



# Community

MENTAL HEALTH  
CLINTON • EATON • INGHAM

**SPECIAL  
EXECUTIVE COMMITTEE  
HYBRID MEETING**

**Monday, March 28, 2022**

**4:00 p.m.**

**Community Mental Health Authority, CEI  
812 E. Jolly Road, Atrium  
Lansing, MI 48910**

**Call to Order:**

The meeting was called to order by Joe Brehler, Chairperson at 4:00 pm

**Committee Members Present:**

Joe Brehler, Al Platt, Ken Mitchell, Emily Stivers

**Excused**

None.

**Other Board Members Present**

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**Staff Present:**

Aleshia Echols, Sara Lurie

**Public Present:**

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Special Executive Committee Meeting (aye)  
March 28, 2022

MINUTES ARE DRAFT PENDING COMMITTEE APPROVAL

None.

**Approval of Meeting Minutes**

**ACTION:**

**MOVED by Al Platt and SUPPORTED by Emily Stivers to approve the meeting minutes of March 9, 2022 as written.**

**MOTION CARRIED unanimously.**

**Adoption of Meeting Agenda**

**ACTION:**

**MOVED by Emily Stivers and SUPPORTED by Al Platt to approve the March 28, 2022 meeting agenda amending the agenda to include New Business Item, a. entitled: CMHA-CEI Americans with Disabilities Act (ADA) Board Member Accommodation Request Recommended Process.**

**MOTION CARRIED unanimously.**

**Public Comment**

None.

**BUSINESS ITEMS:**

**Americans with Disabilities Act (ADA) Accommodation Request Review**

**Board Chair, Joseph Brehler advised Executive Committee members that due to the fact that the ADA requires decisions to be made on a case by case basis, this special Executive Committee meeting had been called in response to a written request received from a board member for an accommodation under the Americans with Disabilities Act (ADA), and the Executive Committee was required to meet and conduct the following business:**

- 1. Review the written request to determine a decision**
- 2. Develop a process to review CMHA-CEI Board member ADA Accommodation Requests**

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Special Executive Committee Meeting (aye)  
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MINUTES ARE DRAFT PENDING COMMITTEE APPROVAL

Upon completing the business items above, a Special CMHA-CEI Board of Directors meeting will be called to approve the draft Policy & Procedures as well as to review and request approval of the full board of the decision determination.

The source data referenced prior to the review of the written request to determine eligibility included:

- Attorney General, Dana Nessel's (16 page) Opinion No. 7318, rendered on February 4, 2022; entitled: Opens Meeting Act, Americans with Disabilities Act, Rehabilitation Act. The Attorney General Opinion No:7318 rendered on February 4, 2022 provided clarity that virtual participation in Board Meetings while not allowed under the Michigan Open Meetings Act can be considered under the American Disabilities Act Title II covering State and Local Government Programs and Services. In accordance with this opinion we have drafted a policy and procedure to guide submission of requests and the timely review and consideration of requests by the Board of Directors Executive Committee.
- The Americans with Disabilities Act (ADA) Information which stated that to be disabled under the ADA, one must have a physical or mental impairment that substantially limits a major life activity or a record of such impairment.

Discussion ensued.

Americans with Disabilities Act (ADA) Accommodation Request Review

ACTION:

MOVED by Al Platt and SUPPORTED by Emily Stivers to allow Paul Palmer to participate virtually and vote under the ADA eligibility requirements adding an effective and end date with intermittent reviews.

MOTION CARRIED unanimously.

Americans with Disabilities Act (ADA) Accommodation Request Review

ACTION:

**MOVED** by Al Platt and **SUPPORTED** by Emily Stivers to withdraw the motion to allow Paul Palmer to participate virtually and vote under the ADA eligibility requirements adding an effective and end date with intermittent reviews.

**MOTION CARRIED** unanimously.

**Americans with Disabilities Act (ADA) Accommodation Request Review**

**ACTION:**

**MOVED** by Emily Stivers and **SUPPORTED** by Al Platt to authorize the request of CMHA-CEI Board Member, Paul Palmer to participate virtually and vote in all CMHA-CEI committee and Board of Director meetings indefinitely under the Americans with Disabilities Act (ADA).

**MOTION CARRIED** unanimously.

**Unfinished Business**

None.

**New Business**

**CMHA-CEI Americans with Disabilities Act (ADA) Board Member Accommodation Request Recommended Process**

As a follow-up to the March 9, new business item, entitled: Development of a Guideline/Process for Reviewing ADA Requests considered disabled and what is required based on ADA statute, Sara Lurie shared a copy of the CMHA-CEI Reasonable Accommodation Request Form (for review purposes only, as an outline for consideration when drafting the Policy and Procedure).

Discussion ensued regarding development of a formal policy/procedure for reviewing ADA requests which included the following process:

1. All request must be in writing and submitted to the CMHA-CEI, Board Secretary.
2. Upon receipt of a written request, the CMHA-CEI Board, Secretary will notify the Board Chair that a request has been received and forward all supporting documentation provided for consideration of the request.
3. Board Chair will call a special CMHA-CEI Executive Committee meeting to

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review written ADA Accommodation Request within 30 days.

4. Executive Committee will meet to determine ADA requirements are met and render a determination.
5. Following a determination, a Special Board of Directors meeting will be called to review and vote on the determination made by the Executive Committee.

**ACTION:** Based on the draft process outlined above, Sara Lurie will work with the CMHA-CEI attorney to develop a proposed draft policy and procedure (in proper format) for review by the CMHA-CEI Board of Directors at their upcoming Special Board meeting for review and approval.

**CMHA-CEI Americans with Disabilities Act (ADA) Board Member Accommodation Request Recommended Process**

**ACTION:**

**MOVED** by Emily Stivers and **SUPPORTED** by Al Platt to approve the proposed policy and procedure for Board/Board Committee Member Accommodation and gives authority to the CMHA-CEI Board of Directors Executive Committee to review and render a decision regarding requests for accommodation for participation in Board and Board Committee Meetings.

**MOTION CARRIED** unanimously.

**Public Comment**

None.

**Adjournment**

The meeting was adjourned at 4:36 pm.

Minutes submitted by:

Aleshia Echols, Executive Administrative Assistant