

Idaho Commission for the Blind and Visually Impaired Regular Board Meeting

July 1, 2010

Board Members present: Britt Raubenheimer-Chair; Kent Ireton, Sarah Marossy and Mike Gibson.

Staff Present: Greg Metsker, Raelene Thomas, Nanna Hanchett and Doug Raper

Guests Present: Howard Barton and Susan Bradley

MOTION: To amend the agenda removing the report by Lisa Van Ry who was unable to be present at this meeting, motion made by Commission Ireton, seconded by Commissioner Gibson, all in favor.

MOTION: To approve the ICBVI Board Meeting Minutes from April 29, 2010 made by Commissioner Gibson and seconded by Commissioner Marossy, all in favor.

Administrator's Report – Greg Metsker:

The Idaho Commission on Aging (ICOA) and ICBVI have signed a 2 year lease, with payment made on a quarterly basis. They have not specified what date they will be moving in. There is a clause in the lease that allows either party to back out of the agreement after one year. The phone charges will be split among the two agencies.

Turnover in our VR Program - the VR Counselor opening in Twin Falls has been filled by Linda Upton, who will begin August 1st. Erick Heintz from Lewiston retires effective July 2nd and we have had two phone interviews with potential applicants to fill his position. Nanna and the interview team will travel to Lewiston for a face to face interview with the two applicants on July 12th. The Idaho Falls VR Counselor position will be vacant by the end of August and we expect another retirement from our VR Counselor in Pocatello effective April 2011. It takes approximately 1-2 years to get someone up to speed to be a proficient VR Counselor. This turnover will impact our productivity over the next few years. Nanna will use existing staff to help with mentoring and training of the new VR Counselors.

Region X Director's Meeting – Greg and Nanna were able to attend this meeting in Vancouver, Washington along with staff from Alaska, Washington, Idaho General, and Oregon. A lot of the conversations were centered on budgets. Lynnae Rutledge, the new Rehabilitation Services Administration (RSA) Commissioner, was in attendance and was very refreshing and positive about her role at RSA. During the meeting we discussed our experiences with the on-site RSA

107 reviews and how those went. Commissioner Rutledge mentioned several times that it was necessary to modernize and that the Randolph Shepherd Act needed changes.

The Summer Work Experience Program (SWEP) is in full swing and going very well. We started with 22 students and are now down to 20 students. During the training week, we had two job coaches from Community Partnerships Inc. who expressed an interest for additional blind training. We will be checking into developing an expanded training program that we will offer to these coaches and to other interested partners who work with our clients. There was a misunderstanding during the SWEP training week regarding catering with one of the BEP vendors. In order to avoid this type of confusion again, we will ask the vendors to provide written bids and we will notify all vendors whether or not they got the bid. The SWEP students have received their first paychecks and they had their picture taken at the Capitol on the steps. Commissioner Raubenheimer suggested that we have framed pictures sent to the Governor.

College Days has taken place during the week of June 14th. We had eight participants for 3-1/2 days, a variety of speakers, and panel discussions. The majority of the clients who participated chose the Braille, ADL, and O&M classes over the technology classes. Next year we will look at adding one more day to the program for a hands-on training in technology, especially on how the client is going to take notes for class during the school year. It could take up to six months or longer for a student to learn contracted Braille. A person can learn the basics of Braille in just a few weeks. Most students want to learn the basics for labeling clothes and shelves.

The ATC – we will have 17 students for the term beginning in July, seven of whom will be living here in the dorms. Eight students will be full time and the rest part time. Three students will be transitioning from SWEP. Steve has done a fantastic job while Greg has been filling in for Angela.

The end of the state fiscal year went fairly smooth. Trina met with our Division of Financial Management analyst to review how much general fund money we could give back, and we found we had about \$7,000 that we could give back to the state.

ARRA spending – we just received a notice from the Council of State Administrators of Vocational Rehabilitation (CSAVR) that they are very concerned that the VR agencies are not spending the ARRA funds quickly enough. The funds need to be spent or encumbered by September 2011; we do not anticipate that ICBVI will have any problems spending the full amounts given to us for the VR or IL programs. Doug recently put together a general video regarding ICBVI that is about nine minutes. Staff will use the video when they meet with potential employers. Last week Doug shot video footage for a SWEP video, which we hope to be able to show at the SWEP banquet. The SWEP video can be utilized by the VRCs for potential students and school districts. Commissioner Marossy asked if she could have a copy of the SWEP video. In the last few weeks, Channel 12 (Fox) and the Idaho Statesman have both done new pieces on the SWEP students.

CSAVR is still struggling with the embezzlement that took place over a course of seven years.

We have submitted our State Plan to RSA, the Strategic Plan to DFM, and the SPIL (for Independent Living) to RSA. We have added a section to the State Plan about Innovation and Expansion activities; we chose to highlight SWEF as this program has been growing from year to year.

We have been told by our DFM analyst to expect more holdbacks in the coming year. During the Region X Director's Meeting, Oregon indicated that they were required to submit holdback plans of anywhere from 5% - 25% cuts.

BEP Update by Greg Metsker:

Lisa Van Ry attended the RSA sponsored Randolph Sheppard Conference in Washington, DC the week of June 7th. RSA also sponsored a trip for Roger Gabel, who is our Attorney General Representative, so he could learn more about the BEP and the legal issues involved in dealing with BEP. One of Lisa's primary focuses was to get as much information as she could about our situation with the INL.

Lisa found out from Suzanne Mitchell, who is the Randolph Sheppard program specialist at RSA, that the vendor's set aside money can't be used to pay legal fees in this case, which would have been our only way to pay for a legal case against the INL. However, several other sources did tell Lisa that they would be willing to help us pay our legal fees should we take this case to arbitration. Lisa was able to arrange a meeting with Roger, Terry Smith (director of the Tennessee agency, with BEP experience), Suzanne Mitchell, and representatives from a law firm that has handled many BEP cases in the past. It was the consensus of this group, including the law firm, that because the phrase "Instrumentality of the Federal Government" hasn't been defined in law yet, and because that is what Battelle Energy claims to be at the INL, we have little chance of winning this case. In addition, Lisa discovered that there were many different parts to the bid, and that our bid did not fall within the competitive range in a lot of those areas. In fact our bid was four times the lowest bid.

Lisa also met with Katrina McDonald, who is a lobbyist for the Blind Entrepreneur's Alliance in DC. Katrina doubted that we had a chance to win this case. Leaving no stone unturned, Lisa also has sent the facts of this case to another law firm that specializes in Randolph Sheppard cases. They have agreed to review the case and give us an opinion on whether they think we have a case or not.

All of the people Lisa met with, who gave her opinions on the case, felt that Lisa has done her due diligence and that she has done a great job of fact finding in this case. In fact several of them are willing to support us, and provide affidavits on our behalf, should the BEP vendor who has been displaced decide to pursue the arbitration process against us for not working hard enough to maintain his cafeteria operation.

Lisa has done an excellent job of working through this challenge. She is going to schedule a call with the vendors in the near future to apprise them of these recent developments. It has been our intent all along to fight the decision to give the INL bid to a non-Randolph Sheppard entity, and we entered this fact finding mission with the idea that we would be arbitrating this case, but we haven't found anyone with any experience in this realm who has said we have a chance to win. Unless the second law firm who is reviewing the facts right now thinks that we have a chance, we will regroup and begin putting together a strategy to retain our vending operations at INL. We will also have to double our efforts to develop new locations in Idaho where the Randolph Sheppard priority is recognized and embraced. Lisa is already working on some possibilities that she will report on at the next meeting.

Consumer Input:

Susan Bradley reported that on July 31st she will have completed her two year AmeriCorps volunteer position for the Accessible Transportation Network grant through the State Independent Living Center (SILC). SILC will have a 3rd year of the grant for this AmeriCorps project, however due to funding, ICBVI will not be participating. Valley Regional Transit, the bus company in the Treasure Valley, will have two or three AmeriCorps members at their site location next year to continue some of the projects that were started in years one and two of the grant. Susan will still use an office at ICBVI through the end of December while she completes the Treasure Valley in Motion project, and will be making presentations to consumer groups in the area about accessible transportation options. They have created a video as part of the presentation that Commissioner Gibson graciously volunteered to be in. Susan will also be attending the National Federation of the Blind Convention in Dallas, Texas the first week of July, along with twenty other Idahoans who are blind or visually impaired.

New Business:

The next ICBVI Board Meeting is scheduled for August 26, 2010. The board members agreed to set the following meeting date to be November 18, 2010. The February 2011 board meeting will be scheduled at the August meeting. Commissioner Marossy asked if a discussion could take place at the August meeting about changing the times for one or two meetings each year to enable air travel within a single day so it would not be necessary to stay overnight (eg, with current flight schedules, the board meeting could be from eleven am to five pm).

Meeting adjourned at 3:00 pm

Minutes respectfully submitted by Raelene Thomas, July 8, 2010