

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

**Executive Committee
MINUTES**

**Videoconference Host:
Governor's Council
550 W. 7th Avenue, Suite 1230
Anchorage, Alaska**

Meeting Date
Friday, November 5, 2021
1:00 p.m.

Attendees:

Heidi Lieb-Williams - Chair
Art Delaune
Corey Gilmore
Jeanne Gerhardt-Cyrus
Jena Crafton
Ric Nelson

Guests:

Anne Applegate
Jacqueline Kim

Staff:

Ian Miner
Lanny Mommsen
Jess Doherty
Jamie Kokoszka
Michele Binkley
Myranda Walso

Prepared by: Sheila Garrant, Peninsula Reporting

CALL TO ORDER – 1:02 p.m.
ROLL CALL – Quorum established

WELCOME FROM THE CHAIR

Heidi Lieb-Williams welcomed attendees to the meeting. She noted that a lot is going on at the Governor's Council, and she hopes that the Executive Committee members will focus on solutions.

Introductions, Announcements, or Good News

Heidi Lieb-Williams opened the floor for introductions, announcements, or good news.

Myranda Walso shared that her oldest daughter began her first day of a work program at a local horse farm. She's been very excited about it.

CONFLICTS OF INTEREST DECLARATIONS

No conflicts of interest were declared.

APPROVAL OF AGENDA AND APPROVAL OF PAST MINUTES

Approval of Meeting Minutes

Art Delaune **MOVED** to approve the meeting minutes from the October 2021 meeting as written, **SECONDED** by Ric Nelson. Hearing no opposition, the motion **PASSED**.

Approval of the Agenda

Art Delaune **MOVED** to approve the agenda as written, **SECONDED** by Ric Nelson. Hearing no opposition, the motion **PASSED**.

REPORTS

Chair Report

Heidi Lieb-Williams had no news to report.

Executive Director Report and Correspondence

Myranda Walso, acting executive director, reported that the Council staff has been doing a tremendous amount of work since the Council meeting as follows:

- Submitted the reporting for the Living Well Grant.
- The budget proposal has been submitted for FY 23.

- The final financial report from the State regarding the carry-forward and expenditures for the Living Well has been prepared.
- The fiscal reporting documentation for the PPR has been finalized.
- Completed the RSAs with partners and agencies for several ongoing projects.
- Began the process of organizing and scheduling committee meetings for the new standing committees.
 - Had discussions with the committee chairs about how the committees would be organized and operate. The staff is also working to help roll out the changes on committee staff support.
- Working with the Alaska Work Matters Task Force writing group.
 - Met several times with the team and had discussions on the format, structure, and goals of the task force and how to implement them.
- The staff is in the process of finalizing the draft of the annual report for the Council.
 - Anticipate having it ready to publish by the end of the year.
- Staff is finalizing the draft of the FY 21 SEAP report.
 - It is expected to be completed and transmitted to the commissioner of the Department of Education by the end of next week.

Myranda Walso reported that the Council website came back online for the first time since May. The staff has had discussions with SDS and the Public Information Office regarding the Council's site updates.

Myranda Walso reported that the Council is in the final stages of onboarding a new short-term staff member to support the Transition Committee and provide stabilization as they proceed.

Myranda Walso reported that she will present Council updates to the Mental Health Trust board as part of the advisory board presentations on November 17th, 2021.

Myranda Walso reported that the Community Inclusion, Supports, and Services Committee meeting is scheduled for November 29th, 2021, and the Legislative Committee meeting is scheduled for November 22nd, 2021. Ric Nelson reported that the Self-Advocacy Committee meeting had been scheduled for November 18th, 2021, and Jess Doherty shared that the Employment Committee meeting is to be decided. Myranda noted that they anticipate the ICC meeting dates will be narrowed down.

Myranda Walso reported that the Council received notification from the Administration for Community Living (ACL) that they have postponed the deadline for the submittal of the FY 21 PPR to March 1st, 2022. They have also included that as the deadline to submit the FY 20 PPR report. That report was written but not submitted because ACL had not finished the construction of the reporting system.

BUSINESS

Determination of Travel/Remote Options for Legislative Visits

Myranda Walso shared that Council member Senator Peter Micciche has been assigned as the Legislative Committee liaison, and he planned to attend the Legislative Committee meeting. He relayed that he would provide information to the Council ahead of the legislative session and outside his role as a Council member.

Myranda Walso reported that the Council had planned to host the Council meeting in person at Centennial Hall in February of 2022. Given the COVID-19 pandemic, the Council deferred committing to it. A few weeks ago, the Council was asked for a commitment to reserve the hall, and the cost for booking the venue was \$1,000. To be able to hold the event there, there are new requirements from the City of Juneau requiring prior approval to be requested from the city as an exception to the current limitations that are in place due to COVID-19. As a result, the Council elected not to pay the reservation fee to secure the venue. Myranda said she would work with the SDS staff to coordinate meeting arrangements if there is a meeting in Juneau or travel to Juneau.

Heidi Lieb-Williams stated that to have a successful winter Council meeting, she recommended a hybrid model with at least part of the meeting done virtually for Council members to be actively involved one way or another.

After a brief discussion related to Council meeting planning, Art Delaune indicated that the discussion was taking on a note of vagueness. Art Delaune **MOVED** to go into executive session, **SECONDED** by Ric Nelson.

During the discussion, Myranda Walso made two points of clarification. She explained that part of what Heidi was talking about was not directly related to the discussion on travel. There are things about the upcoming session that are relevant, but are not necessarily germane to the decisions in front of the committee, and they do apply to what would be discussed during the executive session. She clarified that she is letting the chair know that she can't discuss specific topics because they do not apply to the agenda item. The only decisions made were no reservation for the Centennial Hall space and the current limitation on the ability to pay for visits for all Council members at all times at the same place given the current rates. Those are the only two things that were decided before the meeting. Myranda Walso noted that there is an executive session on the meeting agenda. She questioned having to go into executive session about a travel-related issue, and she requested clarification about the executive session topic.

Ric Nelson commented that he thinks the Council should go with the hybrid because the Council meeting was done entirely virtual last year, and it was an utter nightmare, and the legislators could disregard them. If some Council members are there in person, the

likelihood of getting a productive meeting with legislators is better. Lanny Mommsen noted that Ric was neither staff nor a Council member last year. Jena Crafton commented that she would like to go to Juneau but wants everyone to be safe with COVID-19.

Myranda Walso made a point of order that the committee needed to change the order of business on the agenda and add a separate item of business. She noted that she doesn't believe there is a valid restriction on discussing the travel agenda item to justify the executive session, given the public records requirement. Heidi Lieb-Williams noted that going into the executive session would help move the discussion along without worrying about saying inappropriate things in the regular session. Myranda Walso recommended changing the order of items on the agenda and going into executive session so there's clarification on matters before returning to the business of the travel decision. Heidi Lieb-Williams asked to table the discussion on the legislative hybrid in-person travel and instead requested a motion to go into an executive session.

Heidi Lieb-Williams **MOVED** to change the order of business, **SECONDED** by Ric Nelson. Hearing no objection, the motion **PASSED**.

Executive Session

Ric Nelson **MOVED** that the Executive Committee members move into a closed executive session and be joined by Myranda Walso, the acting executive director. Myranda Walso offered an **AMENDMENT** to the motion to include that the executive session would be for the purposes of discussing deliberative and confidential records not subject to public disclosure, including those protected by attorney-client privilege related to the organizational structure of the Alaska Executive Branch. Ric Nelson **ACCEPTED** the amendment. Corey Gilmore **SECONDED** the motion. Jeanne Gerhardt-Cyrus asked if there would be a travel discussion. Myranda Walso answered no. Hearing no objection, the motion **PASSED**. The Executive Committee moved into executive session.

Ric Nelson **MOVED** to direct Myranda Walso to move forward with the details on the discussion within the executive session, **SECONDED** by Corey Gilmore. A roll call vote was taken, and the motion **PASSED**.

Myranda Walso noted that Council members could go to Juneau under the constraints of the travel funding that exists and the ability and interest in making the trip. The Council has specific travel currently approved in the plan. She added that Council member travel to Juneau is separate from staff travel to Juneau, and she would not ask or assign staff who are uncomfortable doing so to travel. Myranda noted that previously there was reluctance, and there was no staff interested in traveling. Since then, some have said they would be willing to do so if travel occurred.

Ric Nelson **MOVED** to let the Council members who wanted to participate in traveling to Juneau for legislative visits in person be able to do so. Myranda Walso requested a cap on the number of people who could travel based on the current limits of the budget and recommended that the Executive Committee provide additional guidance for who would be selected to travel if there is more interest than the budget allows. She recommended deciding whether to pursue travel to Juneau as a stand-alone item separate from discussing who, when, and how. If voting to have travel as an option, she asked that those two items be separated. Ric Nelson **WITHDREW** the motion.

Myranda Walso recommended adding language to the motion that the Council members have a presence in Juneau as allowed by budget, interest, availability, and schedules.

Ric Nelson **MOVED** to allow a certain number of members of the Council to travel to Juneau during legislation time depending on what the budget allows, **SECONDED** by Corey Gilmore. Art Delaune commented that part of the discussion in the past has been what happens if a person contacts COVID-19 while traveling, and he recalled that the Council would be responsible for the cost of quarantine. He asked if that had been factored into the budget. Myranda Walso noted that it is a factor and the ability to decide how much costs are contextual. She stated that the Council would be required to pay for quarantine if a member were exposed. That is a factor that makes a different dynamic in knowing how much funding it potentially costs versus the actual cost of the travel. Ric asked about vaccination status, and Myranda Walso said if there is an exposure, there are different guidelines, including a requirement to isolate or quarantine, which may be a factor for how Public Health would direct an individual to respond based on vaccination status. She said if there is a requirement for an individual to quarantine or isolate, regardless of vaccination status, while they are traveling, the cost of that for however long they are directed to do so by Public Health is the responsibility of the Council. A roll call vote was taken, and the motion **PASSED**.

Myranda Walso noted that because there was no travel last year, a virtual model was used to conduct the meeting. She recommended a discussion about whether to consider if travel occurs, if there will be virtual visits, and how to plan for that. She noted that there is no direction to support virtual visits absent another motion at this point.

Art Delaune recommended planning for virtual visits. Jena Crafton **MOVED** to proceed with having virtual legislative engagement this session, **SECONDED** by Ric Nelson. A roll call vote was taken, and the motion **PASSED**.

Because the Executive Committee has approved planning for a hybrid model for legislative visits, Myranda Walso suggested a discussion about preparing for both. Ric Nelson recommended having that discussion at the next Executive Committee meeting. Myranda Walso noted the importance for staff to have a sense of what the request will be related to supporting the complexity of the hybrid model.

As Legislative Committee chair, Art Delaune noted that he didn't hear negative feedback about the meeting with legislators last year, and it has become apparent to him that there are conflicting reports regarding the visits. He recommended that the staff offer suggestions at the next meeting on what would work well. Miranda Walso recommended that the Executive Committee delegate the discussion of legislative visits to the Legislative Committee.

Art Delaune **MOVED** that the Executive Committee delegate the discussion regarding logistics and the process of managing the hybrid model to the Legislative Committee, **SECONDED** by Ric Nelson. Hearing no objection, the motion **PASSED**.

Determine Executive Committee Meeting Recurring Schedule

Miranda Walso noted that for all of the standing committees, staff is asked committees to pick a week, day, and time for monthly recurring meetings. After a brief discussion, the Executive Committee agreed to Wednesday, December 8, 2:00 p.m. – 4:00 p.m., and Wednesday, January 12th, 2022, 2:00 p.m. – 4:00 p.m.

New Transition Committee Roster

Miranda Walso reported that the direction from the previous Transition Committee was simply a vote to consolidate as a smaller group, and they recommended establishing workgroups on items as needed. Miranda noted that the Transition Committee's ability to develop workgroups depends on having the new short-term, non-perm staff in place to support that. Until she knows when the hire of that individual happens, there's nothing the Transition Committee would be able to do.

Heidi Lieb-Williams stated that there were Council members who expressed interest in sitting on the Transition Committee to help with specific items based on their expertise, and those individuals could assist the Transition Committee with their knowledge without being a committee member.

Ric Nelson expressed his confusion. As he understood, the chair proposed a slate of members at the last Executive Committee meeting, and the Executive Committee approved it. Then after the first Transition Committee meeting, the chair went back on that decision. He noted that procedurally, he understands that as an Executive Committee, if a decision has been made and approved, the chair cannot overturn that decision without the approval of the Executive Committee as a whole. Miranda Walso responded that that is correct and that is what is before the committee now. The previous Transition Committee, approved by the Executive Committee, voted to direct the group to organize in a smaller fashion and sent it back to the Executive Committee for approval. In response, the chair nominated a smaller Transition Committee membership to bring before the Executive Committee to confirm or reject. If the committee votes it down, a new panel would have to be nominated and approved by the

Executive Committee, and the chair could not change it. However, the existing Transition Committee that was authorized disbanded and is not required to be voted out by the Executive Committee. Nominating a new slate of proposed members is something the chair has the authority to appoint, and the chair was bringing that to the Executive Committee to confirm or deny.

Myranda Walso explained that the chair impanels the Transition Committee at the confirmation of the Executive Committee. After the last Transition Committee meeting, members indicated they resigned from it, and there had been substantive changes, and that committee is no longer in place as it stood before. That was why it is coming back before the Executive Committee. The Transition Committee is unique because it requires the chair to do it, and the chair is allowed to propose a new one at any time. If the Executive Committee rejects the proposal, it doesn't default back to a previous membership. It's only until a new membership is proposed and approved that it would be replaced.

When asked who retired from the Transition Committee, Myranda Walso explained that it is not a discussion for the public, and matters of the Transition Committee generally should be in executive session. She stated that the only item that is up for consideration, and it's not modifiable, is a Transition Committee membership proposal before the Executive Committee to approve or not. If the Executive Committee chooses not to, the risk then is that there is no current Transition Committee in place. Then it would be a vote at the following Executive Committee of a new panel that the chair alone would nominate for the Executive Committee to confirm or not.

Art Delaune noted that in going to the bylaws, he couldn't find anything that talked about a Transition Committee and asked Myranda Walso to point to the policies. Myranda Walso stated that there is a formal transition policy that the Council as a whole passed roughly 15 years ago that is the governing document in that nothing since has been enacted to supersede it. It didn't have an expiration date.

Ric Nelson addressed the chair to ask to add about three more people to the Transition Committee who have the knowledge, experience, and expertise in the hiring process. Myranda Walso clarified that the chair would like to offer opportunities to work with a Transition Committee without being on the committee. The recommendation is that the Transition Committee delegates authority to people who don't have to be on the committee. If those individuals want to participate, that is not barred. The Transition Committee members would then be the ones to decide, not the chair nominating a Transition Committee.

Art Delaune added that the problem with both of the Transition Committees to this point had been the attendance of the members. If the members are committed to going through the process, the number of members on the committee doesn't matter. Whoever will be on this team needs to be committed to attending meetings to have a quorum to move forward. The frustration is that the Transition Committee meets, and it

becomes unproductive. He recommended that whatever is decided, the Transition Committee needs to be comprised of members committed to moving forward. Ric Nelson concurred.

Heidi Lieb-Williams asked for a vote on the proposal on the table as follows:

Heidi Lieb-Williams **NOMINATED** a new slate of Transition Committee members to oversee the ongoing executive director transition. The Transition Committee members proposed are Heidi Lieb-Williams, Jena Crafton, Art Delaune, Corey Gilmore, and Jeanne Gerhardt-Cyrus. A roll call vote was taken, and the proposal **FAILED**.

Myranda Walso stated that at this point, there is no Transition Committee, and the chair would be directed to bring forward a new slate of Transition Committee members to the Executive Committee for consideration. Myranda reiterated that a vote no means that nothing can happen at all over the next month; no committee can meet or organize, so if the concern is being able to move forward, a new committee must be appointed to do so. Art Delaune asked if the chair could immediately nominate a new slate of committee members.

Art Delaune directed Myranda Walso to send the Executive Committee members a copy of the policy she used to give direction on the process for a Transition Committee. Myranda Walso agreed and clarified that it is the same policy that was sent to the existing Transition Committee. Myranda also stated that a policy governing a Transition Committee is something the Executive Committee can adopt, given that it is delegated the authority to do so on behalf of the Council. A new policy could be drafted and introduced that would direct how a Transition Committee forms and operates. There is nothing that prevents the Executive Committee from scheduling a meeting to discuss that. She noted that the next Executive Committee meeting is scheduled for December 8th. She advised that if the Executive Committee wanted to schedule a meeting between now and then, Council staff could not help prepare policy for the Executive Committee, nor is there any other guidance for the Executive Committee.

Heidi Lieb-Williams reminded the committee that individuals with expertise in recruitment could still be utilized when the time comes that those skill sets would be helpful.

Jena Crafton recommended scheduling a meeting before the next regular Executive Committee meeting to discuss the Transition Committee. Myranda Walso noted that the soonest an Executive Committee could be held is November 15th, 2021. She recommended waiting until the staff member supporting the Transition Committee was available, and she didn't know when they would be available.

Ric Nelson proposed a panel for the transition committee to the chair for approval. He proposed Heidi Lieb-Williams, Art Delaune, Ric Nelson, Jeanne Gerhardt-Cyrus, Corey Gilmore, Dean Paul, and Charlene Tautfest.

Heidi Lieb-Williams accepted the proposal with the addition of Council member Jena Crafton.

Heidi Lieb-Williams **NOMINATED** a new slate of Transition Committee members to oversee the ongoing executive director transition. The Transition Committee members proposed are Heidi Lieb-Williams, Dean Paul, Art Delaune, Corey Gilmore, Jeanne Gerhardt-Cyrus, Charlene Taufest, Jena Crafton, and Ric Nelson.

Ric Nelson **MOVED** to accept the chair's slate of transition committee members, **SECONDED** by Jena Crafton. A roll call vote was taken, and the motion **PASSED**.

TIME AND DATE OF NEXT MEETING

The next Executive Committee meeting is scheduled for December 8th, 2021, 2:00 p.m. to 4:00 p.m.

GOOD OF THE ORDER AND ADJOURNMENT

Ric Nelson **MOVED** to adjourn, **SECONDED** by Jeanne Gerhardt-Cyrus. Hearing no opposition, the motion **PASSED** and the meeting adjourned at approximately 4:05 p.m.