the FOIA is just a gotch ya. They are joined at the hip. If one applies, the other applies. We are public body. You ladies and gentlemen are public officials. You Mr. Locke are not a Governor‑appointed member. You are effectively a government employee. As 100% of your salary is paid by grant. Period. The bylaws have never been revised to be in accordance to the law. They've been manipulated over and over again. When I state, when ‑‑

>> YVONNE: Thank you, Mr. Harcz.

>> Yeah. I'll be putting things in writing as well as you know.

>> YVONNE: Great. A couple of points of clarification for new members. When I first joined the council, I asked Steve in writing as a nonprofit, are you covered by FOIA and Steve replied and answered and said, yes, we are, and here's why. And I'm checking with the ag to make sure. And that was the end of it. So that was the end of it. It was a simple question. Second, Steve, have you now, are and Tracy caught up with all FOIA requests?

>> STEVE: Yeah, I have two points. The first is our check register is posted on our website every month. It's the version that you saw here that's tabbed out. Every month of our check register is available to the public and it has been available to the public. When we put a hold on requests back in December, when the communication the advice memos from the AG’s office from 2018 were discovered, that's when we put a hold on it because it called into question exactly what Yvonne brought up. It was made clear to us in the Executive Order what the desire was that ‑‑ and then through our discussions with the AG’s office that both the council and the nonprofit corporation because the nonprofit corporation functions as the operational for the council, we are subject to FOIA. As soon as we got that we addressed every backlog of requests and full pilled them all. We have no pending requests currently on our docket. They have all been responded to.

>> YVONNE: Great.

>> STEVE: And they continue to be responded to, typically within 24 to 48 hours.

>> YVONNE: Okay. Thank you. All right.

>> Your website is not accessible to me.

>> YVONNE: Public comment is now over. And since our business is done, we will officially adjourn the meeting at 6:39 p.m. Thank you, everybody.

>> STEVE: Thank you, everyone, have a great night.

>> MINDY: Have a good week.

>> Bye.

>> STEVE: You too. Thanks, bye‑bye.