

Alabama Board of Rehabilitation Services

Montgomery, Alabama

Thursday, July 7, 2022

10:00 a.m. – 12:00 noon

AGENDA

Call to Order Eddie Williams, Chair

Prayer

Verification of Quorum Karen Freeman

Verification of Open Meeting Act Notice Eddie Williams

Approval of Agenda Eddie Williams

Approval of Minutes for the March 3, 2022 meeting Eddie Williams

New Business:

Alabama Administrative Code Ashley Hamlett, General Counsel

- Alabama Department of Rehabilitation Services
Chapter 795-8-1, SAIL/Homebound Program
Review of Public Comments and Vote on Rule Changes

Commissioner's Annual Performance Appraisal Eddie Williams

Division Updates Executive Leadership Team

Commissioner's Comments Jane Elizabeth Burdeshaw,
Commissioner

Announcements:

Alabama Board of Rehabilitation Services meeting dates for **2022:**

- **Thursday, Sept. 15, 2022 – 10:00 a.m., ADRS, Montgomery/State Office, Large Conf. Room**
- **Thursday, Dec. 1, 2022 – 10:00 a.m., ADRS, Montgomery/State Office, Large Conf. Room**

Board Business/Discussion Eddie Williams

Adjourn Eddie Williams

Alabama Board of Rehabilitation Services
Alabama Department of Rehabilitation Services
560 South Lawrence Street
Montgomery, Alabama
Minutes
Thursday, July 7, 2022

Call to Order:

Mr. Eddie Williams, Board Chair, called the in-person, open public meeting to order at 10:20 a.m.

Prayer:

Dr. Graham Sisson, Jr., Executive Director of the Alabama Governor's Office on Disability (GOOD), opened the board meeting with prayer.

Verification of Quorum:

Board members present (in-person): Mr. Eddie Williams, Board Chair; Mr. Kevin Kidd; Mr. Jimmie Varnado; and Mr. Charles Wilkinson. A quorum was declared.

Conference Call: Ms. Michelle Glaze

Verification of the Open Meetings Act Notice:

The Alabama Board of Rehabilitation Services' regularly scheduled board meeting for June 23, 2022 was cancelled due to lack of a quorum. Board members were notified of the cancellation electronically on Tuesday, June 21, 2022 at approximately 4:47 p.m. A cancellation notice was posted on the Alabama Secretary of State's website on Wednesday, June 22, 2022 at approximately 8:25 a.m. and a cancellation notice was posted on the Alabama Department of Rehabilitation Services' public website.

Mr. Williams and Commissioner Burdeshaw reached out to the Alabama Board of Rehabilitation Services' members electronically on Tuesday, June 21, 2022 at approximately 12:19 p.m. with proposed upcoming meeting dates. After reviewing their responses, the consensus for the next board meeting was Thursday, July 7, 2022. The Alabama Board of Rehabilitation Services' members were notified on Friday, June 24, 2022 at 12:19 p.m. of the July 7, 2022 selection date. The Alabama Board of Rehabilitation Services' meeting for July 7, 2022, was posted on the Alabama Secretary of State's website on June 22, 2022, at 11:42 a.m. The announcement and registration information were then posted on the Alabama Department of Rehabilitation Services' public website at the following link: <https://rehab.alabama.gov/about/meet-our-board> with a registration deadline of Friday, July 1, 2022, at 5:00 p.m. CDST. Meeting registration was not necessary for in-person participants, but registration was required for those preferring to participate via conference call. A conference call line was established for board members and the public participating electronically. Upon registration for the conference call, participants received an email with instructions and the telephone number to call. In addition to one ADRS board member, Dr. Graham Sisson, Jr. participated in the meeting via conference call. Interpreter services were provided by Mr. Josh Brewer.

Pursuant to the proclamation dated March 3, 2022, the Alabama Board of Rehabilitation Services' board meeting was conducted in-person and open to the public. The Open Meetings Act allows for electronic participation except to establish a quorum. The Alabama Board of Rehabilitation Services requires four members to attend in-person to establish a quorum, but other members may participate electronically.

Mrs. Karen Freeman verified that the Alabama Board of Rehabilitation Services meeting for July 7, 2022, was posted on the Alabama Secretary of State's website on June 22, 2022, at 11:42 a.m.

Approval of Agenda:

Mr. Williams asked for a motion to approve the agenda. The motion to approve the agenda was made by Mr. Varnado and seconded by Mr. Kidd. The motion was approved.

Approval of Minutes for March 3, 2022 Meeting:

The regular board meeting minutes for the March 3, 2022, meeting were mailed prior to the board meeting. Mr. Williams stated that if there were no corrections, the minutes would stand approved as presented. The regular board meeting minutes were approved by unanimous consent.

Welcome and Introduction: Kimberlin L. Love

Mr. Williams, board chair, and Commissioner Burdeshaw welcomed and introduced upcoming board member, Ms. Kimberlin L. Love. Mr. Williams, Commissioner Burdeshaw, current board members, and the Executive Leadership Team welcomed and introduced themselves to Ms. Love. Ms. Love's appointment will begin October 1, 2022 as a representative of business and industry for the Second Congressional District. The Board position will become vacant September 30, 2022, when Mr. Varnado's term expires. It was through Leadership Montgomery that Ms. Love befriended current board member for the Second District, Mr. Varnado. Ms. Love comes highly recommended. Her vast experience and community involvement will make her an important contributor to the Board and to Alabama Department of Rehabilitation Services leadership.

Human Resource Development: Staff Development and Training

Mrs. Tracy Bird, Director, Human Resource Development (HRD), welcomed and introduced Ms. Ashley Robinson and Ms. Brandi Brown as the newest members of the Staff Development and Training team. Ms. Robinson began working with the Alabama Department of Rehabilitation Services (ADRS) in 2016 as a Rehabilitation Counselor with Vocational Rehabilitation Service – General Services in the Huntsville and Opelika offices. Ms. Brown began working with ADRS in 2014 in the Early Intervention (EI) Program and has been coordinating training for EI since 2021. Ms. Bird is excited for the knowledge they will bring to HRD – Staff Development and Training. The Commissioner, the Alabama Board of Rehabilitation Services, and the Executive Leadership Team welcomed them to their new roles.

New Business:

Eddie Williams, Chair
Ashley Hamlett, General Counsel

Alabama Department of Rehabilitation Services, Administrative Code Rule:

Mrs. Ashley Hamlett, General Counsel, reported during the board meeting in March 2022, the Board approved a motion proposing and publishing amendments to the department's Administrative Code, Chapter 795-8-1, SAIL/Homebound Program. A notice of the proposed rule changes appeared in the *Alabama Administrative Monthly* edition published March 31, 2022. The notice was also placed on the department's public website that called for public comments and written requests to orally address the Board be submitted in writing prior to June 1, 2022.

Mr. Williams moved that the Board approve and adopt the revised Administrative Code Chapter 795-8-1, SAIL Homebound Program, which has been amended to more clearly reflect the services the program provides, to enhance nondiscriminatory provisions, and to include transportation to and from a place of employment, if eligibility requirements are met. No public comments or written requests to address the Board were received after publication in the *Alabama Administrative Monthly* and the department's website for the required time period. The motion was seconded by Mr. Varnado and the motion was approved.

Commissioner Burdeshaw's Annual Performance Appraisal:

Mr. Williams and the Alabama Board of Rehabilitation Services expressed their appreciation to Commissioner Burdeshaw as she continues to successfully navigate the department's mission during COVID-19 pandemic restrictions and has ensured that all consumer needs continue to be attained. The Commissioner was recommended to the Governor for appointment to the Alabama Workforce Council and was appointed and confirmed by the Alabama State Senate, thus allowing ADRS to be a key participant in the collaboration between government and industry to help Alabama achieve a sustainable workforce. With the board having reviewed and appraised Commissioner Burdeshaw's performance in the last year, Mr. Williams moved to increase the Commissioner's annual salary by four and one-half percent (4.5%) adjusted to the nearest dollar amount divisible by 24 effective July 1, 2022, and reflected on the July 30, 2022 paycheck. Mr. Williams also moved to provide a four percent (4%) cost of living increase adjusted to the nearest dollar amount divisible by 24 effective September 1, 2022, and reflected on the October 1, 2022 paycheck. Mr. Varnado seconded the motion, and the motion was approved.

Commissioner Burdeshaw was humbled and appreciative of the kind words, the support, and the confidence that the Board has placed in her. She will continue to work to improve and expand quality services for the citizens of this State.

Board Member Questions and Division Updates:

The Executive Leadership Team members were provided an opportunity to answer any questions and give updates to their written reports.

Commissioner's Comments:

Commissioner Burdeshaw reported **Alabama House Bill 211**: Finance Dept., Chief Procurement Officer, powers and duties further provided, Rehabilitation Services Dept., exempt, Secs. passed, and was signed by Governor Ivey. It exempts purchases for supplies and services for the Alabama Department of Rehabilitation Services' (ADRS) consumers from the typical state purchasing process. This permanently codifies this exemption. This exemption will allow a quick response to consumer needs. Commissioner Burdeshaw expressed her appreciation to Mrs. Shay Cannon, ADRS Chief Financial Officer and Mrs. Hamlett, ADRS General Counsel, for their assistance with the exemption process.

Commissioner Burdeshaw reported the **State Personnel Board passed the "Darby Forrester Pay Plan Amendment"** that will allow adding four (4) steps (approximately 10%) to pay grades that are used by the Alabama Department of Rehabilitation Services (ADRS). Merit employees currently at the maximum of their assigned pay range (i.e., "topped out") must retain their existing annual raise date and are not eligible for an annual merit raise until that date. This will bring the State of Alabama pay ranges into the average pay ranges across the nation. ADRS had the highest topped out percentage of all state agencies at approximately 51.4%. Evaluation of fiscal data would be needed to evaluate contract pay scales. The Darby Forrester Pay Plan Amendment became effective July 1, 2022. The State Personnel Board voted to title this pay plan amendment the "Darby Forrester Plan Amendment" in posthumous recognition of Ms. Forrester's work toward this project. Commissioner Burdeshaw noted that ADRS will proceed with these changes and expressed her appreciation to the State Personnel Department, the Finance Director's office, and Governor Ivey for recognizing the need to retain experienced staff.

Commissioner Burdeshaw reported the Alabama Department of Rehabilitation Services (ADRS) continues its efforts to produce long-term sustainability in **Alabama's Early Intervention System** program. ADRS continues to have regular scheduled meetings with Early Intervention providers across the system, which are vital to begin to develop ideas around long-term sustainability with stakeholders. It is becoming clear that the potential changes will likely cause temporary strain to the entire system. Commissioner Burdeshaw will familiarize the Board with changes as they are made, but emphasized that she will not decrease the quality or quantity of services for children and their families.

Commissioner Burdeshaw reported the **2022 AlabamaWorks! Conference** will be held in-person at the Hyatt Regency - The Wynfrey Hotel in Birmingham on September 7 – 9, 2022. The Alabama Department of Rehabilitation Services awards ceremony will be held on Thursday, September 8, 2022 at 1:00 – 2:00 p.m. Additional information will be shared with the Board as it becomes available.

Commissioner Burdeshaw reported recent conversations and comments from State Representative Gil Isbell (R), local Children's Rehabilitation Service Physician, Dr. William R. Stewart, M.D., State Representative B. Craig Lipscomb (R), Architect, and Local and State Office Leadership. The topic of discussion was the relocation of the Alabama Department of Rehabilitation Services office that is currently located at the **Gadsden State Community College campus**.

Announcements:

Alabama Board of Rehabilitation Services meeting dates for **2022:**

- **Thursday, September 15, 2022 – 10:00 a.m., ADRS, Montgomery, AL**
- Thursday, December 1, 2022 – 10:00 a.m., ADRS, Montgomery, AL

There being no further business, the meeting was adjourned at 10:57 a.m.

Minutes were taken by Karen Freeman.

Respectfully submitted:



Jane E. Burdeshaw, Commissioner

Approved:



Eddie C. Williams, Chair