

MACDHH – Minutes 12-11-14



Present:

Council Members: Keneithia Taylor, Dakota Burgess, Amy Bopp, Mickey Morales, Charm Smith, Casey Harris, Ann Black, Sue McLean, Jason Corning, Cheri Dowling, Erin Buck-Skees, Robin Underwood (via phone)

ODHH Staff: Lisa Kornberg, Zainab Alkebsi, Jennifer Gunderson, Estie Kruglak

Guests: Robert Weinstock, Kelby Brick, Beth Wiseman

Welcome and Introductions

Casey Harris opened the meeting saying that the goal for this meeting is to discuss bylaws

Meeting Minutes

The minutes from the September 2014 Council Meeting were reviewed. Charm Smith had comments about the previous minutes not including resignations and replacements and why that is. Lisa Kornberg explained that because changes were made after the last meeting, those changes are not reflected in the meeting minutes. Charm Smith asked about Dr. Kathy Heck's resignation. Lisa Kornberg replied that Dr. Kathy Heck resigned from the subcommittee but not the board. Charm Smith also mentioned she has noticed how short the minutes are and asked what the process is to complete the minutes. Mickey Morales asked about money allotted to the Department of Education's Early Intervention Services. It was replied that there is a steering committee related to each service and they are allotted \$3,500 grant to use in their discretion to the steering committee. Mickey Morales asked if that could be changed in the minute and Bob Weinstock answered yes, that can be a modification. Mickey Morales asked if the minutes could be more consistent. Casey Harris asked for a motion to approve the minutes. Bob Weinstock said to approve them as read because no corrections have been made yet. A motion to approve the minutes was made and seconded

Meeting Facilitator: Bob Weinstock (Gallaudet)

Discussion in Bylaws

Bob Weinstock was the guest facilitator for the meeting. He has been with Gallaudet for many years with background in parliamentary procedures, group management, organizational management, and Robert's Rules of Order. He has helped many groups with their bylaws and is here to help do the same. Bob Weinstock explained his goals of helping the Council work through the bylaws and better understand the groups' mission and goals. He explained his goal was to make the meeting go as smoothly and effectively as possible.

He said there is some misunderstanding of what are the current bylaws. Charm Smith said she understood the bylaws given out in March were not the current set. Mickey said she assumed what she was given was correct. Casey Harris explained that there was another file of the bylaws on the computer that was overlooked, so she explained that she emailed out the current bylaws so everyone can be on the same page. Charm Smith asked if the bylaws dated September 14th, 2011 are the most current ones. Casey Harris said the ones she emailed out should be the most current. Charm Smith also asked who is the longest sitting member of the Council. Cheri Dowling said she believes it's herself.

Lisa Kornberg explained that in the legislative session of 2010, the structure of the Council was changed to include the Department of Aging and a representative from the DeafBlind community. At the time those two positions were not in the bylaws. As a result of that, the council decided to review the bylaws and make any necessary modifications.

When ODHH reviewed the bylaws that had been distributed, it was noted that mention of a DeafBlind was not included.. ODHH located the most recent and correct version it was emailed out to the Council.

Ann Black said it doesn't make sense to her to add a DeafBlind position on the Council if that is not added into the title of the Office. Bob Weinstock thanked Ann for her comment but offered that the Council focus on the bylaws first and

foremost. He said he understands people want to make changes which is great, but there is a process that needs to be followed. He asked that someone read through the bylaws and find the section that explains how changes are made.

Mickey Morales asked if there is a bylaws committee. Bob Weinstock replied that there should be, but first the Council needs to focus on figuring out the process of how to make changes to the bylaws. He said the process is listed under Article Nine. It states the bylaws should be reviewed in the first meeting of the calendar year. It was mentioned that there is confusion over whether the Council is running on the calendar year or fiscal year, and when the Chair position is replaced. Bob Weinstock said in his opinion, in the first meeting of 2015 the bylaws should be reviewed, not necessarily the terms of people. Jason Corning said he thought at the previous meeting it was confirmed to run on fiscal year to follow the government. Lisa Kornberg responded that that would require an amendment in the bylaws and that the members can choose which they would like to follow. Historically, everything has run on the calendar year except for the Office's budget. Bob Weinstock reminded everyone that bylaws can be changed whenever members choose. It does not only have to be at the first meeting of the new year.

Bob Weinstock also said that a motion has to be made to amend the bylaws with a majority of the quorum which is 16. Charm Smith said there are 18 members on the Council. Bob Weinstock pointed out the bylaws say ten out of 16 and Charm Smith said that is an error. She also brought up that instead of trying to amend the bylaws edit by edit, an ad hoc committee should be set up and she questioned what happened to that idea. Casey Harris responded that there were difficulties setting up the committee and nothing was ever formed. Charm Smith said it was very clearly stated that there would be six members on the committee. Casey Harris said that there was questioning about scheduling so it was decided to bring it back to the Council for discussion. Lisa Kornberg said based on previous meeting, there was a vote to establish an ad hoc committee but it was never voted on a final formation and maybe that is where the problem is stemming from. Bob Weinstock mentioned that CART does not reflect what happens in the meeting, sometimes members have to rely on their memory. Mickey Morales said that the minutes reflected a committee was voted to be established and that Zainab Alkebsi was going to send out an email to vote on members of that committee. Bob Weinstock asked if anyone who attended the previous meeting remembers this vote passing. Erin Buck-Skees said that she did remember this. Zainab Alkebsi said she did send an email out, Mickey Morales said she never got it. Jason Corning said he remembers reading the email asking for a vote on members. Nancy Jenkins said maybe the confusion is that there doesn't need to be a limit of members, but that there were so many scheduling conflicts and members should figure out who wants to be on it so something can be set up. Robin Underwood said she agreed with Nancy. Charm Smith pointed out that it was clearly stated in the previous minutes that six members would be on the ad hoc committee, three from state departments and three from the community.

Zainab Alkebsi clarified that Ann Black, Charm Smith and Nancy Jenkins had signed up from the community and from state departments we had backups with who could accommodate their schedule so it is Robin Underwood, Keneitha Taylor and Erin Buck-Skees.

Robin Underwood asked if the bylaws and the executive order of how to run a meeting are separate things. Bob Weinstock explained no. The bylaws establish the organization itself, it defines the organizations and who the members are and can include meeting procedures. Standing rules are procedural matters and they are separate from the bylaws.

Ann Black said it was her impression that the Council as a whole was going to clean up the bylaws, not a committee of only six members. Bob Weinstock answered that the Council together can bring up discussion points, and then direct them to the committee. He also explained all of these changes won't happen overnight. Casey Harris said she was under the impression herself and Cleveland Horton would be the chairs of that committee if there was no one opposed. Bob Weinstock said that's up to members to decide and Mickey Morales said it should be left up to the committee. So it was agreed the committee will decide who their chair is and possible dates for the meetings.

Lisa Kornberg said that ODHH staff have historically been responsible to staff the subcommittee meetings in terms of providing accommodations and locating a space

Casey Harris said there should be a point of contact from the committee that will work with ODHH. Charm Smith and Nancy Jenkins said they will do that.

Mickey Morales expressed concern over the timeline of the minutes being produced in relation to when the meeting happened. She suggested making a change to the standing rule and also suggested the Robert's Rules of Order be reincorporated into the bylaws. Charm Smith was taking notes during the meeting, and Bob Weinstock reviewed that so far there's a proposal for a potential name change and to reincorporate Robert's Rules. Mickey Morales asked if members could agree on what type of Robert's Rules they'd like to use. Bob Weinstock replied that there are not different levels, you just have to decide if you want to appoint them or not. It is just a tool. He asked what other changes members would like to see to the bylaws. Charm Smith asked that they be written in plain English, not governmental terms that are sometimes difficult to understand.

Amy Bopp said she would like to see the term "DeafBlind" be used in the bylaws every time with deaf and hard of hearing. Bob Weinstock reminded everyone that some changes are made by legislature, like a name change. Those decisions have to be made early enough for legislative session, and the deadline for that was in September, as noted by Lisa Kornberg. Charm Smith wanted clarification about the deadline. Lisa Kornberg explained that for an departmental bills, the deadline was September. If individuals want to go to their legislators, there is no deadline. Ann Black commented that previously a bill to change the name of ODHH was passed by senators but that the community rejected it because of miscommunication and confusion. She also said it was her understanding that ODHH acts on the advice of the Council and therefore things should not be discussed only in subcommittees.

Bob Weinstock clarified that individuals who want to fight for a name change still can. He asked Kelby Brick his opinion on who would have the better chance with this, individuals or a state agency. Kelby Brick's answer was the agency. Beth Wiseman, a guest at the meeting, said she would be happy to advocate for a name change and assist in any way she can.

Clarification about the name change proposal was given by Bob Weinstock. He said that yes, individuals can go to legislature to propose a name change, but an agency will have a better chance at success. Maybe the best thing to do is wait until the next legislative session, make the proposal with enough time and give it to ODHH when they submit for the next session. Ann Black said she felt pressure from the deaf community. Kelby Brick said he is not taking a position but simply answering a question. Charm Smith said this has been a discussion in the community for a long time. Lisa Kornberg clarified ODHH does not make the final decision about a name change. All the Office can do is submit it to the Governor and legislature, and the decision is up to them. Amy Bopp said her earlier comment was not about a name change for the office, but in documents like bylaws and such. Ann Black asked that people in the community not be selfish about the name change but support the DeafBlind community.

Break

Lisa asked if the discussion of the roles of ODHH, the Council and the subcommittees should continue or be put on hold. Charm Smith suggested members let the bylaws committee draft something and bring it to discussion at the March meeting. Everyone agreed.

The discussion turned to standing rules, which were clarified to mean how the meeting is run and what protocols are used. For example stating your name before you begin. Mickey Morales proposed that the meeting minutes be sent out two weeks after the meeting and only things discussed in the meeting should be included in the minutes. Bob Weinstock responded that the Council should find out if it's feasible for ODHH staff to send out the minutes within two weeks and to clarify the process of writing the minutes. Estie Kruglak explained that after a meeting, the CART transcript is sent to the ODHH office. She goes through the transcript to write the minutes and the staff of ODHH proofs it and then it is sent out. Lisa Kornberg said ODHH does not approve the minutes they approve the draft which is sent out and then they are approved at the next meeting. Charm Smith asked why the minutes go from nine pages to four pages. Estie Kruglak explained sometimes there are things in the CART transcript that don't need to be included in the minutes, for example reminding people to state their name or reminding people to stand up. Those reminders can take up pages and are not included in the minutes, which explains why they are shorter.

Amy Bopp said CART should not be used to create the minutes. Lisa Kornberg clarified they are not used to create the minutes but to help draft the minutes. If members want a word for word review, she prefers the Council be responsible for

their own minutes, not ODHH. It was recommended that a secretary be included in the officers of the Council in the new bylaws.

Bob Weinstock clarified minutes are to record what was said in the meeting, not what transpired. So nine pages can go down to one page because it's really only a record of what happens. Someone on the Council could take the position of taking minutes. It could be an ad hoc position.

Jason Corning said he understands why the minutes are shorter. No one wants to read an entire transcript. It's easier to read what was said and what happened during the meeting, that's it. Mickey Morales clarified no one is trying to criticize Estie Kruglak for writing the minutes. Lisa Kornberg said ODHH will still provide CART and Braille when needed. Mickey Morales asked how members can get more involved in the meetings because it seems the deaf community input is not present in the minutes. Bob Weinstock replied that it's important to remember the minutes only reflect what actually happened in the meeting, so any external information is not part of the minutes. There can be an addendum, but it's not part of the actual minutes. Charm Smith commented that all of the departmental reports are sent to the chair and maybe all of that should be sent to members earlier so everyone can be prepared for commentary. Bob Weinstock said so standing rule would be departments must send their reports to the chair 15 days in advance of the next meeting. Questions arose about scheduling conflicts with subcommittee meetings. It was agreed that 15 days before the next meeting is sufficient.

Mickey Morales asked what subcommittees the Council has. Bob Weinstock said that is not part of the standing rules discussion but if someone could answer her briefly. Casey Harris answered there is DeafBlind, Children and Youth, Communication Access and Human Services. Mickey Morales asked how to go about forming a new subcommittee. She questioned all of the name changes for the subcommittees and if changes were formally approved. Lisa Kornberg said votes were taken about this last year and it was approved. ODHH can send out a list of subcommittees and members if the Council is interested. Charm Smith said there should be protocol for everything and it should be brought to the Council for discussion and approval. It was asked where in the bylaws the role and responsibilities of the committees are defined. Nancy Jenkins said all of this could be deferred to the bylaws committee. Mickey Morales said she doesn't feel like she is being heard and doesn't know who on the Council to go to, to get her thoughts heard. Nancy Jenkins responded that everything related to subcommittees was voted on last year.

Lisa Kornberg clarified that there is some conflict about what the state representatives are supposed to do in terms of subcommittees. They are acting as a representative for their secretary and are not authorized to make decisions. There is a clear separation of who was appointed by the Governor to serve on the Council and who is acting as a representative.. Bob Weinstock said there should be a liaison between the subcommittee and the Council and Charm Smith said she would look into that.

In conclusion, it was said that there are five points under standing rules that will be sent out to the group. A meeting for the bylaws committee has been set up for January 8th at the Maryland School for the Deaf in Columbia at 11:30am. Casey Harris asked for a time and date for the next meeting in March. Charm Smith suggested not having the meeting in the morning so that more members of the community are available to join. Maybe two meetings could be during business hours and two be after hours. Jason Corning suggested an internet poll for the next date.

Keneithia Taylor said it was very difficult to keep up in this meeting with everyone talking over one another. If for the next meeting people will be considerate about turn taking and not having side conversations. Casey Harris said that can become a standing rule. It was decided a poll will be sent out about the next date.

Kelby Brick asked if he could say a few words. He explained how he was part of the founding group of ODHH years ago and thanked the staff for all of their hard work. He also thanked members of the council for their involvement with this community. He noticed how difficult the Council meeting was and suggested that some issues be worked on outside of the meeting so that this time could be saved for more important issues.

Next Meeting: March, but no date was voted on. Meeting adjourned at 4:37 PM