**STATE USE LAW COMMISSION MEETING**

**June 21, 2016 MEETING MINUTES**

**MEMBERS PRESENT:** Debbie Harrington (Chair), Doyle Dobbins (Co-Chair), Chuck Wagner (Member), Valerie Watson (Member/Teleconference), Michele Mirabella (Member/Teleconference), Dean Stotler (OMB/Member), Mary Page Bailey (DAG/Counsel to the SULC), Daniel Madrid (DVI/Ex-Officio), Thomas Cook (A.N.D/Ex-Officio)

**GUESTS:** Paul Beane (A.N.D), Kristy Trudel (A.N.D), Amber Mangini (Administrative support)

A quorum was determined and the meeting was **called to order at 2:05 pm**.

1. **APPROVAL OF MINUTES**

Mr. Cook stated that in the April 19th minutes a letter was read into public record from Chimes Delaware that made statements, which upon review, were found to be contradictory to the March 22nd minutes. He wanted the record to show that there was never an ultimatum provided to Chimes that related to cost information and that Ability Network of Delaware (AND) did in fact offer alternative pricing methods for the additional services provided at the Archives building. He wanted to clarify that Chimes wasn’t represented as “unwilling”.

In regard to the meeting minutes, Ms. Bailey stated that the minutes shouldn’t be verbatim- but instead written as a synopsis. Ms. Harrington asked Ms. Bailey to review the meeting minutes before they are formally presented; Ms. Bailey agreed.

Ms. Harrington asked for a motion to approve the March 22nd minutes. Mr. Dobbins so moved, Ms. Mirabella and Ms. Watson abstained due to their absence at the March meeting, and the minutes were approved.

In the April 19th meeting minutes Ms. Watson noticed a typographical error under “New Business” on line 40- the letter “a” should be stricken from the sentence. Another typo was found on line 1 of page 2, the colon and the word “to” should be removed from the phrase “services to include:” and again on line 5 of page 2 where the word “off” should be replaced with the word “on”.

Mr. Stotler asked for a motion to accept the April 19th minutes as edited, Mr. Dobbins seconded the motion and the Commission was unanimously in favor- motion carried.

1. **OLD BUSINESS**

**Completing By-Laws –** Ms. Harrington reported that the subcommittee plans to complete and present the By-Laws to the full Commission for approval at the next meeting. The By-Laws are based on the approval of Title 16 as submitted to the JSC; if any changes occur, those changes will be made to the By-Laws accordingly.

In regard to House Bill 393, Mr. Madrid advised that the Bill went through committee with no problems and is currently waiting to be reviewed by the Senate. Ms. Bailey informed the Commission that the House/Senate has until 2:00am on the 30th to approve it. In a scenario where it didn’t get approved, the previous Bill would be operated from.

1. **NEW BUSINESS**

**Vote on Absalom Jones –** Mr. Beane described the site as having a substantial amount of land surrounding it. Facilities Management asked A.N.D to find providers to perform grounds-keeping services. The scope of work would be 2 days/wk. for 4 hours per day or 8 labor hours per week. Services will be provided by leveraging Service-Source’s youth transition programing to provide real work experiences for high school students with IEPs. A.N.D asked FM to obtain quotes to compare pricing for the competitive services. FM obtained a quote from “Priority Services” of $220.31/visit for the same services. The quote provided by A.N.D was $14,592.24 less annually than the quote from Priority Services.

Mr. Stotler recommended advancing this proposal for approval.

Mr. Wagner raised concerns about child labor laws due to allegations of “hazardous” waste found at the site. Mr. Beane stated “We’ve also done significant numbers of walk-throughs around the site to sort of assess what dangers the site may present in terms of these types of materials, and we’re satisfied that it doesn’t pose a risk that wouldn’t be associated with any other type of trash pick-up services.” Mr. Stotler reiterated that the purpose of the Commission is to create opportunities for persons with disabilities and recommended that the Commission move to approve this location as a set-aside. Mr. Dobbins seconded the motion, Ms. Mirabella recused herself from the vote due to conflict of interest, and the motion carried.

Mr. Stotler acknowledged A.N.D for taking the appropriate steps to bring the budget impact discussion before OMB for consideration in the Governors recommended budget.

**Annual Report –** Ms. Harrington stated that in previous years A.N.D headed the Annual Report with direction from the Commission, however this year the whole Commission should be more involved. Mr. Cook said that A.N.D was willing to do the assembly and printing of the report, but requested that the Commission provide the input for the report as soon as possible. Mr. Beane suggested seeking out success stories from individuals associated with the SULC who have achieved success.

Mr. Stotler recommended that the content be heavily weighted toward Chapter 9601. He stated the SULC’s main purpose is to assist individuals to achieve personal independence and self-reliance; therefore the report should reflect that. He stated that this was the last report to the current Administration, and therefore customary to show the opportunities created as a result of this Administration. He suggested locating a copy of the 2008 report for comparison to show how far we’ve come.

Ms. Watson suggested creating a timeline from beginning to the final publication of the report that included targeted milestones to keep everyone on track and accountable. Ms. Harrington asked for a few Commission members to form a team to determine the content of the report and distribute the responsibilities associated with it. It was decided that Ms. Watson, Mr. Beane, and Mr. Madrid would be the team with Ms. Watson as the lead.

 Ms. Bailey stated that there were less than 100 days from the current date to complete the report.

**Training for Commissioners –** Ms. Bailey provided training in FOIA Laws, regulations, and procedures. Mr. Stotler provided training on the RFP process and proposals.

1. **(DIB) REPORT**

Mr. Madrid stated that DIB would be ending the fiscal year on June 30th with 1.2 to 1.3 Million in sales. They would end the year between 20-$30,000 in the red, which is a vast improvement from last year. DVI was working with the AG’s office to take the appropriate steps to shift DIB out from under the umbrella of the state and into its own non-profit agency. In order to obtain the state resources needed for that, an RFP would need to be drafted. Mr. Madrid hopes to begin the process somewhere at the beginning of the next administration. DIB is also bringing back some employees with disabilities to help with the neckerchief contract in the upcoming weeks. They plan to seek whatever growth they can over the last few months within this administration and explore every avenue, including looking at new contracts to help DIB become profitable again.

1. **(A.N.D) REPORT**

Mr. Beane stated that Senator Poore’s tax credit Bill achieved unanimous approval through the Senate last week when it went in front of the labor committee; it is expected to go in front of the house next week for consideration. Ms. Mirabella asked if the Bill would apply to the individuals who are profoundly disabled and require long-term support through DDDS. Mr. Beane said he would look into the ramifications for it to be expanded; also he would send the draft of Bill 221 to the members to review.

A.N.D continues to abide by the background check procedure put in place by Capitol Police. Due to the problems this policy has caused, a side by side comparison was done of the Ban the Box initiative & the Master Agreement. Some inconsistencies were found in the languages that he brought to the Commission’s attention.

1. **PUBLIC COMMENT**

Mr. Wagner had some questions/concerns regarding A.N.D that he shared with the Commission. Mr. Cook, Mr. Beane, and Ms. Trudel answered the questions that were relevant to the SULC to the best of their ability. Mr. Cook stated that he would sit down with Mr. Wagner outside of the SULC’s business meetings to answer any other questions.

 Mr. Wagner presented a letter that was written to the Commission (on behalf of the public) regarding job placement programs and their lack of a “final step” in the process. It was requested that the Commission be afforded a copy of the letter so it could be forwarded to Goodwill. Mr. Stotler said that it would be appropriate to request assistance from the SULC only if the individual was receiving employment opportunities under a set-aside contract that required job coaching, and there was an opportunity for improvement. If not, there are other avenues by which the services should be sought that are outside of the purview of the SULC. Ms. Harrington stated that the Commission would receive copies of the letter and that the letter would be forwarded to Goodwill for a response.

1. **ADJOURNMENT**

The meeting was **adjourned at 4:30 pm.**

Respectfully submitted,

Amber M. Mangini

Secretary to the SULC