**BUSINESS ENTERPRISE PROGRAM OF OREGON BECC Regular Meeting**

**Monday, November 20th, 2023**

**2:00 PM – 4:00PM**

OREGON COMMISSION FOR THE BLIND

• Any agenda item may become an action item.

• Any of these items may be a conflict of interest.

AGENDA

1. Call to order- Chairman Hauth.
   1. Roll call
   2. Adoption of meeting minutes.
2. Public Comments.
3. Training & Education.
   1. Compliance.
   2. Facility development- Silver Creek Falls.
4. Old Business.
   1. Dept. of Corrections, script price increase.
   2. Operating agreements, uniformly.
   3. Unincurred business expenses.
   4. Rules & Regulations.
   5. Derrick Stevenson’s complaint- E.C. participation.
   6. True “active participation”.
   7. Providing program relevant information.
   8. Inappropriately spending program funds for AG expenses.
5. Chairman/Director comments.
6. Other.
7. Adjournment.

**Transcript**

Hauth: Are we straight up, or?

Miranda: Yes.

A Stevenson: Mr. Chair?

Hauth: Hey, everybody, welcome, welcome. Yes?

A Stevenson: I need to make a quick comment here. At the last Elected Committee meeting, we voted unanimously that when we have meetings it would start, and it would run until it ended. And I'm very disappointed that the Commission has chosen that we could only have a two-hour meeting when we need to conduct our business all in one meeting, like we, we did the motion and passed it. And so, I'm a little disappointed that our motions and stuff were ignored by the agency. Okay, I'm going on mute.

Hauth: Alright, we're gonna go ahead and take, take roll. So, Lewanda Miranda?

Miranda: Here.

Hauth: Carole Kinney? Web? Webber?

Webber: That's okay, Randy. I'm here.

Hauth: Okay. And Steve Jackson? Derrick Stevenson, I heard your voice.

D Stevenson: Yep, here.

Hauth: Nice to hear ya. Art Stevenson?

A Stevenson: Mr. Chair! I am here, but I'd want to make a comment. I would now like to be called by my full real name. And that's Arthur, because it, it's my email address and everything. And so, I know it's going to be a little adjustment. But please try to call me Arthur from now on, if you can.

Hauth: I sure will just remind me. Okay, all right, Arthur, thank you for that. And I'm here as well, so we do have a quorum. I'm going to continue on and I'm also going to text Steve Jackson just to remind him of this meeting. But, Michael, obviously, we have you on the line. Is there anybody else from the agency by chance?

Wolff: There, there is not, Mr. Chair.

Hauth: Okay? And so, as far as vending facility managers, who do we have on the line? Okay, no one else? All right. Do we have any public that want to be acknowledged? Any public that don't want to be acknowledged? A little humor there. Okay, so, anyway, let's go ahead and get the meeting going. We do have a quorum. And so, let's go ahead. And, Carole, if you as graciously as you do quite often, or always recently, if you could help me go through the agenda, I'd sure appreciate that.

Webber: Sure. We have the adoption of meeting minutes.

Hauth: Okay.

A Stevenson: I move, I move we adopt the minutes of the last meeting as recorded.

Hauth: Okay, meeting minutes. Motion's been to adopt. Do I have a second?

D Stevenson: I second.

Hauth: Okay, any oppose? Or, I'm sorry, motion and a second yea or nay, Derrick?

D Stevenson: Yea.

Hauth: Art, Arthur? Arthur? You're on mute, Arthur.

A Stevenson: Yea!

Hauth: Alright! Lewanda?

Miranda: Yes.

Hauth: Carole?

Webber: Yes.

Hauth: And I'll vote yea, as well, motion passes. Okay, what do we have next?

Webber: Public comment.

Hauth: Alright. So, I know, Art, you did make a comment which is perfectly fine. I don't know if you have any other public comments to make at all, or if anybody else does, please let me know, and the floor is yours.

A Stevenson: Mr. Chair?

Hauth: Yes, Arthur.

A Stevenson: I'd like to make a public comment. I would like to wish each and every person on this line a happy Thanksgiving. I hope that God blesses each and every manager, their families, and definitely everybody stays safe during this holiday season. I know that it's a little more difficult out there given the circumstances to be independent but I'm, I'm saying that I'm, I'm hoping that God blesses everybody and protects them, especially my blind comrades during these difficult times, where it is increasingly harder to be independent because of all the garbage going on out there. Thank you, Mr. Chair.

Hauth: Yeah, thank you very much, Arthur. Anyone else? Anyone else like to make a public comment? Okay, hearing no one else, I'll go ahead and take a few minutes to make a few comments. First and foremost, thank you to Charlotta Mckinzie Hawkins, Carole Webber, Lewanda Miranda, and anybody else who was involved and participated in any portions of the BEP Director hiring. I know Michael Wolff stepped into this role a few months ago and obviously did not choose to proceed forward in that role, or be considered in that role, you know, as a permanent director. And so, however, there was a process in place, and you know, I know it was denoted that you know, might not have been the exact way that everybody would have liked it. However, what I can say, in my opinion, is I believe it yielded at least two really possibly great candidates. Unfortunately, frankly speaking, this last 10 and a half years under Direc--, Eric Morris's leadership or lack thereof, I think, was just a, a lot of, a lot of digging of the hole, and you know, the new person that gets hired and comes on, certainly will have to communicate and work together and try and fix problems instead of creating those. I do believe that the two people that I was at least listening to, there were three, one had food service experience that I don't believe was necessarily relative to the challenges we face. But that, again, is my personal opinion. The other two, I believe, were much more in line with filling the position as far as communicating and growing the program and those type of, you know, mind eye view. So, we'll see what happens going forward, and I mean all that was shared in the public forum. So, you know, I'm sure I'm fine to share that. And you know, going forward we'll, you know, hope for the best. And so, also, I do want to mention that Steve Gordon, a great friend of mine, been a longtime friend of mine, been in the program for gosh, 40 years off and on, retired, recently. I'm, I'll tell you the backdrop to the retirement. When Steve was, you know, Steve's been in the program for, I mean, like I said, 40 years off and on. I believe he left at one time. It's hard to keep track of that, but Steve was a great businessperson. Very independent and a hard worker. He and his wife when she was alive, worked hard, and enjoyed the fruits of their labor. I know Steve was one of the first ones to reach out to Oregon State University and trying to develop a vending relationship with them. And also, Steve was one of the first in Oregon, you can go back and research this, to have a cornea transplant as a younger person. I know this is no secret, but Steve had undergone some medical challenges, and while dealing with that, I know the agency directed that his vending be snatched away from him. There was some advocacy efforts by Linda Haseman, myself and others on this line to address the issue. And in talking with Steve, just so you know this, Steve's son got involved and exchanged communications with the agency, met with both Vinnie Gwosh, Goowash [sic] and Eric Morris, and hearing from Steve, Steve said that Eric was not at that time as director was not even going to let Steve continue from April to November continuing to receive funds from his subcontracted location. But, long story short, I believe, they allowed Steve to maintain that, but required Steve to sign an agreement that he would retire at the end of October, and so, I believe that's probably when Steve's operating agreement came due. I know we have that on the agenda a little bit later. But I guess my concern about that is not only that we lost another manager, you know, we've lost, we've lost Gordon Smith due to this self-service initiative. We lost Ken, you know, unfortunately, Ken passed away, but we lost Lin Jaynes. We lost Sean Bever. You know, we've lost now Steve Gordon, and to my understanding, and from hearing from those persons, it's all about the self-service initiative and the impact upon those people. So, you know, that's, that's certainly a concern. And I know we'll continue to deal with that going forward. But so, I, I believe that's all I wanted to share. You know, and I know this meeting, let's all be, there's some hot items that have been, you know, addressed recently. I mean, I've seen threats of reassigning of facility vendors’ vending. And I've seen other issues, communications where vendors are maybe possibly downsizing their vending to make the agency, I guess, happy. My concern in closing on this comment is that Sean Brady, the AG and Dacia Johnson, the executive director, really control the direction of the program and are not understanding that there's probably a smarter way to do it than the heavy handedness that's devastating our program and sending managers down the road that don't need to. So, you know, hopefully, once a director gets hired, we can find some autonomy for that director and that director can have, you know, the knowledge to move forward with us all together to regrow this program and to build opportunities. So, thank you very much. Okay, anybody else before we move on?

A Stevenson: Mr. Chair? Mr. Chair?

Hauth: Yes? Arthur? Yes, Arthur?

A Stevenson: Okay, I want to take a moment of silence in respect of our dear, dear friend, Steve Gordon. He will be missed. And I've known Steve a long time. In fact, he and Emmy were doing the Revenue cafeteria right before I went in there. And let me tell you, there were, was not any more dedicated manager than Steve and his lovely wife Emmy. And so, I want to request a moment of silence for both of them and a little silent prayer for Steve, as he, you know, meets the challenges that we know he's having.

Hauth: All right. Well, thank you, Art. Any other comment before we move on? Okay, what do we have next on the agenda, Carole?

Webber: Okay, it's training and education. And the first part is compliance.

Hauth: Okay. Who? Who's on this item?

A Stevenson: Mr. Chair, am I off mute?

Hauth: Yes, Arthur, you are.

A Stevenson: Okay, I'm the compliance chair, as everybody knows. You assigned me that task.

Hauth: Yes, I did. I did.

A Stevenson: At a meeting, and so, I do have a few comments. And the first one is that the Compliance Committee continues to urge the Oregon Commission for the Blind to comply with all the laws and rules and regulations of our program. It continues to be a huge problem. We basically are being ignored and treated like second class citizens, and I'm talking about the Elected Committee and the managers. Obviously, this program was created for us. Without us there would not be a them, which is the Oregon Commission for the Blind and so, it's a sad state of affairs, but I'm dedicated to ensure compliance and will continue to do all that I have to do to make sure that all Oregonians know, and that means all Oregonians, not just the blind ones, that the agency which is encharged with the responsibility of administering our program does not. Excuse me. I'm sorry I laughed, but it's just kinda, comply with their responsibility as, as dictated by the code of Federal, Federal Regulations, the CFRs. The agency has specific responsibilities as the State Licensing Agency, and quite frankly, they tend to ignore it on a continuous, I mean, it's just continuous. And well, it is really just, is, is very disappointing to me as a longtime blind licensed manager in the program since 1986. You would think that OCB would learn from their mistakes, make positive changes, and that we would move forward in this program instead of backwards. Right now, Mr. Chair, this program is in the worst shape since I've been a blind licensed manager. Which is a sad state of affairs, but I will not be deterred. I will not be silenced. As you know, I've designated myself as a federal and state whistleblower, and I will continue to blow the whistle on all those individuals at the Oregon Commission for the Blind for ignoring the rights of blind licensed managers under the law.

Hauth: Hey, Art, I agree with you a hundred percent. But if you can now going forward, if you can identify a couple of the specific instances that are going on that you're dealing with. Obviously, sharing your advocacy is certainly important and identifying that to the agency. However, are there certain things that you'd like to address?

A Stevenson: I'll give you a few, Randy, there's so many the, so many of them. But failure to allow blind licensed managers their rights to due process before they take action against those managers. A very specific example of that was when they took Steve Gordon's vending away from him, without his right to due process. They actually are trying to do that right now, with one of our managers and board member Derrick Stevenson. There have been threats and intimidation, and the denying of their rights, each individual's rights under the law. As you know, the agency is required to make rules and regulations that ensure the proper and satisfactory operation of the vending facility, and for the benefit of the blind licensed managers. And OCB is not, is not, is not doing things for the benefit of the blind licensed manager, and I'll stop there, Mr. Chair.

Hauth: Okay.

A Stevenson: Because.

Hauth: Thank you, thank you very much. Let me just share with you a couple of things. We, I did send a, so, Lewanda and I worked with the agency to develop the agenda, and we sent the agenda items, as you know, here a few weeks ago, and we did some work on trying to clarify some of the agenda items that I knew would come up, and so I know that Lewanda sent a request to intern [sic] Director Wolff, yesterday, asking, I think, three or four different items, and you know, I know Michael just received that this morning, and so, maybe at a little bit of a disadvantage. However, in my mind, you know, if, and you know, I don't mean this in a heavy-handed way against Mr. Wolff, cause I know he was just here in a temporary way, but he’s still our point of contact, and he's still signing some of the documents that I've seen that are of concern to the program and the managers. So, hopefully, a little bit later on, or through the agenda, Michael will be able to share what he is understanding or what their position. I'll just say real clear, clear, quickly on some of the compliance issues that I've been made aware of. Clearly the issue that happened with Steve Gordon was, I believe, a clear violation of due process. I might not know all the specific facts, but what I've heard from Steve and what I've seen, the actions of the agency, it looks to me like it was clearly a violation. What I've seen with and through the matter with Mr. Derrick Stevenson clearly looks like not only a violation of due process. However, you know, it's my understanding that looked like the agency allowed Derrick Stevenson's current operating to get run, run out. Maybe I'm wrong on that, but it looks like in one of the emails I saw, it said his operating agreement ran out, like, November 1st, which I know that was one of the reasons that is going to be on the agenda. Because why do people have so many different operating agreements ending at different days, unless the agency is trying to use those as leverage against the manager, which is unfortunate. But again, a manager has the right to due process, and when I saw the reassigning, possible reassigning of a facility. How is that decision being made? Right? So, facilities are clearly supposed to be a, a major program decision. So, those are a couple of the things that I saw that were of concern to me and at least from the information that I have. So, hopefully, we can get some answers and address this as we go forward. But, but thank you, thank you, Art. And what do we have? What do we? What do we have next?

A Stevenson: Mr. Chair? Mr. Chair?

Hauth: Yes?

A Stevenson: I got one more quick comment on that.

Hauth: Yes, Arthur?

A. Stevenson: I, I did send an email to Interim Director Wolff asking for program relevant information. I asked him why Steve Gordon's vending facility had not gone out to bid like required by, by law and their rules and regulations, and that email was ignored. Hopefully, we can find out as we move along. But, as you know, Randy, when a blind licensed manager, and evidently, they knew quite a while ago, that Steve was leaving, that particular vending route should have gone out to bid, and it was not. A direct violation of federal law and our state law and rules.

Hauth: Yeah, thank you. Yeah, yeah, thank you. And you know, I think one of the, one of the better ways to address this, Art, it’s not necessarily about a specific vending manager, because I know the agency, you know, a lot of times will contend that’s privilege or private information, but clearly, in my understanding of reading of the rules and the statute, when a facility, I don't know that number, the facility, but the Santiam vending facility. When the agency knew that was coming available, certainly that should have gone out to bid through the transfer and promotion. But yeah. So again, you know, I don't know if it was just, you know, just overlooked or not. I do know that the day that you sent the email that also there was an email sent to redirect commissions from Steve's subcontractors to the agency. So, you know, maybe they overlooked it. Maybe they dropped the ball, but again, you know, with Eric leaving and Michael coming in, I don't know all the moving parts. But at this point in time, that facility, in my opinion, and I believe the other vending facility board members would believe that that needs to follow the transfer promotion. So, let's go ahead and move forward because we've got a lot of stuff to do. So.

Webber: Okay.

Hauth: Okay.

Webber: Next is the facility development at Silver Creek Falls.

Hauth: Okay, Art. Go ahead.

A Stevenson: Am I off mute?

Hauth: Arthur, you are.

A Stevenson: Did you say I was off mute?

Hauth: Yes, Arthur, you are.

A Stevenson: Okay, Silver Creek Falls, where do I begin? Number one, Salvador Barraza is my constituent and there have been a lot of problems with that facility. Poor Salvador does not have appropriate storage to be able to buy product and run that facility which, as we all know, is required. He did not, was not provided with a vehicle in order to do his job, which I, I am pleased to say that I talked with Salvador, and we, he is now moving forward and getting an appropriate, an appropriate vehicle, so that he could actually do his job, as required by the contract. Also, he, with running that facility, he needs a place to store his product and that can be delivered to one place instead of having to run all over hell's creation in Salem, which is, is, is… With that facility, it's, it's a hard job, anyway, cause, because of that. So, the agency must make sure that when they establish a vending facility, okay, then a blind licensed manager has all the equipment needed, storage needed, in order to run that facility. And so, it's a work in progress. However, all this stuff should have been done a long, long time ago, and it was not. As you know, all managers are supposed to be treated uniformly, and you know, there seems to be a problem there. Some people get help and assistance real, real quick. Others, it takes a [sic] act of Congress to make it happen. And so, fellow board members, we need to make sure that our fellow managers have all the resources needed when a vending facility is established so, so that it can properly and satisfactually [sic] operate. And I, I do want to bring up one more thing about Silver Creek Falls. The contract is up at the end of the year, and you know what? The Elected Committee hasn't heard about any of the progress even though, you know, I've inquired about that. But we must, we must, you know, be included in this. It's, it's required by the law. And I also want to say that unfortunately, Salvador was broken into at Silver Creek Falls, and his safe was stolen. And again, here's a problem. Our facilities should be set up appropriately, so that they are protected from vandalism. And we've had a big, big problem with that, you know, fellow board members, and the agency definitely needs to get their act together and start administering the program for the managers not only their protection, but also so that they can properly and satisfactorily operate. Thank you, Mr. Chair.

Hauth: Yeah, thank you, Art. Just on a special note, we, I know Salvador's busy, but we very seldom ever hear from him. He doesn't participate in the meetings, and I guess he doesn't have to, and I know you can advocate on his behalf, but it would be nice. and I know what you're saying is true. But it would be nice to get some kind of written request from Salvador and what he's asking, and what he's needing, or it would be nice to have his participation in the meeting. That's all. So, next time you talk to him if you could mention how much more impactful that would be, it'd be nice. So.

A Stevenson: I, Ra--, Mr. Chair. I agree. But like I said, the man works seven days a week, almost 14-16 hours a day, I know, because I'm his rep, and quite frankly, I'm not making excuses for him. But if the agency did set him up properly, perhaps he would be more involved. And again...

Hauth: I agree, I agree, Art. And I, I just want to say a quick note, you know, somebody like Director Morris comes in. Former Director Morris comes in and takes 10 and a half years to, to basically ruin and obliterate any kind of communication, any kind of participation in the program. I mean, he told Lin Jaynes that she needed to get out and serve 50 machines, and once she left, then he said, oh, it's not viable, right? He did the same thing with all these contracts. Very little, in my opinion, very little communication very little, any care or concern to actually work with the committee, just maybe making excuses, you know. But I would agree with you, going forward, we need to try and resolve these things. Somebody comes in, and you know most of us have been here 30 years. This isn't just like by happenstance. This is our career. This is our life, right? So, somebody comes in and starts throwing just because they think it's their, in their mind, the right thing to do, is start throwing this program up and down and sideways, and then they run on down the road when they've created such a mess, you know, that's, that's wrong. So, we've got a lot of work to do. And I do truly believe that there's eyes watching this agency, and they're requesting that this agency get on board and do the right thing, and let's hope that the new director and the committee can work together to make that happen. So, thank you. What's, what's next? Carole?

Webber: Okay. [inaudible]

A Stevenson: Mr. Chair?

Hauth: Yeah, yeah, Derrick, go ahead. Yes.

A Stevenson: No, this is Art. I want to make one more comment.

Hauth: Arthur?

A Stevenson: I want to make one more comment. Unfortunately, okay, in this program, there's a fear factor, fear factor that if you create waves, you're gonna get in trouble. And, and this is completely wrong. This is a program for blind people, and there should not be any fear. They should feel like they can communicate without retaliation. And quite frankly, I know there are managers that have been retaliated against. Thank you, Mr. Chair.

Hauth: Thanks, you bet, thank you. What's next, Carole, if I may?

Webber: Okay, it's old business. The first one is Department of Corrections Script Price Increase.

Hauth: All right. So, this is more of a [sic] administrative, functional kind of thing. And Michael, not to throw you in the hot seat. But again, you're the guy. Right? You step, you stepped into that position. But so, you're our go to. You're our contact person. I don't know if you've had a chance to look into this. I know this is one of the questions that was asked, but what I can give you a little bit of backdrop to, is I'm getting contacted by my subcontractors, saying, look it, why isn't the price going up like it was supposed to? We can't afford to keep doing this. And when is the agency going to assist in, you know, going in and making sure that we can raise the price and assist with signing a new agreement, or whatever it is? So, the floor is yours. If you can go over any of that with us or your knowledge of that?

Wolff: How, how often are prices increased? I guess this is for sodas, right? Or is this for everything?

Hauth: Yeah. So, it's in the, it’s, so it’s only in the script, Michael.

Wolff: Okay.

Hauth: Yeah, it’s only in the prisons and the script, and prior to you coming in, we were having discussions with the agency. And, Lewanda, maybe you can speak to this because you're more in tune with that, but I believe we were supposed to have a price increase in July, and the Department of Corrections said, oh, no! Oh, no, we can't do that. We're not ready for that yet. I mean, correct me if I'm wrong, Lewanda, again. You probably know better about this than I do, but like I'm, I'm willing, ready, and I'm ready, willing, and happy to have my subcontractors raise the prices. However, I think there's an agreement in place with the agency, an IGA, that dictates those. And so, Lewanda, if maybe you can share a little bit of insight here.

Miranda: Yeah, no, it was like, let me take out the speaker. I didn't want to hold on all the time. So, it was like 2021, actually, when the increases were supposed to take place. They were going to do it all at once, and the ODOC had issued...

Hauth: Department of Corrections.

Miranda: Department of Corrections, thinking that it would, you know, cause problems with the inmates, and that. So, then we agreed to do it over a period of time, and I think it was supposed to go six months out and then January, then we'd increase it some, and then, and then at the end of the year, and then again, you know, at the beginning of this year, to get it up. But that never did happen.

Hauth: Hey, Lewanda?

Wolff: So…

Hauth: Lewanda, could, can you put, can you put something like a little synopsis together of that to send to Michael. Michael, would that be helpful?

Wolff: That'd be great. So.

[unidentified]: [inaudible] Chair?

Wolff: And also… Like what, what is?

Miranda: Yeah, I, I can send him, I can send him the original emails that came out, you know, from...

Hauth: Yeah, I mean, just something that kind of, shows, you know, you know...

Miranda: [inaudible] Sure, yep, I will.

Wolff: Yeah, I mean, it seems, it seems like just with inflation and stuff, it seems like a price increase seems like a natural step. So, I'm just curious, like what the last step looked like. And does anybody know how much it went up the last time there was a price increase? Was it like, received positively, was it like, just, context would be great?

A Stevenson: Mr. Chair?

Miranda: I, I, I can give you all of that information. I have it.

Hauth: Hold on, just a second, Art, Arthur. Yeah, Lewanda is, I think if you could do it as, you know, just basically, you know, here's what happened, you know. And here's what, you know, is we're supposed to be doing. And you know, here's what we've asked the agency to do. That would be helpful. So, thank you. Arthur, go ahead.

A Stevenson: Yeah, Mr. Chair. First of all, this does not affect just the script vending. It also affects the vending for the guards and stuff, too. As you know, I do the largest prison in the state, and they're really happy with our service. But you can't increase the price on the guards’ soda and make it higher. I mean, it's, it's just not done. It's, you know, so, and this is straight from Canteen, because they do my vending at the state prison. And it's a huge problem with the script and with the pricing for the guards, also. Because…

Hauth: Yeah, okay.

A Stevenson: Okay. I just wanted...

Hauth: Yeah, I know, Art, Art, yeah, thank, thank you for that. I'm going to [inaudible]...

A Stevenson: And I will help Lewanda, I will help Lewanda on that.

Hauth: Okay, I’m going to… Thank you. I'm going to reach out to Matt.

Miranda: Oh, it's okay, I got it. I, I have all that information.

Hauth: So, I'm going to reach out to Canteen, Matt Elderbrooke [sic], who's their, you know, Director of Operations and ask him to just send a little bulleted point, you know, you know, whatever summary of what they're, what they're facing. So, anyway. Okay, well, Michael, we'll....

Wolff: And then, Mr., Mr. Chair...

Hauth: We'll get that to you.

Wolff: Yeah, and then, Mr. Chair, just...

Hauth: Yes?

Wolff: Any, any, like idea on what, on what the committee thinks a reasonable price increase would look like? Something like that? Just so, so I have an idea of what the committee's thinking?

Hauth: I think it was supposed to have been, I think it was supposed to have gone up 20 cents. Wasn't it? Wasn't that what we're missing out on right now?

Miranda: Yes, I think so.

Hauth: Yeah, I think it was a 20 cent increase, that they started balking on, and Eric started dancing around, you know, like oh well, we don't know, we'll get back to, oh yeah, and back to 'em, and nothing ever happened. So, I think it's like 20 cents. So.

Wolff: Okay.

A Stevenson: Mr. Chair?

Hauth: Okay. Yes?

A Stevenson: This was all done before all of this fiasco of pricing and stuff for soda pop. I might remind everybody that the inflation rate has truly effected [sic] the cost of all this and that 20 cents right now, and I'm glad you're getting ahold of Matt, because, you know, a true cost needs to be handled, and the state prison has to allow for by law, the proper and satisfactory operation of these facilities, and if, if there is no proper, I mean, if there is no profit, there is no prof--, proper and satisfactorily, because none of us are in the business to break even or lose money. We're in it to make a profit. And it's about time that all of these agencies understand that. Just because we're blind doesn't mean that we don't deserve what everybody else gets, and that's a fair profit for all of our hard work. Thank you, Mr. Chair.

Hauth: Yeah, I agree. Thank you, Art. Yep. What do we have next?

Webber: Operating agreements.

Hauth: Thank you. Thank you for doing that, Lewanda. What's that?

Webber: Operating agreements.

Hauth: Operating agreements?

Webber: Uniform, uniform, uniformity.

Hauth: Uniform operating agreements?

Webber: Yes.

Hauth: Okay. So, I know I can tell you this came to my attention. So, forever, you know, the operating agreements were developed and approved by RSA. And they were issued to the vending facility managers, right? So, three, four years ago. I don't know if you remember, after the law was enacted, and maybe prior to Covid, or at the beginning of Covid, I don't remember; it all kind of blurs together. The agency was only issuing temporary operating agreements which was nowhere in the law, right? Nowhere it allowed, but the agency didn't care. They said, eh, we're gonna do it, make you guys show that we can't. So, they issued operating agreements that were temporary, trying to use it as leverage against managers to force them into the 50-machine self-service initiative that actually doesn't even really exist. However, as their internal policy, they were trying to make sure that that was happening. So, went to DRO, and Disability Rights Oregon got involved, and I'm sure I was a troublemaker, you know. But this was impacting not only me, but others. And so, Disability Rights Oregon, with the AG's office and with the agency, finally said, okay, well, yeah, maybe we will issue a, a two-year operating agreement. Well, they issued me a two-year operating agreement, I think, backdating it to like January. I think they always start, yeah, I mean, I, I don't remember all the particulars, but what I can tell you in general, what I've seen and heard and read is that managers have different operating agreements, different timelines for reanewal [sic] and I'm not sure that that's proper. I'm not sure why that is? And I know that was one of the questions that were [sic] raised when we brought that to Director Wolff's, Intern [sic] Director Wolff's attention, and I'm not sure if you've had a chance to look at that yet, Michael, or if you have any weigh-in on that from the agency. But I mean, it's clear. Let's not, let's not kid each other. Obviously, the agency's AG weighs in on all this. I mean, I can tell by the letters and the formatting of the letters that are sent out to everybody, and you know, maybe that's the duty of the agency to reach out to them. I don't know. I personally think they do that too much. But I know it's, I know it's a concern.

A Stevenson: Mr. Chair?

Haseman: Linda Haseman would like to say something, please.

Hauth: Yeah, go ahead, Linda.

Haseman: Yeah. I just want it on the record that when operating agreements were developed RSA did weigh into it, and I know one of the questions or a couple of the questions tied to the operating agreement is, why were they going to only be switching from an annual to a biannual, cause they used to be annual in the o--, old OARS. And the answer came back, oh, it's our way, from the agency to RSA, it's in writing. It's basically in sum, our way of making sure that people’s business licenses are on file, that their insurances are up to date and in file, etc. Because RSA was concerned that a biennial ending could be the agency's attempt to basically get rid of a person without due process and without their rights to due process. And in effect, when you end an operating agreement, you're in effect ending the vending facility manager’s license, because what are they operating anymore? And what was the process to end the operating agreement other than oh, it came up, and it was no longer within the period of time. So, when I'm watching things happen where individuals are being threatened that their operating agreement’s ending and that if they don't sign something that it’ll be reassigned, I have, their, their vending route will be reassigned, I have significant concerns, cause that was never the intent of when operating agreements were to end that it was just supposed to end people's vending routes. And I also have significant concerns that people are being told that their routes will just be reassigned. Because how is that going to be decided and reassigned to who [sic]? The sighted vendors, subcontractors out there that the agency continually hands off vending to? Will it be reassigned through a, a bidding process, or the process outlined in the OAR, and I just find it quite abnormal, and I'm, I know I'm on a pulpit right now. But I want it on this recorded record. When I'm watching that Lin Jaynes was bullied out of the program, and those are her words, not mine. I'm watching Derrick Stevenson be told he has to sign something by a given date, or he’ll be reassigned. I have. I'm watching that Steve Gordon retired out of the program. I'm watching that Randy was put through discipline in order for them to force him out there. And I'm watching and hearing that I believe Jerry Bird’s having to give up some items to be able to continue on. Just seems something's, I've said it before, and I'll say it again, something's wrong with the program. Something's wrong with this program. It's not being grown like what was supposed to happen with the, when we went to the legislators and asked for changes in the law. It's not being grown in what I'm watching. And I said it before, and I'll say it strongly now, it's ageism out of this program. People are being aged out of this program, and that's illegal.

Hauth: Yeah, just before I turn it over, I do want to say a couple of things. What's wrong with this program is the administrative mindset. It's unfortunate. But that's, that's what I believe is happening. And also, almost every state that I know of across the nation has open-ended operating agreements. They do not put a time stamp date on them. That's the way they're supposed to be so, for the agency to do that here in Oregon, even though RSA said, why are you doing it, you know? Just unfortunate. But anyway. So, with that, what, is there any comment, more comment on there? Or, or Michael, if you could share with us what you found out, if anything, about this? Again, I know you're, been thrown into fire because you're our Intern [sic] Director, but again, you're the guy, you know, who we, who we gonna talk to?

Wolff: No, that's fine. I have not, though. So, I don't really have anything at this point to add to that topic or that question.

Hauth: Well, if you could find out, Michael, and...

A Stevenson: Mr. Chair?

Hauth: Hold on just a second, Arthur. If you could find out in the next, you know, few days, whoever you need to talk to Dacia, or Sean Brady, if we could find out and answer that it'd be greatly appreciated. So, and I think we deserve that. So, thank you very much. Arthur, go ahead.

A Stevenson: Okay, let me say, okay, that we have consistently, the Elected Committee, urged the agency, Eric, Dacia, the Commissioners, that they need to comply with the law and treat us as businesspeople, treat us like the successful states across this country. And I've been to a lot of 'em. But we've been ignored. We've been ignored, and it deals with compliance. Okay, we rejected the rules and regulations unanimously. We rejected the operating agreement unanimously, because the agency was trying to force us to do everything their way, and not necessarily the way that benefits the blind licensed managers in this state. And that's what the dang state statutes say. They can't, but they still are, just, you guys are second class citizens. We're going to force this garbage down your throats whether you like it or not. And that's why we're one of the worst vending programs in the country, because we don't count. Our expertise is ignored, and even Terry Smith was ignored, and all this stuff was forced on us whether we liked it or not. Thank you, Mr. Chair.

Hauth: Yeah, thank you. Just so everybody knows we have an hour remaining. I just want to kind of backdrop here. So, Lewanda, thank you for stepping up and requesting, you know, and offering to provide information to Michael about, you know, the pricing. So, hopefully we can get that thing resolved and hopefully, Michael, you can, you know, within the next week, get those answers to the questions that you maybe don't know or don't have, or whatever. So, that would be helpful. So, what do we have going forward?

Webber: Unincurred business expenses.

Miranda: Chairman Hauth, that's mine.

Hauth: Lewanda, I think this is you.

Miranda: Hi, am I off mute?

A Stevenson: There you go.

Webber: Yes.

Miranda: How embarrassing. Okay, so, Michael, I wrote you an email and explained this to you a little bit, but with the Social Security, they come around every couple of years, and when they do, they send us a letter that says you have 10 days to respond, and they want us to fill out this form and all this. So, it's really important that we have our, so, what they want to know is about our SGA, that's substantial gainful activity. And so, what we need is our unincurred business expenses, because we can have those deducted from our income. And so, we had dealt with Director Morris, and he said that it, it wouldn't be a problem. However, I have heard from several vendors that they never, they never did receive anything. And it's supposed to come from the accounting, and I realize that we've had a lot of turnover, but did you get a chance to look into that?

Wolff: I believe right when I got here one was generated for a former VFM, is the, the information that's, you know, that's pulled from the accounting department, is it sent to the VFM or is it sent to the vendors? Or what's the, what's the process for that?

Miranda: It's sent to the, it's sent to the, the VFM. You know, it's private.

Wolff: Yeah, and does?

Miranda: So, it gets sent to each individual vendor.

Wolff: And every vendor has one?

Miranda: Just so they have it.

Wolff: Every vendor gets one?

Miranda: Yeah, every vendor gets one, and we were asking to get it, I know that may not happen this year, but we're hoping to get them by the end of January each year. Usually, we send in all of our compliance documentation by the end of December. So, we thought maybe by the end of January would be a good time for accounting to get that out to the, to the vendors, and then we could have that on file for, for that year.

A Stevenson: Mr. Chair?

Wolff: So, I can, oh, go ahead.

A Stevenson: No, go ahead, Michael. You first.

Wolff: Okay, I was just going to say that yeah, I'm, you know, I can partner with our CFO and find out what the process is for that, and certainly figure out if the end of January is a reasonable timeline for the accounting department. So, I'm, I'm happy to ask that question to Kat. I don't see Kat until next week, just transparently.

Miranda: Okay. And so, yeah, if, if not.

Hauth: Yeah, and Michael...

Miranda: If they could just let us know...

Hauth: Oh, go ahead.

Miranda: What, what we can expect, you know, when to have it. So.

Hauth: And Michael, Michael.

Wolff: Yep.

Hauth: Oh, go ahead. Go ahead.

Wolff: I was, I was just curious if there's any, does accounting need any information from the VFMs to do this? Or are they in possession of everything they need at this point?

Miranda: They have everything, but if they have any questions, they could contact Chairman Hauth, is that okay?

Hauth: No. No, I'm just teasing.

Miranda: Contact me.

Hauth: I'm just, hey, I'm just kidding, I'm just teasing you.

Miranda: Alright.

Hauth: Yeah, that's fine. Hey, let me just say real quick, Michael, I mean, I know it's not something you're familiar with. But you could probably go back to the last one that was generated and kind of get an idea but what it, in, in my remembrance of it, what it does is, identifies the money that the agency puts toward staffing and the amount of set-aside that, you know, comes in, and that because when Social Security regulation which allows, in certain instances, for a blind vendor to receive, you know, benefits through Social Security still, you know, Medicare, Medicaid, or, you know, benefits, or whatever, they look at that money, that taxpayer money that's going to support the employment of a blind person, as non, you know, subsidized almost. And so, they deduct that off if I'm remembering how that goes. But anyway.

Miranda: Yeah, and also utilities, utilities...

A Stevenson: Mr. Chairman?

Miranda: Commercial property.

Hauth: Yes, Art, I'll get right with you.

Miranda: Equipment, etc.

Hauth: Yeah, go ahead, Art.

A Stevenson: Okay. This isn't rocket science. Okay? The agency is supposed to administer the program and have all this information written down and, and available to the blind licensed manager. I mean, it's, it's crazy to me, okay, that we do our accounting, but the agency cannot. And so, you know, I, I, it's just incredible.

Hauth: Okay.

A Stevenson: It's the responsibility of the agency.

Hauth: Your point. Hey, Art, your point, your point is made and taken, and I agree with you. But let's, you know, let's go ahead and… Michael has already admitted that he's going to look, or, you know, agreed to look into it. So, you know, I agree. I agree with you. But let's go ahead and move on, so we can get some of these other things done if you will, if you wouldn't mind, Arthur.

Wolff: Mist--, Mr. Chair, I had one other question, and I don't know if, if anyone knows the answer...

Hauth: Yeah, sure.

Wolff: …off the top of their head. But do you know when you got those reports last year?

Miranda: Well, some people got 'em, and some people didn't, so, they never actually, it, it, it never really happened the way Eric agreed to, to have it done with us, and I think it was a lot of overturn from different accountants and stuff. I mean, I'm not making them excuses for anyone, but I think that's what happened. So, so some people got them. Some people didn't.

Wolff: Okay.

Miranda: And like I said, it's, it's really hard, you know, when you get a 10 day notice, and it's been in the mail probably seven or eight days, and they want this information, and then it takes, you know, quite a while for the, for the agency to, to get that information. So, if we could just have them up front, then that would be great.

A Stevenson: Mr., Mr. Chair?

Hauth: Yes, Art?

A Stevenson: Michael. Just so, you know, okay, we're talking about SSDI, Social Security Disability Insurance. Social Security is not part of this deal. We have some managers who are no longer on SSDI, like myself, and therefore I do not need the information anymore. So, make a note of that, so that the agency doesn't, anybody who's collecting Social Security now instead of Social Security Disability, are not, do not have to have this information.

Hauth: Thank you, Art. We've got an hour...

Wolff: Thank you, thank you, Art.

Hauth: We’ve got about an… Thank you. We've got, done, about an hour left. So, I believe, right?

Webber: Yeah.

Hauth: It’s 3:03? Okay. Okay.

Webber: Okay.

Hauth: What do we have next, Carole?

Webber: Rules, rules, and regulations.

Hauth: Okay.

A Stevenson: That's mine.

Hauth: Now, I know this is something, I know this is something Art had mentioned, and you know, Art, the only thing I would, the only thing I would ask you to do, please, in all due respect. When you finish up, if you could, Arthur, I'm sorry. If you could kind of come up with a thought or a strategy on how to address it, you know. Cause...

A Stevenson: Yeah, I will. I will, Mr. Chair.

Hauth: Okay, okay, thank you.

A Stevenson: I'm gonna make this real quick. Okay. The Elected Committee voted unanimously to reject the current rules and regulations. And the agency is required by law, okay, to work with the Elected Committee at developing the rules and regulations to administer the program. This is an ongoing problem. The agency is out of compliance, and they need to get into compliance. They need to work with the Elected Committee and have rules and regulations that are mutually agreed upon. Because that's what's required by the law, period. And as long as the agency ignores those facts, we will be pushing for our rights. The Elected Committee will be, and so will the blind licensed managers, because they don't like a lot of the requirements that the agency is forcing us to do. And I'll give one example, the dang time tracker. We don't have a problem, okay, with giving the agency information in a quick way. But to fill out that dang form every month does not benefit the blind licensed managers. So, rules and regulations and, and policies have to be mutually agreed upon with the agency and the blind li--, and, and the Elected Committee. There is no, no leeway. Okay, I'm done. Randy. Was that quick enough?

Hauth: Yeah, thank you, Art. Do you have a strategy on, like… Do we take that? Do we? Do we motion that, that, that particular rule be, you know, be amended or rewritten, or I mean, I think this is, I think the way that…

A Stevenson: Mr. Chair?

Hauth: Yes?

A Stevenson: Okay. We've made motion after motion in these meetings, and they've been ignored. You go back and look, okay, I made motions. We need to have appropriate rules. And the doggone SLA just ignores us.

Miranda: Chairman Hauth?

A Stevenson: I can make another motion, okay. But if they're not gonna do what they're supposed to do, then the whole world needs to know about it.

Hauth: Well, yeah, I, I would just recommend...

Miranda: Chairman Hauth?

Hauth: Yes, yes, Lewanda?

Miranda: Can I make a suggestion?

Hauth: Yes.

Miranda: I thought about this a lot, and I think instead of just saying that all of the rules and regulations are no good, and we need to trashcan 'em, I think if we could work together on one or two items at a time, you know, something that, that we cannot live with, you know, that's in there and prioritize and work on one to two items at a time with the agency on getting those changed, rewritten. And if we can't do that with them, then RSA has that conflict resolution, and we can work with them and, and the agency, and try to get some things done that way, on a lower level.

Hauth: Yeah, I would. I, I would concur, I agree, and I understand, Art, you know. I know, I've heard you on the meeting, and I agree with you. However, let's try and find a way to maybe address one at a time. Now, we could take a motion to rewrite this rule, because it's a hardship upon the blind vendors. And the agency may say, you know, no, you know, they may say no. We, we do not agree with you, because these rules have already been approved by blah, blah, blah, blah, you know, that, probably I'm just being a predictor here. That's probably what will happen. However, let's hope that maybe they say, okay, well, let's sit down and try and figure out how to tweak this rule so we can still get the information, but it's not an imposed hardship and an accessibility issue upon you guys. You know, and, and go from there and like Lewanda said, if it doesn't happen, you know, maybe take another one, I mean, that's just my I mean, that's, that's my thought. I mean, I do the, you know, I do the silly, I mean, actually tell you the truth. I can't do it. I have, I have Linda do it because it's just too hard for me to figure it out as far as seeing it and accessibility. So, for the record, as a blind person, visually impaired person, it's almost impossible for me to do. So, maybe there's an easier way for us to all, you know, get the agency whatever in the world they're looking for, and so, anyway, that's just my thought talking out loud.

A Stevenson: Mr. Chair? Mr. Chair?

Hauth: Yes, yes, Art?

A Stevenson: Okay. Might I remind the Elected Committee about the rule making process? It is long, it is drawn out and if we take one at a time, truthfully speaking, we're gonna be at this for the next point. I'll be dead and gone by the time we get all of the rules addressed. Now, the time tracker is not a rule. The time tracker is a policy and policies need to be addressed as policies, and those are simpler. So, I'm just gonna say, if we're going to do the rules, and quite frankly, we had a pretty close version to what we, the Elected Committee would accept. And then, the agency

did what the heck they wanted to. So, I think we need to do the rules because altogether, because it's time consuming, and if we want 'em implemented, then they need to be done together. The policies and procedures, like the time tracker and those kind of things, can be addressed individually and, and, and singly. Okay, I'm done giving my opinion.

Hauth: Okay, okay, okay, thank you, Art. What do we have next?

Webber: Derrick Stevenson's complaint with the Elected Committee participation.

Hauth: Okay, so this is both... I know, I know Derrick's on the line. However, I do know that Art has been requested be his advocate, as well as I, and I do know that the Elected Committee has been requested to advocate on Derrick's behalf, so, whoever would like the floor please have it.

A Stevenson: Mr. Chair.

Hauth: Yes, Art. Arthur.

A Stevenson: Okay, Arthur, I'll, I'll I I'll start this out. We got a lot of problems here. There is no doubt about it. Okay, number one, let me say that the Elected Committee is in charge of deciding how we will receive, transmit, and advocate for a blind licensed manager, not a made up rule. And, and I haven't investigated, cause I haven't had time. A made-up rule that the agency makes up, which they seem to do a lot of. They seem to, you know, make things up as they go, require things as they go, which is absolutely incorrect, for the record. Okay? The complaint form which is currently on our website there was no active participation in developing that form which, of course, is a major administrative decision. But again, you know, the agency runs around and treats us like second class citizens, the Elected Committee, and we don't count, which is against the law. So, the, and I've explained to the agency that the complaint form is not accessible to some managers. That's just a simple fact. We all have our pluses and minuses, and let me tell ya, I, I cannot sit down as an advocate for a blind licensed manager and fill out that form, and neither can the managers. Some managers do the same thing, and this is a reasonable accommodation thing, which is required by law, and I have made a suggestion to Ryan McBee, who has been in charge of, you know, trying to get a handle on this and, and I can say he is working with. Now, now, I made a suggestion that the quote unquote complaint form should be just like how we fill out a survey in Survey Monkey. You tap on that question, you answer it and it's submitted. And that's how it should be, because the technology is there, and the agency is required to provide us with reasonable accommodations because we are blind. And so, number one, the Elected Committee is designated by law to receive, transmit, and to advocate. And it's our responsibility and our decision on how we're going to do that, how we're going to receive it. How we're going to transmit it, and how we're going to advocate. Because that's us. That's our job. It's not the agency's job to dictate to the Elected Committee, you're gonna do what the hell we say you're gonna do, or you're gonna be in trouble for it. So, Randy, I know I'm on a horse here, but dang it, I'm tired of the agency treating this committee like second class citizens, and not giving us the due respect that we're supposed to be given as elected officials. So, that's my end to that. This program is for us and the blind managers and doggone it, the agency needs to realize that now. Because none of 'em would have a job if it wasn't for us, Randy. Thank you. I'm done.

Hauth: Well, yeah, well. Yeah. Well, I would, let me, let me just say, I agree with you wholeheartedly that the complaint form wasn't created through active participation. If it should or not, I guess that's up to the agency's discretion. Right? I mean, that puts us in a position where we have to force them to show that. Oh, yes, you should have used active participation, because, you know, you know how that works. But the, the other thing is, why isn't that complaint form readily accessible and fillable? It certainly should be, and it could be. Hey, listen! I just want to commend whoever has finally figured out how to make these Zoom calls work, hats off to them, right? It only took like two or three years to try and, you know, dial in four or five times to get on a meeting, but the last two or three meetings have been spot on. So, that's great. But as far as Derrick Stevenson's complaint, you know, I know Derrick has asked you to advocate for him. And I know I've seen the emails back and forth between Interim Director Wolff and you, but it may be nice to hear from Derrick, you know, officially that he would like the Elected Committee to advocate for him, and you know, he is complaining about something, cause I know the agency's trying to allude, or state, or suggest, allude, suggest, or state that really there's no complaint, because you haven't used the form, and we haven't heard from Derrick. So, it may be just my opinion. It may be a good time to identify that if Derrick so chooses, or if, you know, however that would be. Just my suggestion.

D Stevenson: Randy?

Hauth: Yes, Derrick?

D Stevenson: Yeah, I'm not sure just how to go about this, but I, I would ask that the Elected Committee advocate for me. I don't want to go into too much detail.

Hauth: Sure. I, I think that's fine. And, you know, obviously I have seen, I'll share with the, I'll share with the committee that, that there's a complaint, you know, based on the self-service initiative. There's a complaint for, you know, it, it's kind of a convoluted situation. But the last email I saw was saying that, you know, Derrick wasn't participating with the agency, and he needed to do, he needed to sign his new operating agreement because his old operating agreement had run out and that if he didn't, his vending would be reassigned. And so, I do know that there is a complaint of record, even though it's not on a file. There's a verbal request for advocacy, and there's a notified complaint by his advocate. And I'm also one of his advocates, and I will say that I believe this is a merited complaint matter and that we need to advocate for Derrick in this instance, and you know, try and re--, try and resolve some kind of amical [sic], kind of meet some kind of amical situation. But that's all I would say. I would support Derrick's concern and complaint and request for advocacy.

A Stevenson: Mr. Chair?

Hauth: Yes?

D Stevenson: Yeah, I'd, I'd just like to…

Hauth: Derrick, go ahead.

D Stevenson: Yeah, I'd like [inaudible]…

Hauth: Go ahead.

D Stevenson: The last two things that, that I know of which was one was going up to Salem and operating the Revenue Building, which is, you know, a no brainer, I can't do that. I live in Southern Oregon, and that place has been closed down for two years. So, there's really no detail on whether it would be feasible or not. My whole thing is, is, I don't, as long as I'm not gonna lose money in doing any of the stuff that's on the operating agreement, I, you know, I agree to do, do what I, what I'm supposed to do. But I, I just don't understand it myself right now wholeheartedly. But that's the bottom line. Is, is it gonna help, help me make more money, or is it gonna cost me more money? I'm, you know, we're all getting up there, getting ready to retire and we're asking a manager to go $50,000 in debt and stuff. I, you know, I don't want to set myself up to fail. But guess that will all come out in the wash or later.

Hauth: Yep.

A Stevenson: Mr. Chair?

Hauth: Yeah. Well, I, yes, Art. Let me just say something real quick. I can, I can tell you prior to, prior to Michael's intern [sic] directorship, I saw a couple of emails back and forth with Director Morris and Eric, er, uh, Derrick. And basically, the agency said, well, listen as part of your accommodation, we will allow you to leave your facility, your vending facility will come, you come to Salem, relocate to Salem, and take on a cafeteria that's been closed down and still not open for years. Now, how sensible or reasonable is that? I mean, to me that was just a mean-spirited maneuvering by the agency to try and leverage their authority against Derrick. I mean, and if anybody can prove otherwise, because when I reached out, that, Director Morris at that time, and said so, how could you ever suggest that Derrick move from his location to take on a facility that's not even open and operational, has no income, he said, it doesn't matter, it doesn't, it doesn't, doesn't matter about income. So, come on. What a ridiculous agency position to even take on that. So, without all that said, I know Derrick and Art. And I'll turn this over to you, Art. I know they'll be able to work through and navigate to, you know, through the accommodation pathway and through the, you know, b--, benefit of Derrick as a facility. So, go ahead, Art.

A Stevenson: Am I off mute?

Hauth: You are, Arthur.

A Stevenson: Okay, thank you, Randy. I appreciate it. Again, the Oregon Commission for the Blind, okay, has flipped the Elected Committee the bird and said, we don't care about reasonable accommodations, which obviously, is the Americans with Disability Act. They established without active participation a reasonable accommodation scenario and didn't include the Elected Committee. And Randy, you know and I know that for several meetings we tried to say that the Elected Committee should be involved in making decisions on reasonable accommodations, because we're the experts. We know what we can and can't do. And like Derrick said, okay, if you know, it's gonna hurt him financially, then it's just plain wrong. But if, okay, reasonable accommodations were addressed, and believe me, I know what reasonable accommodations are, was actually involved with and celebrated the ADA for years. But again, Randy, we were ignored. The agency said, hey, the Elected Committee shouldn't be a part of this process, which is just wrong, because we're the ones that know what are beneficial to us being blind. Some of us partially, some of us totally, and the agency should welcome our input because we don't make decisions, okay, just arbitrarily. We make decisions, because we know. And this is another policy or attempt to make a policy or a rule and exclude the most important part of the vending program and that's the Elected Committee and the blind licensed managers. And it's just flat wrong. And it needs to be changed and reasonable accommodations need to be made by the agency, especially if it don't [sic] cost them any money. And…

Hauth: Thank you, Art.

A Stevenson: And, and Derrick’s decision wouldn't have cost the agency any money if they hadn't forced him, and you were part of this, Randy, to, to do their bidding, no matter what. And then they complain: Oh, Derrick, you're wasting so much money from the agency. Well, the only reason the money was spent is because the agency spent it without listening to Mr. Stevenson or the Elected Committee, and it's wrong. And it needs to change. And it needs to change right now. Okay, Randy.

Hauth: I mean, I get the frustration. I hear it. And I, you know, I hear you. I agree that the wasted money on storage of units and facilities, or units and vending machines was poor planning, not properly thought out implementation, from my opinion. But anyway, so… What do we have, what do we have… Derrick, I don't know if you want to say anything else before we move on?

D Stevenson: No, I'm, I'm good, Randy

Hauth: Okay, okay. Anything, you bet.

D Stevenson: Thank you all for giving me the time.

Hauth: Yep, you're welcome. Anything else, Carole? What do we have next?

Webber: Yes, just so, you know, Mister Chair, we have three more agenda items.

Hauth: Okay, thank you.

Webber: The next one, the next one on the list is true active participation.

Hauth: Okay, so can you tell me? Give me a heads up on the next two after that as well.

Webber: I will, yes. Providing program relevant information.

Hauth: Okay.

Webber: And the last one, the last one is improperly spending program funds for AG expenses.

Hauth: Okay.

A Stevenson: Mr. Chair?

Hauth: So, we have. We have like a half hour. So, let's keep that in mind.

A Stevenson: Mr. Chair? Mr. Chair?

Hauth: Let's give like, yes, Art, I'll turn you over. I'll turn it over to you in just a second. Le-, le--, let's keep in mind. Let's keep about 10 minutes per item if we can. So, go ahead, Art.

A Stevenson: Mr. Chair, I make a motion we table the active, true active participation.

Hauth: That's fine.

A Stevenson: We know, we know what it is, and we know we're not getting it. So, we a, a, at this time, let's table it and move on to the other two.

Hauth: Okay, thank you. We'll do that. What do we have next?

Webber: It's providing program relevant information.

Hauth: Okay. Art, I believe this might have been you.

A Stevenson: Am I off mute?

Hauth: You are.

A Stevenson: Okay, the law, the law requires that the agency share with any manager, not just the Elected Committee, but any manager program relevant information. Okay? And “any” means no matter how much or many. But, okay, the agency continues to hide behind, that's confidential. They don't state why it's confidential. It's just a talking point for them to have an excuse not to give us the information, and I'm darn tired of it. I am tired of them stretching and not accommodating by using the dang excuse, it's confidential. And they don't give the reasons why it's confidential. They just say it's confidential, and I'm smart enough to know and so are many of the managers smart enough to know what truly is confidential and what truly isn’t, and the agency needs to step up to the plate and quit using that canned excuse and provide us with the program relevant information that is not confidential because we know it. So, anyways, this needs to stop, Mr. Chair, and it needs to stop right now, and I don't care if you're a, a, a temporary director, or you're a permanent director, which we will have soon. You need to abide by the law and quit copping out on that excuse. I'm done, Mr. Chair.

Hauth: Thank you, Art. Anybody else. Okay, what do we have next?

Webber: This is the last agenda item. It's inappropriately spending program funds for AG expenses.

Hauth: Okay? Well, I do know that. I mean, I know we've had this on the agenda a couple of times, and I know that there's been some interaction with the agency administrator. But, I mean, it's clear, just for the record, the R--, Rehabilitation Services Administration that governs or oversees, not very well, but these Business Enterprise Programs across the nation, put into writing on April 5th of 2023, that an agency cannot use federal money and or set-aside money to litigate against a manager. Now they've said that, you know, years ago, through different conferences, but they did state in writing, and I think most of you remember they sent it to the agency. When I reached out to the agency, I believe Director Morris said, well, he's going to wait until they issue a technical assistance circular before they'll stop doing that. And then I believe Dacia Johnson, Executive Director, said, oh, they use appropriate funds, and I mean, it's clear that we've identified they don't, but you know, it's the power and authority of the agency when they throw over $200,000, it looks like $200,000, about 190 some odd thousand dollars in the last year, last biennium has been used so far, in AG's cost. They used $20,000 alone in April to try and successfully moot a ruling that dealt with my particular matter. And I mean, I've seen tons of the money that they use, you know. You know the thing is, I think the message that the agency is missing instead of working against us was work with us. We might not always see things the right way. But my, frankly, in my opinion, this agency has poor leadership. They use their authority and their money just to throw it at the AG and say, hey, you handle this problem, you handle this problem. So hopefully that's going to change, you know. Beating the, beating the past, I guess, you know, is easy to do, but it probably doesn't help much. But that's the facts of the matter. So, hopefully moving forward, you know, we, I think we'd all like to support, I think we'd all like to support the agency and be partners with the agency. And hopefully, one of these days we can get to that point. But when the agency goes as far as to ignore what RSA has said, and argue with RSA, as they did, and still litigate against managers’ rights with those monies, I mean, it doesn't say, in my opinion, it doesn't say much for the agency's moral compass. So, you know, we’ll, we’ll, I mean, there's really nothing else to say about it. I did send an email to RSA, Corinne Wonderthal [sic], cc'd Michael Wolff on that. Haven't received a response back yet. But asking RSA, look it, you guys took this position. Now what are you going to do? Sit on your thumbs and let your feet hang over, you know? Or you’re going to actually do something different? Because blind vendors are out here being impacted negatively. And in my mind's eye, if the agency didn't have that taxpayers’ money to waste, they'd probably have to work to find a way to work together, right? So, I mean at the end of the day, that's my hope. We're not always right. They're not always right, but they have all the money and the tools and the resources. So, in their mind they're always right because they can do whatever they want. Anyway.

A Stevenson: Mr., Mr., Mr. Chair?

D Stevenson: This is Derrick.

Hauth: That's my soap box derby, this is my soap dot, soap box Derby speech. Yes, Art?

A Stevenson: Derrick asked for the floor first.

Hauth: Oh, Derrick. Go ahead.

D Stevenson: I know I mentioned this several times before, cause we can't actually go to the OCB Board with any issues or, or anything, because, well, most of them are handpicked by Dacia. And as long as she gets to pick who sits on the board, we're never gonna get any good resolution and we're gonna, we're gonna do like we're we've always done, spend hundreds of thousands of dollars. That's enough, I guess.

A Stevenson: Am I? Okay, Randy?

Hauth: Yes?

A Stevenson: okay, I'm gonna make a couple of statements again, okay, that, that need to hit home and they need to hit home hard, because the law specifically states that that's what the agency is supposed to do. Number one, they're supposed to work with the Elected Committee in developing a budget, a budget, and that budget like every budget needs to be adhered to. Okay? We’re required, the Elected Committee, to vote on things, okay, that benefit, ensure the proper and satisfactory operation of the vending facilities and for the benefit of the managers, and we are not allowed to do so. We, there was an attempt by OCB to work with us a long, long time ago. To do the right thing. And of course, some positive things happened, which included the agency getting the best budget from our state legislature, because we were involved. We advocated, okay? And we all reap the benefits. However, this year, the agency, boy… They absolutely got kinda put in their place by the legislators and didn't hardly get anything that they asked for. Why? Because we weren't out there advocating for them like we had in the past, because they, Dacia Johnson, Board of Commissioners, and the leadership in the vending program, didn't give a dang about us, didn't care about us, which is their job under the law. And what happened? They got one of the worst budgets that they've had in years. So, true active participation, true, true, true working with the Elected Committee on administering the program appropriately ends up with positive results. And the reason why it doesn't is because, and I'm going to say this, and I hope she's listening. I know she will listen to the meeting, is because of Dacia Johnson and her overbearing, overpowering, dictatorial attitude towards this program. The managers and our rights are completely ignored, and that's what happens. So, Dacia, work with the blind licensed managers. Follow the laws and rules and regulations of our program. Federally and state. And you're going to have so many less problems because we will embrace that scenario. We will enjoy that scenario because we want to see positive things happen for all blind people in this state.

Hauth: Yeah.

A Stevenson: Not just blind people in the vending programs.

D Stevenson: Wrap it up. Ha ha.

A Stevenson: Thanks, Mr. Chair.

Hauth: Thank you, Truman Capote.

A Stevenson: That's David to you.

Hauth: Arth--, Arthur. I’m just teasing you. Anyway, okay. So, I know we have about 15 minutes left. Do we have another agenda item, or I know we have director’s report, and we have BE, you know, Chairman report and whatever? You know, so.

Webber: That's what's left.

Hauth: Okay, thank you, Carole, and thank you very much for that. So, I know that we sent you, or I know Lewanda sent you a list of questions, this morning. Well, yesterday, but you didn't get until this morning, cause you weren't working on Sunday. But, anyway, do you have any response to share right now for any of those? I know you said that you might not have the information on all of them, but maybe some of them? So, you know, again, whatever you can provide today would be helpful. And whatever you can't, if you would please, follow up in writing would be important. But just so you know, Michael, I think the concerns that I have along with, you know, with others, is the agency, from what I understand, the agency, like, making plans to redistribute and redirect unassigned vending without really any meaningful participation with the committee. I know that you requested a couple of weeks ago, you know, to try and come up with a medium, minimum, median wage, and is that, I don't know if that's how you pronounce it? And maybe that was associated with what the agency’s trying to do. But we heard through the grapevine that, and I heard this first hand from the vendor, but I didn't share any of that until I had heard it through the grapevine, that one of the vendors turned over a bunch of vending to the agency just so they could be compliant with, I guess the self-service accommodation or the self-service initiative. And I know that the email that you had sent to Derrick was saying they were gonna redistribute. And I know Steve Gordon's location, I'm, know, don’t know what that unit is. But so, if you can address, you know, what's going on, what are the communications that we're not hearing about redirecting or redistributing income. And why in the world isn't that facility that Steve Gordon retired from, going out for bid? I think those are my two things. If you could elaborate on that, that would be helpful. And then, you know, we can go forward from there, so.

Wolff: Yeah, thank you, Mr. Chair. The, the North Santiam route right now, we were still getting commission statements up until last week, and so the team has been doing a number of things, but they're still working on getting all of the financials put together for that. The hope is that we get that done soon. So, so I mean, that's, that's my update on the North Santiam route.

Hauth: Is it, hey, Michael? Does it? Does the agency plan? Is it the plan on putting that out through transfer and promotion?

Wolff: That's been the discussion. Yeah.

Hauth: Okay, thank you.

Wolff: We don't, we don't have anything at this point, because we haven't compiled all the financial information.

Hauth: Okay, thank you.

A Stevenson: Mr. Chair?

Hauth: Hold on, yeah. Go ahead. Go ahead, Art.

A Stevenson: I'm just gonna say one thing, no active participation, no reaching out to us.

Hauth: Okay.

A Stevenson: And getting our opinion, it's wrong, and Randy, I’m just tired of it.

Hauth: Well, no, Let, I know, no, I got that, let's Michael have the floor, and I, I agree with you. I'm not saying you're not right, but you know, let's, let's hear what he has to say. So, on the next item. Go ahead. If, Michael, if you just want to go through that list, because I think what I kind of shared was on the list as well. So.

Wolff: Yeah, that was, that was really the one I was able to get some information on. The only other thing I would say is, as far as the reassigning unassigned vending machines, I mean, I was bringing up the l--, the last time we met I was bringing up just brainstorming or trying to get an idea of how we might make VFMs that are not making much money, the ability to make more money. And I don't think we can have that conversation until we have an agreement or an idea of what a base income would look like. The, like, what we would want a VFM's minimum annual gross income to look like. Then, at least at that point we can start to look at options, or what might be, what might be possible. So that's the only input I have around that one. So those, those are the other two comments I had, other than just the fact that…

Hauth: Okay, okay.

Wolff: Go ahead.

Hauth: Yeah, no, no, that's fine.

Miranda: Can I just say, Chairman Hauth?

Hauth: Go ahead. Go ahead, Lewanda.

Miranda: Yeah, I have always advocated for the lower earners to get their income brought up. I worked for years with unassigned vending trying to get that, you know, assigned to lower earners. However, I’m, I got my fingers crossed. I'm hoping that we're not going to be looking into taking routes that are viable and you know, chopping them all up. Or the part, you know, whatever we got from Jerry Bird, I mean, if that's to be another viable unit. So, anyway, that, I just wanted to make that comment that I hope that we're not going to be doing away with viable units in order to do it, because we need to grow this program.

Hauth: Yeah, yeah, I mean, clear, clearly, you know, clearly, I, I appreciate that comment.

A Stevenson: Mr. Chair?

Hauth: Yes, Art?

A Stevenson: Okay, I am going to bring this up, because when I… Unfortunately, I couldn't attend, I didn't, I couldn't get into that dang meeting when this was brought up. But it really concerned me, because, honestly speaking, Mr. Chair, we had a process. We had a process. It was called request for assistance. A blind licensed manager sent a request to the director and the Elected Committee for a request for assistance. And now it's just gone down the toilet. This is what I have a problem with. You know, we develop procedures and then they're not adhered to. They're not followed. And you know why in the heck do we waste our time developing this kind of stuff. And then we got to revisit it all over again, because the agency just kind of thinks, well, you know, we're going to create something new. Okay? And so, let's get back to the request for assistance like we had. We all agreed with it. And, and then we can evaluate the facility itself like we did. Okay? Why do they need more money? Are they doing everything they can to maximize the money that they're making? And then, if the request for assistance was valid, then we voted on it and we gave them assistance.

Hauth: Yeah, yeah, okay.

A Stevenson: Okay, I'm done.

Hauth: Yeah, you know, it, it… You know, yeah, I think it sometimes seems like we're miles apart from the agency. I don't think we are. But the agency, in my opinion, has to have a willingness to work together with us, and not just label us as troublemakers and disgruntled. This is our livelihoods, right? We've spent years and years and years advocating and fighting for our rights. You know, one of the things I'm going to say in closing. You know, I'm not laying blame here, because when the agency asks for questions to be submitted to the legi--, to the candidates, they didn't receive any, but one of the questions, I was so offended and appalled by. It said, and I mean, it, I mean, you guys listen to this. I'm not saying it verbatim, but it's a summary of it. You're hired as a director, and you receive a notice from a state manager in their building that the floors are dirty and the tables are dirty and not routinely swept. What do you do? I'm thinking, is that, like, so stereotyping of a person who's blind? Why would a person think that's okay to have a question like that? Right? How about this? How about having enough brain cells firing to say, look it, you're a new director. You're brought a problem in one of your facilities. How do you address it? But I mean that's not what it was. It was just that whole old school mindset, and I mean, that's what we're dealing with. Right? That's what we're dealing with. And that's, until we get over that somehow, until people in leadership can understand. Look it, we're gonna, we're gonna not always think we're right. We're gonna step down a bit and hopefully other people will step up a bit and we'll all work together. I mean, that's the dream here, right? Cause we could fight, fight, fight, and, you know, get nowhere or we could, but we're not gonna lay down for anybody. Right? We're gonna advocate for our program. So, I mean, that's what needs to happen. And, but, it would just so, I mean so appalling to me to even have that question, even ask. And also, the Department of Administrative Services was on there, and they even supported that question. I'm thinking, what in the world is wrong with you guys? I mean, is that okay? What if it was a, you know, what if it was, you know, another, another diverse group. Do you think anybody would ever stand for that, you know?

A Stevenson: Hey, Randy?

Hauth: You're wearing hot, you're wearing hot pink pants, you know.

A Stevenson: Randy?

Hauth: Yes, yes.

A Stevenson: Yeah, I was disgusted with the question, too. and I'll tell you why. Okay, we have right in the, the rules. Progressive discipline. I mean, you're absolutely correct. The dirty floors and all that. Guess what? I ran a cafeteria. And when you got two to 300 people coming into your cafeteria during a lunch rush, there's going to be a little bit of cleanup work once, once it's over with. But, but, and, and this is, this is why I fought so dang hard for Elected Committee, you know, the law, active participation. Of course, it was ignored. It was ignored, and I didn't file a complaint about it because Dacia was going to pick or push whoever the heck she wanted, anyway, and so I, I thought it was a waste of time. But again, again...

Hauth: Well, well I, I value, hey, Art.

A Stevenson: They're out of touch.

Hauth: I value you and your opinion.

A Stevenson: They're out of touch, Randy, all of them are out of touch, and because they're out of touch because they don't listen to us, and we're the experts. Thanks, buddy. Everybody have a great day. I’ve got a headache.

Hauth: [inaudible] buddy, thanks. So, wait a minute, we, we, we, yeah, we have a couple minutes left. I don't know. Michael, can you tell us when, I don't remember without going back and looking. Do you know when they plan to have a new director in place?

Wolff: I don't. I don't. I wasn't involved in the final interviews.

Hauth: Okay. I think it, I think it was, I think it was December. I mean, obviously you're there to fill the role until you're not needed anymore. But I think it was December or something like that. So, but I'm just curious, so does anybody have any closing comments before we, before we adjourn? All right, well…

Wolff: I, I, I would just. I would just say I was talking to a few people at the beginning of the meeting. But I do wish everyone a really great holiday week. I think it's a incredibly special holiday for myself and my family, and I hope that, that all of you get time with whoever you want to be spending time with on Thursday and get a lot of time with them. So.

Hauth: Yeah, well, thank you, Michael, I wish you as well that same. So.

D Stevenson: Yeah, back, back at you, buddy, have a good one.

Hauth: All right. Let's go ahead and adjourn. Good night, everyone.

Webber: Night, everyone.

D Stevenson: Night.

**Motions Passed**

1. **“…that past meeting minutes be approved**

Proposed: A Stevenson. Seconded: D Stevenson. Passed. Yes: Yeas: Webber, Miranda, A Stevenson, D Stevenson, and Hauth

1. **“…that BECC table true active participation agenda item”**

Proposed: A Stevenson. Seconded: Passed. No: Never officially voted, Chair Hauth just agreed and item was skipped.