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Click Image to visit Governor's Web Site. Timothy M. Kaine, Governor of Virginia and Lisa Grubb, Executive Director

## **Meetings and Minutes**

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### **Virginia Statewide Independent Living Council**

February 9, 2007

#### **Details:**

#### **Statewide Independent Living Council (SILC)**

**February 9, 2007**

**Richmond, Virginia**

DRAFT

#### Membership Present:

Tim Edwards, Marcia DuBois, Lewis Atkins, Jeff Pittman, Susan Prokop, Jenny McKenzie, Celestine Walker, Sarah Liddle, Jack Brandt, Doug Small, Stan Feuerberg, Philip Sieck

#### Ex-Officio Membership Present:

Theresa Preda – Department of Rehabilitative Services (DRS), Jane Ward Solomon – Department of Blind and Vision Impaired (DBVI)

Membership Absent: Alan Schlank, David Barrett

Staff Present: Lisa Grubb, Stacey McKenna

Scheduled Guests: Jim Rothrock, DRS Commissioner; Gwen Gillenwater, Consultant; Jessica Rouse, DRS; Mary-Margaret Cash, DRS

Other Guests: Catherine Lawson, Virginia Board for People with Disabilities; Sandra Wagener, Resources for Independent Living, Inc. Director

### Chairpersons Comments

Chair Tim Edwards opened the meeting at 9:15 a.m. by welcoming everyone to the business meeting of the Statewide Independent Living Council.

### Introduction of New Members

Chair Edwards welcomed new appointees to the Council. Jack Brandt and Sarah Liddle introduced themselves and discussed their interest in Independent Living. New appointee David Barrett was unable to attend due to his late notification of appointment.

### Designated State Unit(s) Address the Council

DRS Commissioner, Jim Rothrock shared the following:

- Congress is still operating under a continuing resolution. DRS is hoping that federal funds will be released next week. DRS will consider pursuing a state treasury loan on behalf of the SILC if needed.
- The State Plan for Independent Living (SPIL) public forums have been a success. In developing the SPIL, he encouraged the SILC to look at what the needs are, to look at other agencies for duplication, and to strategically work to make an impact.
- The General Assembly has been meeting. Commissioner Rothrock highlighted some of the positive outcomes of these sessions. He also indicated that the Centers for Independent Living (CILs) put together a good agenda for Independent Living Day.
- Durable Medical Equipment Recycling – Efforts around the state are making an impact.

Chair Edwards thanked Commissioner Rothrock for his support for the upcoming SPIL. He also thanked him for his support in providing funding for our Consultant, Gwen Gillenwater and for the help of Mary-Margaret Cash, Theresa Preda and Jessica Rouse in evaluating the SILC budget. Susan Prokop asked Commissioner Rothrock who from the DSU would be responsible for signing off on the upcoming SPIL. Rothrock indicated that Theresa Preda would have this responsibility. Marcia DuBois addressed Rothrock about the opportunity to receive Innovative & Expansion (I&E) funds from DRS. Rothrock indicated that these funds could be available if something specific in the upcoming SPIL impacts the entire agency and precipitates the need for such funds.

At this time, the members of the Council and Schedule Guests took the opportunity to introduce themselves to the new Council members.

### Public Comment

Chair Tim Edwards opened the floor for public comment. Catherine Lawson from the Virginia Board for People with Disabilities spoke to the Council about Virginia's Systems Transformation Grant. This grant was awarded to Virginia in September 2006 by the Centers for Medicare & Medicaid Services (CMS) as part of its "Real Choice Systems Change" initiative. The grant amount is \$2.7 million. Funding is intended to assist in "transforming" the infrastructure of the current long-term support to improve services to the elderly and disabled who live in the community. Under this Grant they have brought together all of the "Real Choice Systems Change" initiatives taking place in Virginia in an attempt to understand everything that is going on and how they can

complement those activities. She encouraged the Council to think about the big picture in developing the SPIL. Responding to a question from Susan Prokop, Lawson discussed the process of applying for these grants.

There being no further public comment, Edwards closed the floor.

#### Secretary's Report

Secretary Lewis Atkins opened the floor to discuss draft minutes from July 2006 and November 2006 Council meeting. The following discussion occurred.

The Council discussed some minor clerical corrections that were needed in the November 2-3 Snapshot Session minutes.

**Lewis Atkins moved to accept the Snapshot minutes as corrected. Marcia DuBois moved to second the motion. There being no further discussion, the motion passed unanimously.**

The Council also discussed some minor clerical corrections that were needed in the November 5, 2006 Council minutes.

**Lewis Atkins moved to accept the November 5, 2006 Council minutes as corrected. Jeff Pittman moved to second the motion. There being no further discussion, the motion passed unanimously.**

Additionally, the July 20, 2006 Council minutes were presented in the meeting packet. Jane Ward Solomon indicated that some corrections were needed to the section on the DBVI Rehabilitation Council.

**Lewis Atkins moved to amend the July 20, 2006 SILC minutes to reflect these. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### Treasurer's Report

Treasurer Jeff Pittman deferred to Lisa Grubb for the presentation of SILC Expenditures and Projections (budget report). Grubb explained that the SILC is currently awaiting a disbursement of funds. While Congress is operating under a "continuing resolution" the SILC's budget is consistent with the prior year. There is uncertainty as to when federal funds will be disbursed. Currently, the SILC has funds available to cover administration costs and the cost of quarterly Council Meetings, as mandated. However, the SILC does not have funds available to meet its obligations to the Community Action Specialist (CAS) project. Grubb set forth a recommendation that was presented to the CAS Review Team that would attempt to pay down the \$149,600 currently due to the Centers for Independent Living (CILs), as funds become available. Under this recommendation, the SILC would release \$20,000 (\$1,250 per CIL) toward the fiscal year (FY) 2007 1st quarter disbursement. The SILC also discussed the possibility of allowing the CILs to decide amongst themselves whether this \$20,000 should be allocated evenly or more given to certain CILs and less to others. Once the SILC receives additional funding, the remainder of the CAS project obligation would be disbursed to the 16 CILs with an additional award to VACIL in payment for directives completed. The SILC anticipates having funding available to fulfill CAS contracts through FY 2007. Grubb indicated that this would be the first year that the SILC anticipated having no carryover. The floor was opened for questions. Susan Prokop asked to clarify that the Council can continue to have quarterly meetings. This was confirmed. Additionally, there was some discussion regarding state loan options. It was decided that the Council should wait to see what the next disbursement looks like before considering these options.

**A motion was made by Susan Prokop to approve the recommendation that was presented to the CAS Review Team for paying of the SILC's obligation related to the CAS project. Jenny McKenzie moved to second the motion. There being no further discussion, the motion passed unanimously.**

**Jack Brandt moved to approve the SILC Expenditures and Projections (budget report) as presented. Susan Prokop moved to second the motion. There being no further discussion, the motion passed unanimously.**

Sandra Wagener asked the Council about plans to inform the CILs and CAS representatives about procedures for payment. Chair Edwards discussed the Council's plans to request an opportunity to participate in a conference call and discuss the details with CIL directors at that time. Wagener requested that the Council submit something in writing in addition to the conference call participation. Edwards agreed.

#### Committee Reports

Chair Tim Edwards opened the floor for Committee Reports.

#### Consumer Education Committee

Committee Chair Atkins shared the following:

The Committee discussed making updates to the website. They also informed the Council of their plans to post an annual report on the website. Further discussion included asking the CILs to include SILC news into the body of their existing CIL newsletters.

**Jack Brandt moved to accept the Consumer Education Committee report as presented. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### Consumer Services Committee

Committee Chair Pittman shared the following:

The Committee reported on their review of 704 reports and discussed reasons for doing this. It was agreed that the SILC, as a planning body, should review the reports for planning purposes (i.e. drafting the State Plan for Independent Living (SPIL)).

Additionally, the Committee reminded the Council that there were no draft minutes from the November 2006 meeting since no formal Committee meeting was held as only two members were present, Jeff Pittman and Celestine Walker. However, an update was provided during the SILC meeting and can be found in the November 2006 SILC minutes. Additionally, Jeff Pittman discussed the Committee's need for additional members. Jenny McKenzie volunteered to become a Committee member.

**Lewis Atkins moved to accept the Consumer Services Committee report as presented. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### Youth Advocacy Committee

Due to the absence of Committee chair Stephen Joseph, Susan Prokop convened the meeting and presented the following:

Chair Stephen Joseph has resigned from the Council. New member, Jack Brandt has offered to be the new Chair. The Committee reviewed the SPIL grid. Jack Brandt suggested coordinating with CIL Youth Coordinators to get new ideas. Doug Small encouraged Brandt to look for a replacement for Stephen Joseph as a youth representative on the Council.

Celestine Walker moved to accept the Youth Advocacy Committee report as presented. Jack Brandt moved to second the motion. There being no further discussion, the motion passed unanimously.

#### Operations Committee

Since Committee Chair Sheila Cox-Combs was unable to be at the meeting and has not officially been reappointed to the Council, Lewis Atkins was asked to be the acting-Chair for this meeting. Atkins shared the following:

The Committee discussed Council members' ability to serve on more than two committees. Lewis Atkins informed the Council that the By-laws indicate that Council members are "encouraged" to serve on no more than two committees, thus allowing members to serve on more than two. The Committee reviewed the SPIL grid. They also discussed the Statewide Independent Living (SIL) Fund and issues regarding obtaining funding from the State and whether there would be a perceived competition for Independent Living (IL) funds with the CILs. Susan Prokop informed the Council that the budget amendment to get seed money for SIL Fund failed. There are still active bills before the General Assembly that would authorize the Council to apply for and accept grants, gifts or contributions into the SIL Fund. Susan Prokop asked the Council to support thank you letters to Senator Deeds and Delegate McClellan for sponsoring the budget amendment and to Delegate Ebbin and Senator Ticer for sponsoring the bills that would expand our authority. Prokop offered to draft the letters.

**Stan Feuerberg moved to accept the Operations Committee report as presented.**

**Lewis Atkins moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### Special Reports

Chair Edwards opened the floor for Special Reports.

Full reports may be obtained by contacting SILC Executive Director Lisa Grubb at 540.949.7452 or [VA.SILC.Lisa@comcast.net](mailto:VA.SILC.Lisa@comcast.net)

#### Virginia Assistive Technology Report (VATS)

SILC Representative Celestine Walker shared the following:

Celestine Walker gave a brief update about the Virginia Assistive Technology Advisory Council and the Foundation for Rehabilitation Equipment Endowment (FREE). Walker informed the Council that FREE is now established in Roanoke, Lynchburg and Martinsville (satellite). She also discussed FREE's working relationship with Goodwill and its ability to transfer equipment between locations. She informed the Council that there is a new Executive Director at FREE in Roanoke.

**Stan Feuerberg moved to accept this report as presented. Jenny McKenzie moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### State Rehabilitation Council (SRC)

SILC Representative Philip Sieck shared the following:

The State Rehabilitation Council met on January 22, 2007. Highlights from this meeting were as follows:

- Rick Sizemore has been chosen as the Director of the Woodrow Wilson Rehabilitation Center
- DRS has had an increase in number of people served has caused an increase in spending

- Proposed budget amendments being considered by the General Assembly
- Discussions regarding the consolidation of Workforce Development programs in Virginia
- VATS Advisory Council is working to get a grant to help fund assistive technology recycling efforts
- State Plan public hearings are being held
- An annual report has been put on the website
- Council appointments have been slow
- Two visitors attended the meeting: Patricia Beattie, Chair of the Department for the Blind and Vision Impaired (DBVI) State Rehabilitation Council and Neil Sherman of the Department of Rail and Public Transportation (DRPT).

**Celestine Walker moved to accept this report as presented. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### CAS Review Team

CAS Review Team Lead Susan Prokop shared the following:

The team met and reviewed the CAS quarterly reports and received a report from Maureen Hollowell. Prokop informed the Council that there are new CAS members at Clinch Independent Living Center and Lynchburg Center for Independent Living. From November 20 through January 31, 2006, thirteen CILs participated in the SPIL public forums. Three CILs are still unscheduled and it was agreed that the SILC work to gain public input in those geographic areas. The CAS Team responded to Hollowell that the IL History training could be moved to a later quarter. They also discussed the SILC's participation in training on various SPIL goals. The CAS Team discussed the white paper reporting and asked Hollowell to consolidate the 16 white papers into one final report. Finally, the CAS Review Team discussed the SILC's current financial situation and presented a proposal for payment (see Treasurer's Report).

**Philip Sieck moved to accept this report as presented. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

#### Office of Community Integration

DRS Ex-Officio Member Theresa Preda and SILC Staff Lisa Grubb shared the following: Theresa Preda is heading a subgroup that addresses employment and direct service providers. The team hopes to develop strategies and increase the number of direct service providers for people with disabilities. They are focused on consumer-directed personal care assistance and employment for people moving out of institutions into the community. There is an inter-agency focus for dealing with Olmstead issues.

Lisa Grubb is heading a subgroup on the housing and transportation critical success factors. They are working with the Department of Housing & Community Development, Virginia Housing Development Authority, Department of Rail & Public Transportation, Virginia Department of Transportation and the Virginia Board for People with Disabilities. There is also a Commission Liaison from the Office of Community Integration. The subgroup has made a recommendation to add to the language a target disability group that would include individuals in institutions or at imminent risk of institutionalization. The group will be requesting additional representation from other agencies so they can make better decisions. **Stan Feuerberg moved to accept this**

**report as presented. Jeff Pittman moved to second the motion. There being no further discussion, the motion passed unanimously.**

Virginia Association of Centers for Independent Living (VACIL) Report

CIL Representative Marcia DuBois shared the following:

Marcia DuBois informed the Council that IL Day was held at the General Assembly on February 7, 2007. She expressed her appreciation for the attendance of so many SILC members. CIL representatives met with legislators and discussed their legislative agenda. This was followed by a luncheon at a local church. Nearly 200 representatives attended the luncheon. DuBois also informed the Council that they were successful in defeating the lottery bill.

**Jack Brandt moved to accept this report as presented. Celestine Walker moved to second the motion. There being no further discussion, the motion passed unanimously.**

Community Family & Participation Fund (CFPF)

Executive Director Lisa Grubb shared the following information:

Lisa Grubb informed the Council that the CFPF program has ended as a result of grant expiration. The program received 245 applications and assisted 189 consumers. They are currently looking for opportunities for future funding of the program.

Virginia Housing and Development Authority (VHDA) Advisory Board of People with Disabilities

Executive Director Lisa Grubb informed the Council that the Board did not meet and therefore, there was no report.

Doug Small informed the Council about Housing Tax Credits available for making a home visitable. Expenses can be submitted on your tax return in the subsequent year. Susan Prokop also informed the Council that there is currently a bill in front of the General Assembly regarding publicizing guidelines for this credit.

Department of the Blind and Vision Impaired (DBVI) Rehabilitation Council

DRS Ex-Officio Member Jane Ward Solomon informed the SILC that the DBVI Rehabilitation Council needs a new SILC representative to replace George Hubbs. This is a gubernatorially appointed position. She discussed some of the details. Chair Edwards asked that anyone interested in applying for this position let him and Jane Ward Solomon know. It is best for members who terms ends this year not to apply because they would not have time to be appointed and serve before their time runs out.

SILC Congress

Chair Edwards informed the Council that he, Susan Prokop, Marcia DuBois and Lisa Grubb attended the annual SILC Congress in New Orleans. There were interesting break-out sessions and an interesting briefing from a disaster responder that highlighted the need for disaster preparedness. Two Virginians were chosen to present on Leadership; a directive of the CAS project. Dr. Rob Jarvis and Wally Sabin, both previously employed at the Lynchburg Center for Independent Living, gave a great presentation.

**Lewis Atkins moved to accept this report as presented. Jack Brandt moved to second the motion. There being no further discussion, the motion passed unanimously.**

State Plan for Independent Living (SPIL) Work Session

SILC Consultant, Gwen Gillenwater, provided a summary of the SPIL public forums and

reviewed the results of the surveys completed. She recognized the importance of the opportunity to work with the CILs to conduct the forums and get feedback on the SPIL. She also recognized that this was a good opportunity to let people know about the SILC. Susan Prokop expressed thanks to Gillenwater for organizing the data from the public forums. The Council was asked to review the summary in light of what can be done in the upcoming SPIL; using SMART guidelines (i.e. determine goals that are Strategic, Measurable, Achievable, Realistic and Timely).

- The SILC worked to refine Goal #1 – Facilitate support for new/existing CILs. The importance of creating a process to recommend establishment of new CILs and expanding existing CILs was discussed, while noting that funding is a huge issue.
- There was also a discussion about Goal #6 – To provide for ongoing resource development and organizational strengthening of the SILC. There was some concern about controversy in the IL community over the appearance of being in competition for funds. Susan Prokop proposed that the Council drop this Goal from the SPIL.

The Council decided to identify the three most important goals to focus on in the upcoming SPIL. The Council voted and agreed to focus on the following goals and agreed to try to build the remaining goals into these three:

- Goal #1 - Facilitate support for new and existing Centers for Independent Living
- Goal #3 - Carry out the goals and objectives identified in the Office of Community Integration (OCI) Strategic Plan related to the SILC and foster ongoing compliance with Olmstead
- Goal #5 – Promote ongoing education about and compliance with the Americans with Disabilities Act and other major disability rights laws.

Chair Edwards acknowledged Ed Turner who joined the SILC meeting. Gwen Gillenwater formally introduced Mr. Turner to the Council. Turner has been involved in the IL community for many years. He is now the Governor's Special Advisor on Disability. Turner addressed the Council and discussed his efforts regarding outreach to veterans with disabilities and getting people with disabilities appointed to various Boards/Commissions throughout the state. He complimented the SILC on their great work.

#### Old Business

Chair Tim Edwards opened the floor for old business.

At the request of the SILC, the Electronic Meetings Subcommittee of the FOIA Advisory Council made the following changes to encourage people with disabilities to participate in Boards and Councils.

- The current requirement that notice be given seven working days in advance were reduced down to three working days
- Three other instances were allowed where individual members of public bodies could participate in meetings by electronic means
  - if an emergency occurs on the day of a meeting,
  - if the member has a disability or other medical condition that prevents physical attendance, and
  - if a member of a regional public body lives 60 miles or more from the meeting place.



- The first and third such instances (i.e. emergencies and participation by members of regional public bodies) would require approval by the public body before the member could participate through electronic means.
- All three instances would still require that a quorum of the public body be physically assembled in one central location, and that the voice of the individual participating by electronic means be heard by those at the central location.

Grubb also highlighted that no standing approval would be granted. Members must call in and get approval on a per-meeting basis. The SILC embraces the responsibility of monitoring for abuse through the approval process as directed by the FOIA Advisory Council.

**Lewis Atkins moved to accept this report as presented. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

Jane Ward Solomon asked about the status of the SILC's 2006 704 Report. Lisa Grubb indicated that there were communications with RSA regarding an extension and that they planned to submit the report by March 1, 2007.

New Business

Chair Tim Edwards opened the floor for new business.

Chair Edwards informed the Council that Stephen Joseph, Youth Member and Chair of the Youth Advocacy Committee, has achieved his goal of employment, but as a result, will no longer be able to serve on the Council.

Jeff Pittman discussed the National Alliance on Mental Illness (NAMI) newsletter which highlighted proposed FY 2008 Federal Budget changes that would impact this organization. Specifically, the newsletter discussed proposed cuts for mental illness research compared to 2007, Medicaid implications, a freeze for mental illness services programs, an increase in mental illness treatment services for veterans and a cut in the Housing and Urban Development (HUD) Section 811 program.

Executive Assistant, Stacey McKenna, was recognized for distributing relevant information to Council members via the weekly Action Alerts.

Celestine Walker suggested changing the name of the Consumer Education Committee to the Public Relations Committee.

**Marcia DuBois moved to accept this name change. Lewis Atkins moved to second the motion. There being no further discussion, the motion passed unanimously.**

Members were reminded that the next quarterly Council meeting would be April 11-12 in Lynchburg.

Finally, the Executive Committee met and performed a review of Executive Director, Lisa Grubb. The Committee recommended renewing Grubb's contract for the next year, while providing a 3% salary increase.

**Lewis Atkins moved to accept this renewal and salary increase. Stan Feuerberg moved to second the motion. There being no further discussion, the motion passed unanimously.**

Meeting Close

There being no further business, Council Chair Tim Edwards adjourned the meeting at 2:55 p.m.

**Stan Feuerberg moved that the Council adjourn the meeting. Lewis Atkins moved to second the motion. There being no further discussion, the motion passed unanimously.**

Respectfully submitted

Stacey McKenna

Executive Assistant

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