

DAGWould?
Board Meeting Minutes
June 18, 2020

Location: Remote/via Zoom

Members in Attendance:

Anna Bass, Chair
Mark Brogan, Assistant Chair
Shazi Ahmad, Secretary
Tim Adams
Nancy Brown
Stanley Taylor
April Tomlin

Others in Attendance:

Cindy Pionke, Strategic Facilities Engineer/ADA 504 Coordinator for Knox County

Call to Order: 3:08 (EST)

WELCOME

- Cindy called the meeting to order and recognized members in attendance. She said the Knox County attorney, Myers Morton, was not yet present but will join the meeting.
- Anna welcomed all members to the Zoom meeting.

APPROVAL OF FEBRUARY MINUTES

- The agenda was amended to approve the February minutes, not the March minutes, since the committee didn't meet in March due to COVID-19.
- Anna submitted written minutes from the February 20, 2020 meeting. A motion to approve was made by Nancy and seconded by Tim. A vote was held and the motion carried.

KNOX COUNTY BUDGET

- Referring to page 29 of the Knox County Budget document, Nancy had a question as to why it went from 2 people listed in the office in 2020 to no one in 2021. Cindy noted that her and the FMLA position salaries got rolled into

the HR department's budget. Therefore, their positions will no longer be listed as a separate line item in the Knox County ADA budget.

-Cindy pointed to page 48 of the budget and said this budget is only good for the upcoming fiscal year 2021 (July 1, 2020-June 30, 2021). Although they show a 5-year projection of \$0, 2021 is the only year that really matters (\$1,200,000). Cindy said the budget reflects projects we need to move forward with to get us within compliance and we need to pay attention to what actually passes when they vote on it.

-Public Libraries: Cindy pointed to page 49 next and noted that since Knox County has only reopened 8 libraries since COVID (and this only makes up half of the libraries), she is unsure what the plan is for the rest of them-stay tuned.

-Parks and Rec: Cindy said the budget shows the plan to resurface 5 playgrounds. She has been talking with Shauna of Parks and Rec, who has not yet heard from her director which 5 playgrounds this includes though.

-Building improvements and major maintenance: Cindy said a lot of these listed are for the Public Building Authority to look out for so she sent Jayne Burritt a list of what are considered easy maintenance issues and can be done as routine maintenance. She is unaware if these are considered ADA issues or not.

-Cindy said as she has been working on spreadsheets, she became aware that Inskip Elementary had a bathroom remodeled and everything was stripped down bare. The surveyor had noted in their report that they had talked to staff and the staff was of the opinion that everything was going to be put back in as was so it would still not be a compliant bathroom. The school thought they were compliant, the surveyor and transition consultant said they were not. Cindy tried to reach out to find out what is going on and is still waiting to hear back. She thinks the confusion is because the school had done an addition to the school that was compliant, and they had enough bathrooms per number of students, the school thought they were compliant. The consultant who prepared the Transition Plan said that doesn't matter. If an existing bathroom is adjusted, that bathroom also has to be brought up to ADA standards.

-Cindy asked the Codes Dept. for a list of every building permit for a County owned property that has been renovated or built since the transition plan was done-which will be about 45 plans. As of this meeting, she has yet to hear back from them. Cindy wants to find out what is being built or renovated to make sure they are all up to ADA standards.

-Engineering and Public Works: This is typically where the big dollar items are (i.e., road projects, bridges, sidewalks, etc.) These are projects that have been in the works. We just need to make sure that when the plans become available, that they are actually providing sidewalks, putting in curb ramps,

audible pedestrian signals, etc. She said she was surprised to see there was money allocated for sidewalks so noted it was just something to keep an eye on.

-Schools: Cindy is still waiting on more information for plans. She said she pulled out several things to keep an eye on, including:

1. Halls High School general renovation for \$1 million-she has no idea what this means so stay tuned what part of this is ADA related.
2. Gibbs High School stadium upgrades. Cindy noted that as she was working on a master spreadsheet for 18 high schools, she saw there are a lot of problems with their stadiums and ADA compliance (accessible restrooms, wheelchair seating, bleacher access, parking lot to stadium access, etc.). It is unclear from the budget what is included.
3. Systems wide parking and paving: this is thrown in as a line item every year and has to do with potholes and issues that come up. They aren't really ADA related, but must be taken care of regardless.
4. Title IX Solutions athletic upgrades: she isn't aware what they plan on fixing here-locker rooms, benches w/ back supports, accessible shower, accessible toilet?
5. Bearden Middle School space upgrade: she has no idea what this entails, but they are not showing anything until 2025.
6. Lincoln Park upgrade-she is unclear what the plan is here.
7. Lonsdale, Northwest Elementary School: these are important as they are new construction projects. Her hope is they are making these ADA compliant, but she has not seen their plans yet.

*Cindy noted that looking at the list for Knox County Schools' budget, that all of it needs to be reviewed to make sure it is ADA compliant.

-Tim asked when this budget will be voted on. Cindy said her understanding is that there is a special County Commission meeting called for the following Wednesday, June 24, 2020.

-Tim also asked if more details on the budget will be discussed. Cindy said she doubts it unless someone asks from the public podium at the meeting.

-April asked if the budget mentioned anything about Knox County Senior Centers. Cindy replied that she didn't see anything. April said they haven't had many issues, which is good. The main thing she thinks needs to be done is putting in automatic doors at the Karns Senior Center. Cindy thought this was in the works. April noted that they got a price on this and then COVID happened. Cindy asked April to get a status on the installation of the new doors and April said she will find out, as it would be great if this was taken care of prior to reopening.

-April told the DAGWould? Committee that the sink they found an issue with on their tour of the West Knox County Senior Center has been replaced with an ADA compliant sink.

-Cindy asked April if she knows when the senior centers will reopen. April said she does not have a date, but it will not be in July.

-Cindy concluded the update and discussion on the budget and noted that the Knox County attorney, Myers, had not joined the Zoom meeting yet.

BYLAWS

1. Attendance

- a. Cindy noted that Governor Lee's order allowing online/electronic meetings due to COVID-19 expires on June 30th. However, there is language in the order stating that committees can continue online meetings if there is a necessity. Cindy was hoping the attorney would be on the meeting to discuss this further.
- b. Cindy asked that since several committee members have health issues, does the committee want to continue meeting electronically? If so, she would schedule the meeting, advertise it on the website with the Zoom link, and conduct the meeting as usual. The meeting would need to begin with a discussion on why the electronic meeting was necessary. Then, the secretary would need to get the minutes ready within 2 days and send them to the attorney to file with the Secretary of State in order to justify why an electronic meeting was held-as opposed to an in person meeting.
- c. Cindy said per her discussion with the County attorney, in order to continue with electronic meetings, the bylaws do not need to be amended, but the procedure detailed above would need to be followed.
- d. Anna mentioned that her understanding of the Sunshine Law includes 2 provisions that the DAGWould? committee could use:
 - i. The emergency process-detailed in section b above, and
 - ii. The application process-filling out paperwork ahead of each meeting.
- e. Anna said she was told that the Open Meetings law requires a quorum be present at the location advertised on the notice of the meeting with 2 exceptions:
 - i. Participation by electronic or by other means: it allows for members of the board to participate by electronic means and not have a quorum at the meeting site if a determination is determined at the meeting, and it is stated in the minutes of the meeting that it is a necessity, and not practical, that a physical quorum not be present. Then, within 2 days of the meeting, there must be a filing of the minutes of said meeting.

- ii. Electronic communications via internet: you ask for permission from the Secretary of the State of Tennessee open records council ahead of the meeting.

2. Officer Elections

- a. Cindy said the committee was supposed to vote on officers in April (which marked a year since the first DAGWould? Committee meeting), so that will be need to be done at this meeting.
- b. Cindy noted the DAGWould? members who are on a 2-year term (with the potential to serve for 6-10 years): Tim, Mark, Nancy, and April; and those on a 4-year term: Shazi, Anna, Sandy, Katherine, and Stanley.
- c. Cindy asked the committee for officer nominations, starting with the Chair. April asked if officers have to change? Cindy replied they do not, as each officer is allowed to serve up to 2 years.
- d. Nancy motioned to retain current committee officers for another year, Tim seconded the motion. All committee members were in favor of the motion, with no one opposed.

3. Meeting Location(s)

- a. Cindy noted that over the past year, the committee visited various locations with issues that are part of the transition plan and that many of these became repetitious with similar issues. Going forward, the committee can meet in a location with a large conference room to accommodate for social distancing.
- b. Since Sandy and Katherine are dependent on the bus system, the location needs to be on a bus route.
- c. Cindy said, going forward, the meeting location needs to be large enough to accommodate at least 10 people (possibly more if the UT students want to attend any meetings) with social distancing guidelines in place.
 - i. April asked about the room at the dRC where the committee previously held meetings.
 - ii. Anna mentioned the large assembly room at the City County Building and if that is an option? A library might be possible, but she questioned whether they have large enough rooms.
 - iii. Tim suggested the Knoxville Station Transit Station as well as the American Red Cross on Middlebrook Pike near West Hills, between Dowell Springs and the Methodist Church.
 - iv. Cindy suggested the City Public Works Building community room.
 - v. Shazi noted the lack of an available location to accommodate 10+ participants, while imposing social distancing guidelines, could be a justification for continued electronic meetings.

- d. April moved that the DAGWould? Committee meet quarterly on the third Thursday of the month at 3:00 at the City Public Works Building. Shazi seconded the motion. All committee members were in favor, with no one opposed. The motion passed.

4. Frequency

- a. Currently, the DAGWould? Committee meets every month-except for December. Article 6, Section 1 of the bylaws state that the committee “holds monthly meetings or as approved by the committee” and can set date, time, and place of regular meetings.
- b. April asked if there is a minimum amount of meetings the DAGWould? Committee must have each year? Cindy replied that this is strictly up to the committee-the date, time, and location.
- c. Shazi asked Cindy, looking forward, how often she thinks she will need the committee to meet. Cindy replied this is a good question because she is not sure. She doesn’t think the committee needs to meet as frequently as it has been since it has seen many of the issues in question. She also said the committee may not want to meet again until she can get some answers/clarity of what some of the dollars listed in the budget actually mean.
- d. Cindy noted that, if needed, the Chair of the committee has the power to call a special meeting at their discretion with 5 days notice (per the bylaws).
- e. Anna suggested the DAGWould? Committee meets quarterly (August, November, February, and May) and can call special meetings, as needed. Cindy said she could also provide information via email as different requests come up.
- f. Anna noted the bylaws are flexible enough to where the Committee can be flexible with meeting dates and/or cancellations, depending on what come up.
- g. Cindy said as of now, she has the DAGWould? Committee meeting on the third Thursday of each month and that it is easy to put up a cancellation notice for those dates the committee doesn’t need to meet.
- h. Cindy noted that based on what has been decided during this meeting, she will operate under the assumption that DAGWould? will not meet in July, but will meet in August. She will attempt to secure the large conference room at the City Engineering/Public Works Building for that meeting. Her hope is that since the DAGWould? Committee consists of members who all have to be extra careful amid COVID-19 concerns, the Committee can continue to meet electronically. She will discuss this with the County attorney. Perhaps, he can get prior approval to continue electronic meetings.

OPEN DISCUSSION

-Anna told the committee that she would mention the DAGwould? meeting exception to her legal team because if there isn't an exception, it is disenfranchising people with disabilities in the process of attending not only this meeting, but all public meetings. She also said that since COVID arose, it has, unfortunately, been a ripe time for people to roll back disability protections and funding.

-April asked Cindy about one of the emails she forwarded to the group that asked for suggestions and input. Cindy said they loved the suggestions the committee provided and are looking for more sources of information if the committee has any. She noted their timeline is to have a draft by mid-August, with publication in December. Cindy said she would tell them DAGWould? would like to see their draft.

-Cindy said a member of the TPO who is working on the Human Services Transportation Coordination Plan would like to meet with DAGWould? Committee and have committee members take their survey. Once they put the finishing touches on the survey, Cindy will email it to the Committee for its input.

-Cindy told the committee she was recently on a virtual meeting with Prof. Retherford, who is doing the senior design class with the students the committee met with. She told Cindy the project is to continue this fall when they return to campus. They plan on talking once before the students return, then again after they return to figure out what worked, what didn't work, and how they can move on with the project. All of this is subject to COVID-19 guidelines and restrictions, of course. Cindy will keep the committee updated on this project as things progress.

-Cindy said she has been working on spreadsheets to help get a grasp on what the committee's issues are with regard to the Transition Plan. She hopes to share some of this information with the committee in the near future to get their input as to where to start. Currently, it appears the high schools have the most problems-perhaps due to their age, or the number of sports facilities at each school.

-The committee members checked in on each other and discussed how they are dealing with life in the age of COVID-19.

ADJOURNMENT

-With no other business to discuss, the meeting was adjourned at 4:40 PM.