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

**Thursday, July 6th, 2023**

**3:00 PM – 5:00PM**

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 past meeting minutes.
2. Public comments.
3. Training & Education.
   1. History of unassigned vending.
   2. Recommendations for unassigned vending.
   3. Requests for info., pertaining to unassigned vending.
   4. Next steps.
4. Repair problems/solutions.
5. ADA compliance.
6. Manager’s complaint updates and OCB’s cooperation with Elected Committee participation.
7. OCB’s responsibility and cooperation with BECC committees.
8. Update on Improper use by the agency of federal and set aside monies to litigate against VFM’s
9. Steve Jacksons profitability issues.
10. 50 machine mandate.
11. Chairman Hauth/Director Morris updates.

Adjournment.

**Transcript**

Hauth: All right, hey, Carole, if you would not mind like you always do, if you could help go over the agenda with me, I'd sure appreciate that.

Webber: Sure, Randy.

Hauth: Thank you. Is it, is it, three, three o'clock yet?

A Stevenson: Yep.

Webber: 3:02.

Hauth: 3:02, okay, let's wait just a minute more. I've just text Steve, so, we'll see if he can join in. And I heard…

Jackson: I'm right here, guys, hi!

Hauth: Oh, right on, buddy.

A Stevenson: Steve's here.

Hauth: You don't even need me to text you.

Jackson: [inaudible] I'm being quiet.

A Stevenson: Yeah, Der--, Randy?

Hauth: Okay.

A Stevenson: Randy, Nicki's calling Derrick. So, he should be here shortly.

Hauth: Okay.

A Stevenson: If, he may…

Hauth: Okay.

A Stevenson: Yeah. Let's do her.

Hauth: Okay, well, let's go ahead and open this meeting up, and we'll start by doing roll call. Art Stevenson?

A Stevenson: Vice Chair Stevenson is here.

Hauth: Steve Jackson?

Jackson: I'm right here. Hello, everybody.

Hauth: All right. Lewanda Miranda?

A Stevenson: What?

N Stevenson: He can't find the log-in information. Can somebody forward it to [inaudible].

Miranda: Here.

Hauth: Carole Webber?

Webber: Here.

Hauth: Okay, Derrick on the line yet? Not yet.

A Stevenson: Randy?

Hauth: Okay.

A Stevenson: Randy?

Hauth: Yes?

A Stevenson: Randy, it's Art. Randy!

Hauth: Yes?

A Stevenson: Okay.

Hauth: Yes?

A Stevenson: Can somebody, can somebody send him a text message with the log-in information? Evidently, he has not received it.

Hughes: Is [inaudible] here?

Unknown Speaker: Get some paper.

Hauth: Okay, well, is somebody gonna do that? Do we have a, do we have a verification that somebody will do that?

Hughes: Yes.

Webber: I can send him an email if you want me to, real quick.

A Stevenson: Yeah, email would be fine. He just needs the information.

Webber: Okay, I can do that. If I try to text him, I'll probably cut myself off.

Hauth: Or maybe, maybe, Eric, if you wouldn't mind doing it. That'd be appreciated. If you have that handy. Maybe he received it and didn't get it or couldn't find it, or maybe it bounced back, or maybe he didn't get it. I'm not sure but if you could help provide that to him, that'd be great.

Morris: Randy, sorry, I wasn't tracking what you guys were talking about. What do you need?

Hughes: [inaudible]

A Stevenson: Derrick did not, Derrick did not receive the infor--, call-in information. They cannot find it and they need it so they can call in.

Morris: Alright. Let me push it to him.

Hughes: We'll take care of him; we'll find out where it's at.

Hauth: Okay, so, we'll keep going and doing roll. So, we have, we have a quorum of the board. So, I did hear Harold Young on here, Harold, welcome.

Unknown Speaker: [inaudible]

Hauth: Any other managers on here?

Bird: Jerry Bird.

Hauth: Hey, Jerry, I did hear you as well. Thank you. Anyone else?

Brown: Celyn Brown.

Hauth: Hi, Celyn, welcome!

Brown: Thank you.

Hauth: Anyone else? Okay, any members of the public?

Hughes: Ted Hughes.

Hauth: Okay. Who is it?

Hughes: Gary.

A Stevenson: Gary, could you guys mute?

Hauth: Gary, Gary and Ted, thank you.

A Stevenson: Yeah.

Hauth: Okay. And Eric, you're here, anyone else with you?

Morris: No, it's just me, Randy.

Hauth: Okay, okay, anybody else, before we move on? All right. Well, we'll go slow and steady while we wait for Derrick to get on. So, what do we have first up? Adoption of minutes, I believe. Correct?

Webber: Yes, yes, it is. Yes.

Hauth: So, okay, so, I'd like to take a motion to adopt the minutes previously received as recording.

A Stevenson: Art so moves.

Hauth: Okay. Second?

Jackson: I’ll second it.

Miranda: I second it.

Webber: I second it.

Hauth: Okay. So, there's been a motion and a second yea or nay, Art?

A Stevenson: Yea.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Carole?

Webber: Yea.

Hauth: Steve?

Jackson: Yes.

Hauth: And Ca--, Carole?

Webber: Yes. That’s okay.

Hauth: Oh, and, and Derrick? Okay, that motion passes. Still waiting for Derrick to come in. Then, we have public comment.

Webber: Right.

Hauth: So.

Bird: Jerry.

Hauth: Who would like to make public comment? Sure, Jerry, have the floor.

Bird: Thank you. I just like to bring up an issue that's kind of been traveling along for quite a while, and no one seems to actually know. But I don't know if you're all concerned with Dacia Johnson stating that in our time trackers, vacation leave, sick leave, medical leave, I don't even know if they even [inaudible], even holidays, because it don’t count. If you put them in, it don't count towards your 30 hours. Now, I was at that, at, I was at that meeting, and most of you was where we done the, the mandated, the work on the handbook, and I even got the minutes from it, where Terry Smith was there, and Kathy Ewing was taking notes and, and recording, and, and all that stuff. And I was always under the, and I think everyone else was, I was under the, the knowledge that it may be you can take 'em. You take a vacation, you're not expected to have to do that, that work that day because you're on vacation, or if you have a holiday, or if you have medical reasons, or like, if you have medical reasons, and you're in the, you're in getting surgery, and you're out because of surgery for a while, when you don't count, it can't count any of them, you must be working, even though you're laid up in bed. To me, it's nonsense, and I believe all of us that was there sees, meant that it counted. Which is reasonable. I mean, we're blind businesspeople. Why don't we get perks? Which they all do. They're often on paid vacation, and they add up their, they have to do 40 hours a week. Yeah, they take a day off and two days off for vacation. They get paid the whole 40 hours. You know? And now, blind people…

A Stevenson: Jerry, Jerry.

Bird: Yeah?

A Stevenson: Jerry. Could you hold on for a sec? Hey, everybody go on mute, right now! Everybody go on mute. Celyn! Celyn!

Hauth: Hey, hold on, hold on, guys.

Hawkins: Sorry.

Hauth: Pay attention. It's okay. Thank you.

A Stevenson: Mute, Celyn!

Hauth: Thank you for mentioning that, hey? Hold on, hold on, guys.

Brown: Yeah?

A Stevenson: Okay.

Hauth: Okay, thank you. Thank you.

Brown: What, what?

Hauth: Go ahead and continue, Jerry.

Brown: What did you need?

Bird: Need you to put on mute.

A Stevenson: Mute, put on mute!

Hauth: There was some, some background, some background noise. Hey, guys, let's be kind to each other. There was some background noise that was inter--, there was some background noise that was interfering with Jerry's statement. So, whoever has a TV on, please mute or turn it off. Thank you. Go ahead, Jerry, continue. Thank you, Art.

A Stevenson: You're welcome, Chair Hauth. Go ahead, Jerry. Jerry, hello?

Jackson: I think you're on mute, Jerry, can't hear you yet.

Bird: Can you hear me now?

Jackson: I can’t hear you, Jerry. There you are.

Hauth: Yep.

A Stevenson: Yeah.

Hauth: Yeah, loud and clear.

Bird: Well, I think someone muted to me. It might be at the, whatever they can control that. But I, I, I, I got back on by going into Star 69. Anyway, what I was discussing was the time tractor [sic] and our, like, I said, our being able to claim hours for when we’re away from our unit. I know that we are responsible to make sure that unit is being ran properly while we are away. And Terry Smith was there, and I talked to him, and he agrees, we, it meant that we cannot, don't exclude us from taking these times it off. And if you go through our minutes, it was all discussed like that. Never once did they tell you, well, you know, these don't count on your 30 hours, you can take them off, but you know, you're like some blind person that's working for someone that don't give out vacations and that, which is to me is a bunch of bull.

Hauth: Okay.

Bird: Now, Dacia stated that after my administrative review, not during it. When she added mine up and said that my, when I was having that pate--, new pacemaker put in and I was out for a while, and I put down that, and, and she comes back and says, oh, no, none of that counts. You, you can't claim none of that. You must work your 30, don't go towards the 30 hours. So, I guess you're supposed to lay in the hospital bed or something, and, and do your work, which just blows me away that they would even consider it. Another, another issue I had Eric Morris send me a letter, before my administrative review stating, Jerry, you are in compliance with the 30-hour work week. However, you're, you're rarely, rarely go over the minimum. Now, minimum’s a minimum, and, and so he even knew that it count. He was at the meeting. He voted that it did. And so, now, Miss Johnson wants to flip that around, and I understand she's contacted other people, said, oh, you're not, you're not in compliance because you use some hours on, on this stuff. So, therefore, you know, you're in violation. And all this is is bullying, trying to make us think like we're kids. And we put it in a corner. And you guys do what we say, you don't really, they want to say that we own our own business, and we're self-employed, good lord. That is not it; it's like kindergarten. You know, and that's why I got in this program, because I wanted to be self-employed. I wanted to make my own schedule, run it the way I wish. That's what a, and pay my set-aside, you know. And, and I, I never figured once, that I was no longer a self-employed blind businessperson, even though sighted people can claim that stuff and the agency claims it, but they won't allow the people they're supposed to support. So, I would like my, my question to you guys, were any of you to have oh, before I say that, they never give us any training on, you can't count those. I, I, they didn't say a word for three years on my time tracker, because I was within, I was in, in compliance until Dacia wanted to, you know, do her Dacia thing. But I'm wondering if, if there are any of you out there that was under the influence that it didn't count, you don't get them, you have to work them. Yeah. I, apparently, if you want to take a day off, you better work 8 hours extra, you know. So, you take the day off, as, you know, or, or vacation, boy, you better work 40 hours before. You know, it don't make sense, and nobody, even as an American and self-employed like, I say, is disgusting, and it needs to stop. So, what I'm asking you guys is your support to, to tell, do you, was any of you guys under, understood that it didn't count? Or you know, anybody was there because we had a hours of discussion on, on stuff we’d include in that time tracker, which that stuff's in there, and it's counted as time. So, I just want to know what [inaudible] went by…

A Stevenson: Chair Hauth?

Hauth: Thank you, Jerry. Yeah, thanks so much. Go ahead, Art.

A Stevenson: Chair Hauth?

Hauth: Go ahead, Art.

A Stevenson: Okay, okay. This is, like Jerry said, bullying. This is intimidation. You know, our illustrious director makes up rules and laws to suit her purposes whenever she wants to, quite frankly. And now that Jerry is, got a complaint of filed against her, she is, like Jerry said, bullying him and this is all in--, inappropriate. And, in fact, okay, she knew exactly what was going on, as far as the time tracker and everything and what we were counting, and I'll tell you, Jerry, I count everything, too, and holidays count for 8 hours, because it's, it's a holiday. If you're in, if you're under a doctor's care, yeah, that counts, you know, you're, like you said, you're an independent businessperson, that is, actually you have your business filed at the Secretary of State's office as an independent businessperson. I don't know if you're a sole proprietorship or whatever. But you are exactly correct, okay, in the fact that you are in charge of your business. And this is absolutely inappropriate behavior. And so, I want to make a motion that we take every action to address this inappropriate behavior from the Executive Director of the Oregon Commission for the Blind. We have rights as, and that's my motion. And then I want to state we have rights as independent businesspeople, and she can't make up rules and regulations that violate our independent business rights, with any time tracker or anything. So, I made a motion. Can I get a second?

Miranda: I'll second that.

Hauth: A motion.

A Stevenson: Randy, are you there? Okay. Call the question.

Jackson: Conversation, right? Or discussion.

A Stevenson: Well, yeah, there's, there's discussion.

Jackson: Okay, what he was about to say. I think.

A Stevenson: Yeah, he, he said, that. I think he's, I think he's not saying anything.

Jackson: [inaudible] mute [inaudible].

A Stevenson: Anyways, I call the question because, yeah, I called the question. And according to Robert's Rules, we now will vote on this particular motion. Lewanda Miranda, how do you vote?

Miranda: Yes.

A Stevenson: Steve Jackson, how do you vote?

Jackson: Yes.

A Stevenson: Steve? How do you vote?

Jackson: I vote yes, yes.

A Stevenson: Okay, Carole Webber, how do you vote?

Webber: Yes.

A Stevenson: Randy, are you back on?

D Stevenson: I vote yes.

A Stevenson: Okay, he's falling off. Oh, Derrick! You're on.

D Stevenson: Yeah.

A Stevenson: Derrick!

D Stevenson: Yes.

A Stevenson: Did you hear the motion?

D Stevenson: Yeah.

A Stevenson: Did you hear? You heard the motion and stuff. How do you vote?

D Stevenson: Yes.

A Stevenson: Okay, Randy, you back? Motion carries. Okay, thank you, Jerry, for, for bringing this to our point of attention. The Elected Committee has begun taking actions for the inappropriate behavior of Director Johnson in this matter. And believe me, every minute, okay, that is a valid minute will be counted on your time tracker. Okay, what's next on the agenda?

Hauth: Did you guys miss me, while... Did you, did you miss me while I was gone?

Miranda: Yeah, we missed you.

Webber: Yes!

Hauth: Okay, thank you. So, Art.

A Stevenson: Well, hey, just, just so, you know, Randy, we addressed Jerry's issue. And after the meeting, I'll explain the, what the motion was, because it carried unanimously, except for you. And I'll, I'll tell you…

Hauth: Good enough.

A Stevenson: So, we can move on now.

Hauth: Okay, any, any other public comment? So, I'd just like to...

A Stevenson: Yes, I have one, Randy. Randy. I have one. Rand--

Hauth: Go ahead, Art. Go ahead.

A Stevenson: Okay. Hey, everybody you all know who I am. Art Stevenson, sole proprietor of A & N Vending, independent entrepreneur. And I wanted to make a comment today, that I consider myself a, an advocate for this program, not as a bli--, not only as a blind licensed manager, but also, as an independent, the independent, sole proprietorship of A & N Vending, okay? Today, I want to state that I'm a whistleblower. When the agency is not following the law and the rules and the regulations, I blow the whistle, which is my right, being a part of this program. And when you're a whistleblower, there are state laws that protect you for being a whistleblower, and there are federal laws that protect you, you know, when you're a whistleblower, when agencies, in this case, the Oregon Commission for the Blind, are not following the laws and the rules and the regulations of the program, I'm not going to go into detail about all the ways that they don't, because, you know, there's a lot of them. Okay, but for the record, I am a whistleblower. And I expect, okay, the help of the Elected Committee to protect me on those whistleblower rights if I am retaliated against which the Oregon Commission for the Blind often does. You just heard what Jerry said, and I can give you lots of ways that the agency really attacks you, if you are a whistleblower. And so, that's my public statement today. The age--, it's gone on too long in this program, that people are attacked inappropriately, just because they are blowing the whistle on, on inappropriate behavior by our state licensing agency, period. Thank you, Chair Hauth.

Hauth: Thank you, Art, anyone else? Okay, I'd just like to say a couple of things. Yeah. I'd like to say just a few things. Priority for vending machines fall under the blind vendor, not under the Commission for the Blind. I know we've talked about this before, totally inappropriate for the agency to be gobbling up, collecting monies that are intended for persons who are blind. The agency does not have the priority. I'd like to hear from Eric Morris a little bit later in the conversation, where the agency feels that they're allowed to do that. I see that there's other funds connected to the budget and budget proposals. Might I say, without any active participation, whatsoever. And so, I'd like to understand that. Why that's occurring, why that's happening, and why the agency continues to gobble up and steal from the blind actually? And so, I, I certainly believe the wrong person is in charge of this agency. Very little vision, very, a lot of vision, totally sighted, maybe that's part of the problem. Doesn't understand the needs and desires and capabilities of persons who are blind. But anyway, I believe it's just my own personal opinion, I believe it's totally in, in, improper activity for the agency to be supporting and doing that. The other thing Jerry mentioned a little bit earlier, like, he said, the time tracker, the whole situation was when Jerry pushed back on the 50-machine mandate, right? Saying basically, there's no mandate. You guys can't mandate this, nowhere in the law, even though you have the discretion. The only thing that's in the law are the 30-hour full time employment. Well, then, the agency starts scrambling around, going to the AG using federal and set-aside money, again, improperly, to try and administer the program, because that's how this agency administers the program. They throw money at the AG, because, in my opinion, they don't know how to do it properly. And so, then the AG scrambles around and tried to figure out, oh, well, hey, let's say that they didn't, they, this doesn't matter. Vacation, sick leave, none of that matters. If you'll look in your operating agreement, the agency's approved form, which Kathy Ewing, the agency has sent out and created and sponsored and accepted for years and years and years, includes all the things that Jerry mentioned. But then, again, when they're trying to improperly defend themselves against the wrong doings, in my opinion, they start scrambling around trying to come up with excuses, you know, almost a sociopathic kind of mindset, I believe, from what I've seen. Just so much manipulation, and again, not caring our custody or doing what's the best for the participants of this program or the participants of the agency, I believe. Anyway, so, you know, it’s just a, it, it’s just a shame. Hopefully, we'll get to where we need to go, you know, forward. But I did want to say that in my public comment that I just think it's despicable behavior, and it's despicable that nobody does anything about this. I know that there are efforts under way to try and share the true story about what's going on and trying to make some headway for the program and for the participants of the program. The legislation that was passed in 2017 was supposed to grow this program. How are we doing with that, you know? Not so good. So, anyway, last, but not least, in the last 16, 15, 16 months, I have been the only vendor that through discipline action, trying to come after my license, has been forced out into the Self-Service Initiative. Not that I want anybody else out there doing that because it's, it's a failed, not well thought out initiative. It's failing. It's costing the agency tons of money, and it's costing managers, in many instances, money. And so, but again, I don't know if I was targeted. I feel I was targeted because the agency came after me with two steps of discipline, right? And pushed me out there, threatening my license, and I haven't seen that same kind of treatment on anybody else. Again, not that I wish that or want that, but just wanted to say that for the record. I feel that was, again, an improper action, and again supported by the administrator at this agency, improperly so. Thank you. Let's go ahead and move on.

A Stevenson: Randy?

Jackson: Can I make a public statement?

Webber: [inaudible] Training and Education.

A Stevenson: Oh… Wait…

Hauth: Yeah, Art, go, go ahead. Go ahead.

A Stevenson: Steve, Steve wants to make a public comment.

Hauth: Sure, go ahead, Steve.

Jackson: I'll be fa--, I'll be fast. I just wanted to quickly make a statement that, I just feel like telling people my story real fast. Is ever since Covid hit hard in 2020, I, I started losing money big time. I lost a coffee shop in the one side of the building I work in, and ever since then, I've been struggling to make money. I make about a third what I used to make, and so it's just difficult to make ends meet. And I'm trying to request more work, more vending, whatever. I'm trying to do things. Things are moving and changing and shifting, but who knows how much I'm, we'll be making, but I just, I just want people to know. That it's still hard for me. I applied for a couple of different grants, and I didn't get anything but I'm just, I'm just sort of struggling. So, just wanted everybody to know.

Hauth: Thank you, Steve, and we're sorry, we're sorry for that, man.

A Stevenson: Chair Hauth?

Hauth: And you know one thing, just real quick, before we move on. I'm, I'm, I'm, I'm really sorry that you're struggling, and you know, maybe others are struggling too that aren't mentioning that. And we're sorry about that, while the agency gobbles up so much unassigned vending that are meant for people like you. So, that's, that's too bad. Go ahead, go ahead, Art.

A Stevenson: I just wanted to, I mean you made your comments, and Steve made his comments, and you're absolutely correct, that the agency has been actually attacking managers in all sorts of different ways. You, with the 50-machine mandate, and, and we all know what's been going on there. But I'd also like to state other people are being, me included, attacked and denied our rights by the agency. I was assigned two locations by the Elected Committee, accepted by the Oregon Commission for the Blind, in January. Well, actually, it was late December. And to date, I have not received one penny, not one penny of that income, even though I should have been under the law, under the law. And so, we're constantly being attacked in different ways. We all know what happened to Steve, thank goodness he lost no money. And there are other managers. But let me say, okay, you've been hurt. I've been hurt financially, which is totally, totally against the laws and rules and regulations of our program, and, and we must, must, must hold everyone responsible for breaking the law, even though they know they're breaking the law, accountable. And so, I'm going to make a motion here. I make a motion that the Elected Committee pursue official misconduct. Official misconduct! Most people know what that is, and OCB is definitely guilty. Just listen to what Jerry is going through right now, official misconduct. And so, my motion is that the Elected Committee pursue official misconduct of the agency for their inappropriate behavior because they know the law exists and they break it every day.

Hauth: Okay, so a motion's been made. Do I have a second on that?

D Stevenson: I second.

Hauth: Okay, welcome, Derrick. Derrick has seconded it. A motion a second. Yea or nay, Art?

A Stevenson: Yea.

Hauth: Derrick?

D Stevenson: Yea.

Hauth: Steve?

Jackson: I vote yea, but aren't you supposed to have a discussion right before the, or call the vote?

Hauth: Oh yes, you are, thank you. You know what, thank you, Steve. Thank you very much. You're right.

Jackson: You're welcome, no problem. I think you just forgot.

Hauth: Yeah. Is there, while, while the voting is under way, is there any discussion around that? Okay, hearing no...

Bird: Yes, this, this is Jerry. Am I off mute?

Hauth: Yes, Jerry.

Jackson: You are.

Miranda: Yes.

A Stevenson: You are.

Bird: Okay. Well, thank you. It's not really discussion, but I need to bring it out for you. I'd like to ask Eric, eh, is this being recorded? Are you having technical difficulties? Lot of times, we have important stuff, and oh, it didn't get recorded, jeez. Both have two things there. So, I just want to make it clear, Eric, that this is working, the recorder's working, and has since the first the meeting. I heard it say, recording, but that's all I'm asking. Thank you.

Morris: Yeah, Jerry, it's, it's recording. I think the technical recording issues we've had, we've had two in 10 years. So, yeah, it's recording today though.

Hauth: Thank you. Thank you. So, we'll continue on with the voting. Steve Jackson?

Jackson: I vote yes.

Hauth: Okay. And Lewanda Miranda?

Miranda: Yes.

Hauth: Carole Webber?

Webber: Yes.

Hauth: And I will vote yes, as well. Thank you. Motion passes. Okay, let's move on.

Webber: Okay, we have training and education. And the first one is history of unassigned vending.

Hauth: Okay, is that you, Lewanda?

Miranda: That's me! Okay [inaudible]

Hauth: All right. And it reminds me, it reminds, hey, just a point of levity right now, because it's needed, that, you remember Cheech and Chong and it was like a comprehension edumacation. And yeah, they were, they were good. So, anyway, go ahead, Lewanda.

Miranda: Sorry, Randy, I'm not that old.

Hauth: Ever… Hey! Ever since, ever since I’ve taken that, ever since I've taken the Evelyn Woodhead sped ridden course, I've improved my ridden 100 percent. Okay, go ahead.

Miranda: Okay. All right. So, history of unassigned vending. So, this has been an, an ongoing battle for sure. But we had in the past, had a membership vote on the unassigned vending. We voted that it be used for vacation pay, and so, we haven't had any vacation pay in a while, but I looked back in ‘21, we had received $4,062 and 82 cents per manager, and we had more than the 12 managers that we have existing today, and so that would have been over $50,000 actually. So, we don't get any more of that vacation pay. And Director Morris said because it's been assigned out to… Eric, it says a manager, is that correct?

Morris: Yeah, Lewanda, and that, that membership vote was around, if you guys recall, that was around federal unassigned vending. So, there's, there's federal, federal locations, and there's other than federal locations.

Miranda: But it says “a manager”. So, that's over 50,000. Was that, did that go out to one manager?

Morris: I don't have the figures right in front of me, Lewanda, but I can't imagine it, it's not 50,000 in a year, no... Maybe the sum total since that vote, which has been, is that 5 or 6 years ago now?

Miranda: Well, in, in ‘21 we, we all received $4,062 and 82 cents apiece, and now we, we don't receive anything because there's nothing left. So, that's all been assigned out.

Morris: I think part of that for ’20, for ‘21 was probably some of the pandemic relief that was given out at the time? I'd have to go back and double check, but...

Miranda: Have to look at it.

Morris: Yeah, that, that dollar figure of 50,000 sounds closer and was inclusive of the federal and other funds and stuff that we had that we issued out as pandemic relief.

Miranda: Yeah.

A Stevenson: Lewanda?

Miranda: Yes?

A Stevenson: Lewanda asked you a question, Eric.

Hauth: Let, let, let, hey, Art, let, let, let Lewanda…

A Stevenson: Well.

Hauth: Art, respectfully, let Lewanda finish, and then you can join in, please.

A Stevenson: Okay, go ahead, Lewanda.

Miranda: Yeah, okay, so, yeah, when I, when I looked at the, the, the report from DAS, it, I think it, it did say vacation pay, but I will double check that and then get back to you on that. So, anyway, so, now, now we're receiving nothing. And since then, I made a suggestion that we take whatever we can and distribute it evenly throughout our 12 managers to help everybody out, because everyone is down since Covid, but Eric, you didn't feel like it was fair, because, well, whatever reason you can state that for yourself. But so you didn't feel like that was fair. So, I'm just wondering, if you have an idea, if you have a suggestion of how we should do it?

Morris: Yeah, thanks for that, Lewanda. Yeah, I think, so the, just to remind everybody what we did with the, the membership vote. And I remember we, we did it at one of our In-Services in Eugene is when it started. I think Art was the, the person that kind of got that going for everybody. That was the, the evenly distributed, all the federal locations that were unassigned as vacation pay. So, flash forward to today, those locations have been assigned to a manager, and so, Lewanda, Lewanda talked about, like she said, about distributing evenly amongst everybody, and my point has been several times as we’ve talked about this, that, as Steve pointed out, some people are really hurting and other people are hurting, you know… And as Randy pointed out, it's not, it's not equal. Everybody's hurting to a certain extent. But I think as Lewanda and I've talked about this, the real problem is, is that the members of the Elected Committee don't know, they don't know what everybody's making essentially. So, you can't make a really good fact-based decision besides how good of an appeal… Somebody comes in and says, hey, I'm really hurting, or I'm really, really hurting. So, that's, that's part of the issue.

Miranda: Right.

Morris: That's not fair to you guys to make that decision, because it comes down to the fact that you don't have all the data. So, the thing that I've been trying to figure out is, how, how do we get you that information so you can help make a good decision around that? And the one thing I'm researching now is, is that information, if we compile that and share it like in an executive session with the, the committee, or how we would go about doing that, so you have the right information to where, you know, you could, you could determine, and obviously, this is working with the agency, but we can determine, hey, these, these three, or four, or five, or however many individuals are in the, the, the worst of the worst, and that's who we're going to really put the monies towards.

Hauth: So, if I, if I may, real quick. So, Eric, your idea after two years is to maybe think about how to do it? I mean, Lewanda asked, what's your idea? You shot down the Elected Committee's motion, saying it wasn't fair, and I'd like to know how you mean it's not fair, because there's no limitation on somebody maximizing their potential. So, in your mind, you believe, have you set a benchmark on how much people can make? Because I know recently, when I lost some machines, I requested that several other machines that are unassigned be sent my way, and you says, no, so, just so we understand in your mind, you believe some people make too much money, or you know, I mean, this has been ongoing forever. So, what's your, what's your plan to resolve that? And what, and what's your mindset around that?

Morris: Well, Randy, my mindset is that everybody thinks, everybody thinks this group is equal. That's, and you said, hey, there's no restrictions on income. You're a hundred percent right. But when people say, when one person versus another person, that is not, that is not accurate in this program. There's a vast difference in income. And I think that's the thing that nobody has a good handle on, because, unfortunately, that hasn't been shared with you from a data perspective. And so, to say that, you know, everybody is equally hurt by whatever the circumstances are, that's, that's just not accurate. So, you know, and I've been asking for the Elected Committee to come up with something that's, that's equitable to everybody, that's fair to everybody, and just splitting amongst everybody, that's not fair. It's just not, because the, the amount of disparity…

Hauth: Why not, why not though, Eric? Why isn't it fair?

Morris: I’m just, I was just going to say that, Randy. The, the disparity between vendors, right or wrong, is massive. So…

Hauth: But where do you, I mean, where do you, where do you base that on? Like, is that in your own mind, or is that based in some kind of rule or regulation or law?

Morris: No, it's, it's looking at the dollars that are earned by the vendors.

Hauth: So, in your own mind?

Morris: No, it's, it's data, Randy, it's not my mind. It's…

Hauth: No, er, I mean, but where do you base, where do you base that it’s not fair? I mean, and what law or rule?

Morris: There is not a law or rule to reference that, that train of thought. It's common sense.

Unidentified: [laughter]

A Stevenson: Chair Hauth?

Hauth: Okay, well, so, that, and, and, and hold on just a second, Art, I'll give it to you in just a second. And so, that's I, that's a concern. But still and all, you know, it's easier for the agency to shoot down everything that we've brought away, and you know, I saw something recently that you put up that was totally insulting where you say we're continuing to work with the agency on this. That's not accurate. And when we've asked you two or three times right now, what's your idea? You don't even have one. So, how are you continuing to work with us? I'd like to know that.

Morris: Well, Randy, that's, that's part of the discussion tonight, and part of the discussions we've had every time we sit down and talk about this, because every time I come up with something, you're like, well, how? What law or rule is that based on? And how would we ever do that? Well, that's, that's the collaboration process that's really supposed to be happening in these meetings, is to have discussions, and not sit and quote chapter and verse to each other about different rules and regulations and administrative rules, is to have a collaborative process to work through this. And it, you know, ultimately, if it comes down to it, you guys what, the best way you determine that is to divide it amongst everybody after you've seen all the data, if we can make that happen, then, so be it. But I, I don't think any reasonable...

Hauth: Well, I, you know, I would just say, how is it fair that all these sighted vendors are collecting priority vending facilities that are meant for the blind?

Morris: Well, Randy, the, the simple fact of the unassigned vending, I know it, it sounds good the way you talk about it being illegal, and all these other [inaudible]...

Hauth: It's true, it's true. Tell me, tell me how it's not true, please.

Morris: Well, I'm, I'm, I’m...

Hauth: Share with us, enlighten us.

Morris: I was gonna say that. The simple fact is, is that money comes in and gets spent back in the program. That's, that's the simple fact.

Hauth: That's not, that's not what it's supposed to be, Art, Eric, Eric, you didn't do it with active participation. The priority is for the blind, just because in your mind you believe that's proper. It's improper. I know it's, it's put back on us to force the agency,

who does wrong, to show that it's not proper. But you know, you guys, you guys have all the federal and set-aside money that you throw at the agency's AG, you know. So, I mean, I know it's a little bit back and forth argumentative here, but this has been going on for years, and we've asked you two or three or four times, what's your idea? I'd like to hear your idea, and don't, don't pull this crap. Oh, let's get in an executive session, and let's talk about who makes this and who makes that, you know? Come on! I want to hear the agency.

A Stevenson: Chair Hauth?

Hauth: I want to hear your, as a director, what, what is your idea, other than sitting down and trying to figure out who makes this and who should get this? Because that's a, that's a slippery slope, right? Because some people maybe take a lot more write off. Some people don't, I think, what Lewanda brought up, and what the mo--, what the motion was, is to equally distribute it. And you've already said, there's nothing that prevents us from doing that. There's no rule, regulation, or law other than in your mind's eye, that is not fair, and if we believe it is fair, the agency could, if they chose to, they could support that, and they could distribute it. But when it's built into the budget, how are you guys going to do that? You know, so, just before I turned this over to Art, do you have, do you have an idea how this should be done?

Morris: Yeah, Randy, I, I told it to you about five minutes ago.

Hauth: And what? And so, you're, you're willing to distribute all that unassigned vending to the priority of the vendors that it belongs to?

Morris: Well, Randy, I wouldn't, I wouldn't agree to your assessment of what belongs to who and what's, what's legal and what's not legal, because people like to say that illegal things are happening, and they can get away with that because they think that, you know, what they're saying is accurate or whatever. But I'm willing to sit down and have that conversation, but I think it needs to be based on facts, not on emotion.

Hauth: Read the, read the law, read...

Jackson: Can I ask, can I ask you a question?

A Stevenson: Chair Hauth?

Hauth: OR, ORS 346, hold on, hold on, ORS 346.220, please. Read that and then thank you, Art, go ahead, and then we'll go to Steve.

A Stevenson: Okay, Randy. Here's the facts. State law dictates that the agency is supposed to ensure the proper and satisfactory operation of the vending facilities and for the benefit of the managers. That's what the state law says. The federal law says that the agency is supposed to treat all managers uniformly. I mean, that's the law. I'm an expert at what the law says, and also what that kind of stuff means, because I actually sat in a training session with the AG's office on what the law says, and what the agency and the law says they can do. Now, the Elected Committee is the voice of the blind licensed managers according to federal law and state law, okay? So, when, when we, the Elected Committee make a motion, it is, okay, for the benefit of the managers, because we represent them. Let me say that again, we represent them, and when we make a motion, that motion is made representing the managers and what is beneficial to all the blind licensed managers. When we said, okay, the money that we're receiving now should be distributed evenly, evenly, that's uniformity to all the blind licensed managers. Then the agency is obligated by law, by law, the state statutes. I quoted you what the law says. To do, what is recommended, by the Elected Committee, Eric, I don't need to know, okay, what the net profit is of each manager. Why don't I need to know that? Because I made a motion that it be distributed evenly and that was in compliance of both federal and state law, and what the agency is supposed to do then, is to comply with the law, comply with the law. We do not have to have an executive session and look at how much net profit Jerry is taken, or how much net profit Steve's making, as Randy said. And so, the, the time has come for the agency to start recognizing the Elected Committee and their responsibilities and their obligation to comply with the law. And then, of course, the agency is also obligated by law, okay, you can't just say, oh, that's not fair. Okay, because we don't make motions because we like to help us, help us top, help, hear us talk. We make motions in order to follow the laws and rules and regulations and make our program better. The agency, as I said before, doesn't take that into consideration and doesn't respect, okay, the Elected Committee and our motions. So, making that comment, is that, we have represented the managers and made motions that was beneficial to all managers, and then the agency is supposed to accept those motions and follow the laws and do your job as the, as, as the state licensing agency. Okay, Randy, I've said enough. I’m really [inaudible] know [inaudible]...

Hauth: Okay, thank you, now it’s... Thank you, Art, you made some good points. I want to hear from Steve, and then I have a comment to share with Lewanda. So, go ahead, Steve.

Jackson: Okay, thanks. I just wanted to ask Eric, would a, would a, like, do you want to spitball ideas and brainstorm is what I'm kind of hearing, and we're asking you to do the same. So how about I push the ball a little, roll it back over, is, what about, since I didn't tell everybody how much I make, but I said how much I've lost in a, in a percentage. I mean, maybe, maybe you guys at the OCB can make some kind of little algorithm, or whatever it is. A mathematic equation that shows how much we've, you know, haven't been paying on our set-aside, or something. But, like the reality is, like Art says, be simplistic is, we all need to be treated uniformly, because that's the law, and, and that's fair. And, and I don't, no offense, Eric, I don't think it's your decision, it's not your vending. I don't see why you are sort of hesitating. So, what about doing it the way I said, with percentages or some, some way of how much people claim to lose?

Morris: Steve I think that's a good idea in the sense that it's, it's thinking in a different direction, but obviously, based on the conversation just before you, people weren't really interested in the data. So, but I like, I like your thought process though.

Jackson: Well, well, I want you to, to, to pitch in at [inaudible]. What can you, what can you think up? Can, can you think of, in a good idea to, to, to divide, and to assign the vending that needs to be assigned to managers, because I think it's been delayed too long. You got any ideas that we can bounce back?

Morris: Well, Steve, I, I, I don't right off the top of my head, because I think a lot of the ideas that I've come up with in the past have been shot, have been shot down. So, I like your idea of percentage of loss. I'd have to sit and crunch some numbers to see just how I would calculate that out. But I think that's the, the piece of uniformity…

Jackson: Well, while you're doing that there's managers suffering still. Those vending, and I don't mean to cut you off, but those vending needs to be assigned to managers. Right? That's the bottom line, me.

D Stevenson: This is Derrick.

Jackson: So, however we can do it, however we can do it. We need to work on it.

Hauth: Steve, you made some very valid heartfelt points. So, thank you very much.

Jackson: Sorry. Sorry to be rude.

Hauth: No, you did. Yeah, Derrick, go ahead.

D Stevenson: Yeah, I, I would just like to ask Steve, and you don't have to answer this, if you don't want to, do you feel that you are making a fair minimum return for the hours you're being forced to work and, and stuff or guess that's, that's a question. Do you feel like you…

Jackson: Do I be, am I making a fair wage? No. I'm not making a fair wage, no. I, I feel like I've been kinda busting my hump, yeah.

D Stevenson: Yeah, that's kind of the way I thought about it. [inaudible]

Jackson: But that’s how everybody [inaudible], right? Yeah.

Hauth: I'd just like to, I'd just like to say, you know…

D Stevenson: I mean that needs to be, be addressed more often is fair minimum returns and making sure if you're going to force a manager to work 30 hours, he's making a, he's making a return on his money, on his, on his work.

Jackson: Yeah, like. That’s [inaudible].

Hauth: Like… Yeah, so, when Eric, when Eric said that, when Eric said that the set-aside goes back in to help, you know, support the program, well, you know, there's five uses of set-aside, and it's supposed to be actively decided with the committee, and that hasn't happened. But one of those is a fair minimum return, right? So, it just gets so complicated, because in my opinion, the agency wants to gobble up the money and use it and waste it and bring on five or six different staff members, and, in my opinion, do very little. So, anyway, but you know, my thought is, so when RSA sent out distributions of monies during Covid, they sent it equally to everybody. When the vacation pay come out from the agency, they sent it equally to everybody. For Eric to say, that's not fair, I think, is small-minded or shortsighted. I think it is fair, and a lot of people have been in this program over 30 years. They have a lot of stake in the game, you know, and maybe they're making good money. Maybe they're making, you know, decent money, but they've worked very hard to get to that point, so they shouldn't be held back from that. So, my, my question to Lewanda is, Lewanda, do you think it would be helpful to send out a vote of all the managers to see if splitting the unassigned vending evenly is a good idea, because all I see here is like more boondoggle, right? Just more delay, and more or less do this and do that and do that and, oh, we've worked with them on it, and nothing ever happened. So, my offer is to you, to consider maybe all the vendors need to vote on it and see if unassigned vending needs to be split equally.

Miranda: Yeah, I can do that.

A Stevenson: Chair Hauth?

Hauth: I mean, do you, do you support that? Do you think that's a valid request to do?

Miranda: Well then, well, I think so, and then we'll know, and, and, and Eric will know. Whether he agrees with it or not, I don't know, but I don't know what to do from here. So, yeah.

Hauth: Well, obviously.

A Stevenson: Chair Hauth?

Hauth: I know, and I, I commend you, I commend you, hold on just a second, Art. I commend you for hanging in there, even though you weren't real confident in a good outcome. I commend you for hanging in there and working on it, and trying to do best by the managers. But you know, like you said, a vote of the managers will tell everybody where we're at with this. So, go ahead, Art, and then we're going to move on. So.

Miranda: Okay.

A Stevenson: Okay, let me first say that Lewanda, Harold, and myself, have worked very hard in the Vending Facility Development Committee to make good decisions on how to not only have the agency do properly when they're developing vending facilities, but also that they address issues that are very detrimental to many managers. The micromarket system is a perfect example of that. And let me say, we have worked really, really hard at making this program what it should be, making the agency comply to making decisions that are beneficial, beneficial to the blind licensed managers. And we continue, okay, to talk to different managers who are having problems and discussing how we as an Elected Committee can make sure that the agency is doing their job appropriately and that all blind licensed managers are benefiting from our work. And right now, the agency is, let me say, not paying attention to our expertise. And we are experts. 1986, that's how long I've been in the program. Jerry's been in it for a long, long time. Randy's been in it a long, long time. Harold's been in it a long, long time. We have okay, repeatedly made decisions and recommended things be done and quite frankly, the things that we propose are just ignored, and I know they're being ignored, because guess what, folks, believe it or not, the agency did a survey, a survey of the 911 Call Center on whether or not they should put a quote unquote micromarket in there. They didn't have to do a survey. All they had to say was, oh, that place is not suitable for a micromarket instead of wasting time, you know, doing things that waste time. Just waste time, and the agency is constantly wasting time. Instead of following the recommendations of the Elected Committee and implementing stuff that definitely, definitely would take our program in a positive direction instead of a negative direction is which we're headed. I, I mean, there is no doubt about that. So, Randy, I'm going to climb off my soap box, but doggone it, those things need to be said, because that is the problem. We experts, which is us, are not being listened to.

Hauth: Thank you, Art.

Bird: Randy.

Hauth: Yes, Jerry, go ahead.

Bird: I just want to make a quick comment, before I forget about it, as we move on. It'll probably be, make more meeting. I think it's time we have a BECC Legislature Day. We go when we split up with different legislatures, kind of like NFB used to do, and I think we even had one of those one times. And, you know, let them know exactly what's going on. I know, I know Dacia and them like to go in behind us or go in and see them full of stuff, I believe, in my opinion, isn't the truth and convince them that, I don't know how, what they do. But I think we, we need to be eye to eye, we need to discuss this, and we need to show them the problems and what and who and what is our problems, and why and get a little more attention. There's also the paper out there, you know, on vacation, sick leave, I mean, there's stuff, avenues we can do that to quit Eric and Dacia make it having their decision is the only one that counts, it's not their program, it's ours. They're just supposed to let us pretty well run it. They, they're supposed to just get people, train people. Now, who, who wants to be trained by them? They, they don't know what they're supposed to do. Almost none of our staff has any business experience, but they have no legal, none of that. But anyway, I'll just leave that there, thanks.

A Stevenson: Jerry, just so you know.

Hauth: Jerry.

A Stevenson: We are engaged, engaged with the legislature.

Hauth: Yeah, let me, let me, let me just say, real quick. You all remember we have to kind of be careful about the Elected Committee, and whatever you know, however, we engage. I do know that there's been a couple of vendors that have engaged with very experienced, knowledgeable lobbyists who are sharing the story, you know, as they find it to be important. So, I do know that those persons have also requested to reach out to vendors to understand their story and help assist us. So, you know, yeah, you, you're right, Jerry. You know, the story that's being told out there that I see from the agency isn't an accurate story like Eric said earlier. Well, that's not accurate. You know, the law is not accurate. Well, the way that I've seen the representation by the agency is certainly misleading and not accurate. So, you know, enough said with that. But let's, you know, we've got, we've got some time to move forward and tell our story, and try and forge constructive change, and put people to work. And you know, all those good things. Okay, so, let's move on. I know we've had a lot of good, healthy discussion that needs to be happening. You know, I guess we're looking for outcomes. Right? That's what we want outcomes. But we'll see. That's yet to be told. But what do we have, what do we have next, Carole?

Webber: We have repair problems and solutions.

Hauth: Okay, let me just say real quick before I turn this over to maybe Art. So, part of when I was, I think I mentioned earlier. I know there's been a couple of managers that have voluntarily taken on self-service initiative, and you know, good! That's fine, you know, no problem by me at all because every situation is different. But I can tell you, in my situation, when I was forced to take on the 50-machine mandate, part of that requirement also was, if I had experienced a, a malfunction and a machine malfunction, I was to go and inspect that, you know. If it was just a coin jam, then you can just replace a coin jam. Or a dollar bill validator, replace that. If it's anything more, then, you know, let us know. Document what's wrong, and we'll send somebody. Oh, what a, what a joke! I mean, goodness gracious! You know, so, there's been a couple of times, where I've had to drive with, well, of course I don't drive, but I've had to either hire somebody to drive me, take an Uber, ask my partner, you know, to drive me, but she has her own life, too, so, she just doesn't wait around to drive me. But so, there's been a number of times where I've had to go through traffic an hour one way, an hour back, the other to, you know, document what's going on, and then spend my time to report to the agency what's going on. And then, you know, another day passes, and they report to Smitty's and because Smitty's is their preferred repair person. And then another day passes, and they put it on the schedule. And so, two or three days are gone. That didn't happen with Canteen, FYI, you know, or other subcontractors. They're out there because they have cross-trained people, and they have multiple vehicles, and they have multiple areas service providers, so they get it done. But the, the story is, is I was required and still required to do that, which I don't think is the proper thing to be requiring. But the question is this, so, in Derrick Stevenson's situation, where he's 150 miles, or 100 miles, or 70 miles away from some of his machines, or in Lin Jayne's ex-route, you know, that the agency decommissioned after telling her to get out there and do it. So, what are they supposed to do? Have their significant other drive ‘em, you know, 70 miles or a, a employee drives 70 miles to see what's going on and then come back? I mean, this is a ridiculous requirement. It was created without active participation. It was recreated by, again, a heavy-handed demand of the agency, because they know what's best for everybody. So, I think the discussion needs to be, and has been brought to me about, I believe by Art specifically, about how silly this is. So, I just wanted to preface that with how silly this whole situation is, and Art, have the floor.

A Stevenson: Thanks, Randy, really appreciate it. Obviously, all the managers are responsible to make sure that their vending facilities, their vending machines, you know, are functioning. And not only does every minute, okay, a machine is down, we lose money…

Hauth: [inaudible]

A Stevenson: We also are not providing, you’re on, not on mute, Randy. We're not providing good customer service. Now, I can say, the Elected Committee, rejected the rules unanimously. And the agency came up with a protocol on how we're supposed to, you know, try to make, you know, repairs being done on time and everything efficient and effective. However, the agency has not been proactive in creating a system that works. We've kind of asked ‘em to, but it's kinda again fallen on deaf ears. So, I pondered and pondered this problem, and as a member of the Elected Committee, and I've come up with a good solution. Vending machine repairs are done strictly by one entity, that’s Smitty's Vending, because they're the only company in the whole state of Oregon, that does the repair work. And so, the agency needs to create a, what I call, Cadillac version on how we get our machines repaired, quickly and efficiently. We don't have to wait on an RFP, and all the other crap, cause that takes two or three days if we're lucky, and then, of course, Smitty's has to schedule, because they have limited amount of employees and stuff. So, bottom line is, our machines are not getting repaired in a timely manner. My constituent, Harold Young, is going through a hell of a time right now. First manager, okay, under the new rules about equipment, namely, his truck. And, and unfortunately, he has been without his truck for quite a while and was given an inadequate, an inadequate vehicle to service his machines. Obviously, you know, as Randy had said, time and time again, no active participation. This is what we're going to do, if you don't like it, tough luck. And so, I think that the agency needs together, to get together with Smitty's, okay, and have Smitty's provide them with cost plus, cost of the piece of equipment, and then the plus is Smitty's mark up, because everybody marks up, so, they can make a prof, a profit. Whether it be, you know, 20%, 30%, that's, you know, up to, and we should be involved, because, actually, you know, obviously Smitty's is going to go high and then negotiate to something's fair that the Elected Committee should be involved. But here's the bottom line, the agency needs to have a repair policy. That not only works well, and is, it’s done in a timely manner, but also when equipment, and this is just flat wrong, when equipment, equipment is equipment, whether it's a vending machine, whether it's a refrigerator, I don't care what it is. Equipment is equipment, and it's the responsibility of the agency to maintain and service, but also to make sure that when somebody like Harold with his truck, has no truck, has an appropriate vehicle to be able to do his job. But you know, we time and time again, institute policies and procedures haphazardly, and the vendor suffers, the blind licensed manager suffers. But most importantly, our customers suffer. And as an independent, independent entrepreneur, when my customers suffer, I suffer, and I don't like it, and it's the responsibility of the agency, okay, to have policies in effect that work right and accomplish all the tasks that they're supposed to be. So, I want to make a motion with the active participation of the Elected Committee, that the agency streamline their repair process on everything, not just vending machines, also vehicles, and that, they, that the blind licensed managers also has appropriate, appropriate replacement if the repair of what exists is going to be over a long period of time. And then I also would like to say that, you know, God bless Harold. You know, here he gets a truck, finally he doesn't have to, and then he sells his pick-up because he now has a truck, and now he's in, in worse shape, because of all this garbage going on, and it's not, it is not acceptable. And so, we, the Elected Committee, need to make sure that our repair process is addressed, and that, that it's done efficiently and effective, and it complies with the law, which…

Hauth: And, and safely Art, but let's go ahead and move on to the motion. Make the motion. But remember, safety is important too [inaudible].

A Stevenson: I understand that, yeah. Okay. I make a motion, I make a, okay, I make a motion that the Elected Committee engage with OCB and resolve all of the repair issues, all of the equipment issues, because equipment is equipment, whether it's a truck or a toaster.

Hauth: Okay.

A Stevenson: That's what I, my motion is.

Hauth: Okay. Okay. And so, a motion's been made, do I have a second on that before discussion?

D Stevenson: I second.

Hauth: Okay, Derrick has seconded it, so, open for discussion. Eric, so, what, what is your, I mean, obviously, it's not a, and maybe you believe it is, but I think most of us believe it's not a exact science on this repair policy that the agency created, but more, so, like in the situation like Derrick's or outlying areas. How is that supposed to be handled? How do we need to work together to make it better and more effective, so that, you know, machines aren't down, and there is not two or three days delay, and also in my specific instance with you, you have told me that I have to be there like on the weekend, if a machine goes down at one of my TriMet locations to let those people in, so. And I know I've mentioned two or three times that the agency needs to ensure that their repair provider go through the process to become badge worthy, and be able to access in, and I know that was one instance, when I took over and was forced to take over the 50-machine mandate, or initiative. I know it's not a mandate, even though, you know, and, the agency mandates it, is an initiative. But I know one of the situations was with the Multnomah County jail, where, you know, there was like a delay, because Smitty's didn't even have access to be able to get into the jail. So, with all that said, what are your thoughts before we move forward with a vote on how this can be like Art said, a Cadillac version or streamlined?

Morris: Well, thanks, Randy, I appreciate you letting me comment. Excuse me. Well, I think the process we have in place is the process that we've developed based on the, how things work within state government. Because, you know, there's a process we have to follow to get work done. Some of the stuff we've done, like with Lewanda specifically, we've pre-staged stuff with her. So, that she has a, has like bill changers and stuff like that. And, Randy, I think we did that for you, too, to where some of the more routine repairs are, are doable on site when you're there, so you're not having to double back and do things. Those deeper ones in the deep south and stuff, the same kind of strategy would be, is what I would think. For more serious repairs, some of that stuff is going to take a little bit of time. And I think we, we faced a lot of challenges around the pandemic and actually getting some of that equipment taking care of and, and actually sourced. The, the issue around getting badging and stuff like that, that's a specific thing that I've talked to Smitty's about, and they're like, if it's a special call out on a weekend, then we want the person to meet us there. That wasn't something that I dreamed up, or something. That's what they said. So, that's what I passed along. You know, I think I, I would be happy to sit down and have that extended conversation about what streamlining, streamlining, it looks like. That's why we set up the, the, the service email address so that there's multiple staff monitoring that all the time. So, when requests come in, we can address that as quickly as possible. So, yeah, I mean, I, I'd be happy to talk more about it, because I think, I think if we go out and maybe survey the different subcontractors and their processes, might, I, you know, I'd be curious to know what their repair times are and stuff. I know, like, you were saying, Canteen's really quick here in the metro area. But my guess is that it's more of a challenge once you get --side, outside the metro area.

A Stevenson: Randy?

Bird: [inaudible] your thoughts.

A Stevenson: Randy?

Hauth: Yes? Yes.

A Stevenson: Eric, would you, would you please provide the Elected Committee with those state laws that you're talking about. Okay? Because number one, I want to look at them. And then number two, if the state law does state what you're saying it states, then we will actively participate in engaging with the powers that be that have that actual state law, because I am not aware of that law, I would definitely like to see it.

Morris: Art, I'm not sure which state law you’re talking about…

A Stevenson: So, that I can, that we! Well, you just say you, you just said it's mandated by law that you have to go through a certain process. Now, what I am requesting, you made a statement, okay, what I'm asking for is what you're basing what you just said, you said state law.

Miranda: Procurement process.

A Stevenson: Man-- mandate.

Morris: Art, Art, I don't usually say state law very often. The procedures we go through here at the agency about basically purchasing stuff and sending out work orders and things of that sort, sort of thing all have to do with expenditure authority. Like Ryan McBee, he, he's the executive assistant here. Ryan has no expenditure authority. He can't, he can't buy anything without somebody saying it's okay. So, the, there's only two people in the BE program that have expenditure authority, myself and Ben. So, we have to provide some kind of an authorization in the process to say, hey, this is an allowable expense. We're going to authorize this work to be done. So, that's, that's why, that's the process we have to work through, just like on the VR side. I can, I can send you the, I think it's the Oregon Accounting Manual that deals with that is my guess, but I don't know, right off the top of my head. But I'll check into it. But that's, that's the process, and how that works. There's, I'm sure there's a state law for it. But I wasn't like quoting some obscure state law talking about it. That's, that's the process we have to follow there.

A Stevenson: Right. And we just talked about developing the thing with Smitty's Vending and obviously, okay, you sure, in my opinion, okay, authorize appropriate repairs to occur in order to provide the customer service that the customer ser--, in our service to serve us, to get the machine up and running, and to also make sure that our customers, which are, you know, state, city, county, the whole nine yards, that the procurement process is again quote unquote Cad--, Cadillac.

Hauth: Hey, Art, I, we, we have about a half hour.

A Stevenson: We, we create a Cadillac version, which is the most efficient, effective.

Hauth: So we’ve got to kinda finish it up and got a couple of other people want to comment on it.

A Stevenson: Okay, okay, so anyways, yeah, any, yeah, anyways, did we make a motion already on this, Randy?

Hauth: No, but there's a couple of other comments here, that I know Linda wanted to make it a comment and...

A Stevenson: Well, let me, okay. Well, let me, let me quickly make a motion. We'll open it up for quick discussion, and then we'll get this done.

Hauth: Oh yeah, no, no, you did a, you did a motion. And this was, this was discussion. So, you did make a motion, yes, and it was seconded, and this is the discussion. So, we'll finish out.

A Stevenson: Right, right, right.

Hauth: [inaudible] here in just a minute. So, yeah.

A Stevenson: All right, all right, all right.

Hauth: Okay, here's Linda.

Haseman: Hi, there, I just am listening to some of this, and being the person that ends up driving the blind individual, which is in this case, Randy Hauth, knowing what I understand through subcontractors of the agency and through the state, and with you guys being an independent blind person, I'm struggling in my own mind, so, I'm just going to share it why, I'm struggling how a subcontractor of a state agency, so, in this case Smitty's, the subcontractor of the state agency, the Commission for the Blind is dictating to the Commission for the Blind what the blind individual, which in this case, would be Randy is going to do, and when he has to show up to let the subcontractor of the state agency into a building. Doesn't make any sense to me. And I'm going to give you the scenario. We already went about a month ago to TriMet, the location on, by Sandy Boulevard. Randy and his routeman, I drove Randy, his routeman showed up with him, checked a cooling issue that had happened multiple times at the same location on a Saturday. Tried to get it resolved. It was a weekend, a holiday weekend, couldn't get it resolved. And so, by the time Randy was able to put in a request and try and get it resolved, he questioned about holiday and weekend involvement of Smitty's, and the agency came back through Eric Morris and told Randy that Smitty's, that they, that, the, the agreement with Smitty's was that Randy would now have to be on site again on the weekends or a holiday for Smitty's to do the repair. Well, I'm not sure how the Commission for the Blind and the subcontractor of the state agency are now directing the licensed blind vendor as an independent businessman, to be on site for a second time to watch a repair happen, I'm not sure. I continue to have confusion as to how a sighted subcontractor of the state agency, as well as the state agency, continue to try and direct, control, and supervise blind vendors who are independent people who happen to be blind. And then they're creating this whole model where the blind person has to continually go back to the same location to now, what? Supervise the state agency's subcontractor, or to let the state agency subcontractor into the building where they should be able to have access to it? It's actually ludicrous, and it's improper for a subcontractor of the state agency to be working with the agency to define how the blind vendor, how they will fix the machine that's a state machine, for the blind vendor to have to be there. Not only once did he go to try and repair it the first time. Now he has to be on site for the subcontractor of the state agency for the state machine to get fixed. Something else needs to occur.

Hauth: Thank you, Linda, yeah, I just want to say before we move on to take a vote on this. I believe, personally, well, first of all, these are state owned assets, right? They have, I mean, Smitty's has keys to our machines. The agency, I know Ben was carrying like 30 different keys jingle, jangling around on his belt loop. So, the agency has keys to the machines that we service, Smitty's has keys, they should be able to get, if they're that trustworthy, they should be able to get access to be able to get into the building. These are state machines. They're not our machines. They're not our assets. The agency forced us in most instances, or trying to force us, into the service model. So, I believe that it probably needs to be a better well thought out service repair provider plan than, than it is. So, let's go ahead and take a vote on this. I'll call the question. Art?

A Stevenson: Yes.

Hauth: Derrick?

D Stevenson: Yes.

Hauth: Steve?

Jackson: Yes.

Hauth: Steve?

Jackson: I vote yes. Yes.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Carole?

Webber: Yes.

Hauth: And I'll vote yes, as well. Okay. What do we have next, Carole?

Webber: ADA Compliance.

Hauth: Okay, I think this was something Art wanted. So, Art, you know.

A Stevenson: Quit clicking shi--, quit, okay.

Hauth: One real quick comment. One real quick comment.

A Stevenson: Okay.

Hauth: I believe that, I believe the agency is understanding that the ADA actually matters, and it has an impact. And it actually is governing the specialized program called the Business Enterprise Program. I know about a year plus ago, when I addressed the issue, the executive director said, no, it didn't matter. But I think they've come to learn, it does matter. So, that's a good thing we, we helped them learn. But anyway, go ahead, Art.

A Stevenson: Okay, Randy. Thanks, buddy, I appreciate it. Active participation it's not, it's not a joke. It's the law. And this whole ADA thing, again by the agency, was developed and implemented, as I said in a previous meeting, implemented without the active participation of the Elected Committee. The form was developed by the agency. No active participation. You know, what kind of parameters should be included for blind people, concerning the A, D, ADA. The Elected Committee was again not consulted by the agency. They actually implemented all this stuff inappropriately, in violation of the law. And the agency needs to comply with that law, because, again, like I said through the, at this meeting, we represent the managers. We represent the concerns of the managers, and we have a vast amount of experience on what is needed, and the agency just kind of, you know, did their thing again and developed it. So, quick motion, I move, and I moved this before, but Eric’s, the agency had ignored it, the responsibility of, of ADA compliance should be with the, with the approval of the Elected Committee. So, I'm going to make this motion again. Okay, I make the motion that the agency, as required by law work with the Elected Committee to adopt an ADA compliance format, including the questionnaire, and then, after the Elected Committee approves it, we can put it into effect as required by the law, because we represent the blind licensed managers in this state. That's my motion. Thank you, Randy.

Hauth: So, a motion's been made.

A Stevenson: Uh-oh, Randy's cutting out.

Hauth: Do I have a second on that?

D Stevenson: I second.

Hauth: Okay, so, a motion, a second, discussion?

Bird: Jerry.

Hauth: So. Yes, go ahead.

Bird: Yeah, I'd like to come on, comment on this slightly. I don't know quite how much I can say, because I do have a lawsuit against the agency on a secondary disability that my doctor, my heart doctor, has provided them letters to state what I can't do and all this stuff. Now, I like, like Randy said, there usen't be one, but they finally got one and the way I understand it, is Director Morris is the one in charge of reviewing it and discussing it and making a decision. I have had mine. It seems like Sean Brady actually must, I mean, he's like he's the director, you know, they… Eric sit, sits back and let him dictate what's going on. It's, which I think is, you know, that you're forced to get an attorney, too. But it, he had, they made me a few little offers which were ridiculous, of some things they added in there. I won't quite tell you, but you guys would be amazed. And we turned it down, as long as they take that sentence out, we'd accept it. Which we, which could close this whole thing. I have another fair hearing coming up, and we were done that. But this particular time, it's been about a month, and we have got nothing from Eric, denying or accepting, and that's ridiculous. I don't know what he's waiting for. He wants to deny it, that's fine. We got other avenues. But it's gotta get taken care of. He lets things ride, I guess, I don't know, but this is an important issue. You know, this ain't just a broken leg or something. It's my heart, which is getting worse and worse, and I don't know how much longer I got. Tell you the truth. But I've been in this program for 36, 37 years, first one to do the vending. And now, you know, they want to dictate and tell me I got to do different stuff that it, no one else in the program has to do. No one ever would agree to it. And then, it's like, okay, Jerry, if you don't agree to it, we can find you a, a place you can go sit somewhere and take cash or something. I've done vending for 36 years. So, I’m just disturbed on, even though we did an ADA form, and I think at our last meeting or so, Eric even said that he really wasn't an ADA expert. Well, he's been, he's been assigned to be the expert, and to make these decisions. So, I don't know what it is, if we just, you know, let, let Sean do all the telling. I, I, I don't mind him calling, talking to their attorney, consultation and stuff. But Eric's got to make these decisions and then he's going to have to deal with the decisions he makes. So, that's all I want to say is, it's still it's, it's still a ridiculous thing.

Hauth: Yeah, Jer--, Jerry, I would, I would just say, I appreciate you sharing that. And I know it's kind of a, you know, you have to be kind of cautious of what you say or don't say, because as you know, the agency in many times would use that against you. I do know that a delay is a denial. There's no reason that these things should be delayed, and you know, let's say, for instance, the agency would request somebody to sit in a corner and sell pencils. I mean, that's basically, from what I understand, that’s basically what they're trying to do. I mean, how oppressive, how discriminatory, how small-minded! You know, a shadow! Oh, why don't you go and walk along and shadow your subcontractor, so you can justify your existence. I mean, come on. How ridiculous, you know, but again goes back, in my opinion, to the administrator and the mindset of that administrator. I'll remind you all when we brought Dacia to a meeting here months back, and we've shared the concerns about accessibility, and we shared the concerns about the impact of the self-service, she said, oh, I know you can do it with accommodations or not. Now, with that kind of mind, thought, you know, how are you going to get anywhere? She needs to go! She's not the right, my opinion personally, not the right leadership for doing the best for the people she serves. So, with those kind of comments, just can't accept that. But thank you for sharing that, Jerry. So, I know we only have about 15- or 20-minutes left, so...

D Stevenson: This is Derrick.

Hauth: Let's go ahead and try and step forward on this. Go ahead.

D Stevenson: Yeah, I just wanted to say, blindness is definitely a, a problem for some people when asked to do the 50-machine mandate and stuff. The fact that I'm blind means that I have to hire, you know, two employees and pay all that stuff, and, and most likely losing, losing money. And that's, you know, that's being taken lightly, if put it in a quick and easy way. But I think the fact that I'm blind, I should do an ADA based on, based on me being blind and not being able to, to, to make a fair, fair wage by doing the 50 machines. Hope that explained it.

Hauth: I can, I can tell you, something came up recently. Linda does a lot of research. Taking away a choice from somebody who's disabled, taking away the choice, if you look at some of the case law, it impacts, it's a barrier, right? If you take away somebody's choice how they do something who's disabled, it's a barrier. So, you know, we haven't heard the last of this at the agency, you know. Hopefully, the agency will come to the modern way of thinking and help people do better and make more money, overcome barriers. It's yet to be seen, but hopefully, that will be the pathway forward. So, okay, what do we have next? What's?

A Stevenson: No, we got to vote!

Webber: Okay.

Hauth: Okay. Okay.

A Stevenson: We got to vote.

Hauth: Discussion. Okay. Yea or nay, Art?

A Stevenson: Yea.

Hauth: Derrick.

D Stevenson: Yea.

Hauth: Steve?

Jackson: Yes.

Hauth: Lewanda?

Miranda: Yes.

Hauth: And Carole?

Webber: Yes.

Hauth: And I will vote with a comment. When Art brought this to my attention, I didn't necessarily disag--, I didn't necessarily agree with him, because I believe that the ADA pretty much stood on its own merit, and then their own requirements or regulations. Clearly an agency's supposed to have a point of contact. They're supposed to be trained and knowledgeable on this. They're supposed to have a form. They're supposed to have a grievance process, the whole, the whole kit and caboodle. However, the more I thought about it, it all deals with this specialized program called the Randolph-Sheppard Program, and under the Randolph-Sheppard program is the Elected Committee and active participation. So, I certainly believe and support the active participation of the committee and the agency in developing the form. If that's right or wrong, I'm not sure, but I've come to believe that it probably needs to occur. So, I will vote yes, as well. Okay. So, what do we have next? Let's move on.

Webber: Okay.

A Stevenson: Randy, Randy, Randy…

Hauth: So, we can.

A Stevenson: Randy, Randy!

Hauth: Yes.

A Stevenson: Okay.

Hauth: Yes.

A Stevenson: Jerry brought up an interesting thing. And, and so, I, I got to make another quick motion. Okay?

Hauth: Okay.

A Stevenson: The agency, we're a 24 hour a day, we're a 24 hour a day, a seven day a week program, okay? And the agency is required to administer the program and to also communicate with blind licensed managers in a timely fashion. Jerry just said he hasn't heard a doggone thing about this, you know, his issues, and this has got to stop. And so, I make a motion that the agency, because we are a 24 hour a day, seven day a week program, respond to a manager if they have concerns or an issue to address. Now, Eric, if he's on vacation, okay, he is entitled to his vacation, and then if he's gone, Ben is in charge, but doggone it, when managers have concerns, this agency should be required to respond within 48 hours of a written request by a blind licensed manager.

Hauth: Okay.

A Stevenson: So, I make that motion.

Hauth: Okay, a motion.

A Stevenson: That a response be given.

Hauth: Okay, so, that motion's been made. Do I have the second?

D Stevenson: I second.

Hauth: Okay. Second. Yea, or nay, Art?

A Stevenson: Yea.

Hauth: Derrick?

D Stevenson: Yea.

Hauth: Steve?

Jackson: Yea.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Carole?

Webber: Yes.

Hauth: And I'll vote with a comment, I can tell you all, two weeks ago I did a public records request, and the public records request officer apparently was on vacation. I didn't even get a courtesy notification of that, so I waited a week, and then a week. A few days after that the gentleman responded and said, oh, I've got to wait and talk to the person responsible for these, which I thought was this public records person. However, I believe it may be Sean Brady who administers the program, and so, I still haven't heard back. It's been like two weeks. So, you know, it's obviously, communication responsiveness needs to be better. So, I'll vote yes as well. Thank you. Motion passes. Okay, what do we have next, Carole?

Webber: Okay. Next is managers’ complaint update. And OCB’s cooperation with Elected Committee participation.

Hauth: Yeah, so, what time is it, Carole? Do you have the time?

Webber: Yes, it's 4:52.

Hauth: Okay. So, I know we have a few things.

A Stevenson: Chair Hauth?

Hauth: Let me just update this real quick, and then we'll move along. I know Jerry brought something up previously that, I believe, is really important that we need to deal with, but as far as the complaints, I know there's a number of complaints going on. Unfortunately, nobody wants them, other than apparently the agency. But the managers don't want to spend their time and money doing this, right? But when you're pushed into a corner, you either fold, or you advocate for yourself. So, that's in my opinion, that's what looks like it's happening. But there's a number of complaints going on, and maybe more to come, you know. So, the money the agency is spending is probably not in the best use for those they're supposed to serve. So, if we can move along unless somebody else has something, but…

A Stevenson: Chair Hauth? Chair Hauth?

Hauth: Yes?

A Stevenson: Chair Hauth?

Hauth: Yes?

A Stevenson: Okay.

Hauth: Yes.

A Stevenson: Here's, here's, I want to make a motion. Okay? That the full evidentiary hearing is not in compliance with federal law. The agency is allowed to make the final order, which is a violation of the law, and so I make a motion that the agency, because we rejected the whole handbook, including the full evidentiary hearing and stuff. Okay, I make a motion that the agency get in compliance with the federal full evidentiary hearing process and actually provide managers with a fair hearing. There's no way that the AG's office and Dacia Johnson should be issuing...

Hauth: Make the motion, Art.

A Stevenson: The final order. I made the motion.

Hauth: Make the motion, we’ve got [inaudible] to go. We’ve got to deal with the budget and other stuff.

A Stevenson: I made, I made, I made the motion that, you know, the agency, write appropriate rules to provide for a federal, a federal full evidentiary hearing not a state process.

Hauth: Okay.

A Stevenson: That allows the agency to issue the final order.

Hauth: Okay, okay. Thank you. Motion's been made. Do I have a second?

D Stevenson: I second.

Webber: I'll second that.

Hauth: Okay, second, yea or nay, or discussion, any discussion? Okay? Yea, or nay, Art?

A Stevenson: Yea.

Hauth: Derrick?

D Stevenson: Yeah, I just want to make a quick, a quick comment, before I do it. I think it's, it's not right that the Oregon Commission for the Blind Board allows Dacia to do the things that she does, and when she's involved in, in a suit herself, it's not proper for her to, to make rulings and stuff on things that concern her.

Hauth: Thank you.

D Stevenson: I say, yes, yeah.

Hauth: Okay. Steve?

Jackson: I'd like to echo what he says, and there's a major disconnect. But I vote yes.

Hauth: Lewanda?

Miranda: Yes.

Hauth: Carole?

Webber: Yes.

Hauth: I'll vote yes, as well. What's next, Carole?

Webber: Okay, [inaudible], I think we've already done that one.

A Stevenson: Randy, Randy, I make a motion, Randy, I make a motion that we table the rest of the, I make a motion that we table the rest of the agenda because we won't be able to address the, the issues appropriately and have a full, another meeting next Thursday. Same time, same place.

Hauth: Okay? Well, I, you know, before we accept, before I accept that motion. There is one thing that I want to address that Jerry brought to my attention. And also, we need to get an update on the budget from Eric. So, that motion has been made.

A Stevenson: Alright.

Hauth: Other than those two items I just mentioned. So, do I have a second? Do I have a second?

Jackson: Can you repeat the motion, please?

Hauth: I'll, I'll, I'll go ahead and second it.

Jackson: Please repeat it.

Hauth: Second's been made, it was to table the rest of the agenda other than several other key items.

Jackson: Oh, right.

Hauth: So, yea or nay, Art, or discussion around that?

A Stevenson: Yea.

Bird: Jerry.

Hauth: Discussion.

Bird: Jerry.

Hauth: Okay, yep, go ahead, Art, or Jerry.

Bird: Hello. Can you hear me?

Hauth: Yes.

Miranda: Yes.

Bird: Okay. Just, just to be brief, the only reason we don't get finished with our meetings, these are our meetings, is because our Director Morris has other things to do, and he might have to catch a bus. We don't, we have same problems. We have to come to these meetings and whatever, even the Commissioner's meeting has a start date and you end when you're done. We can't let this tell us, we only get two hours because Eric might be on, on overtime, or you know, of course they get paid that stuff, but he has the duty to do that. And, and we, we shouldn't have to responsible for his problems on getting there and getting by, and all that. We all have to take buses or get people to come and get us. You got to make arrangements. So, I, I really, that troubles me, so I just like to see if we could possibly put a starting time, and the meeting will go until we finish our agenda.

Jackson: What if we started at 2 o'clock. Why don't we start at 2 o'clock?

Hauth: Thank you, Jerry.

A Stevenson: Point well taken.

Hauth: Okay, yea, or nay, Art?

A Stevenson: Yea.

Hauth: Derrick?

A Stevenson: Yea. [Derrick did not answer here, Art did]

Hauth: Steve?

Jackson: Yes.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Carole?

Webber: Yes.

Hauth: And I'll vote yes, as well. Hey, Eric, I know, we're running low on time. But can you update us on the budget, and how that impacts the BEP?

Morris: Yeah, Randy, thanks for the question. I, sent out, I sent, I sent an email out yesterday to everybody with all the, the real technical details of it, because, as we know, the legislature was fast and furious, trying to get things wrapped up right before the end of the June. We'd ask for a big policy option package for funding to, you know, do commissaries, and I put the whole list of things in there we asked for, and that was, that was not accepted. That was not approved. There was only, I think, one or two policy option packages for the whole agency that did get approved. It looked like a lot of agencies you know, other agencies were getting monies, but not, not all agencies were, you know, evenly distributed this time around. It was basically, essentially, just kind of the same thing as last time around. Current service levels is the technical term for it. So, in that respect, it's, you know, kind of business, as usual when it comes to the budget. I was trying to think of what else would be helpful to tell you guys. The details on the, the links that I sent to you guys, and I'll send those again tomorrow for just an overview of what happened [inaudible].

Hauth: What about the, hey, Eric, what about the set-aside paying for an employee?

Morris: No, that was not included, because that was one of the policy option packages we asked for that they did not approve, and we've asked for that...

Hauth: So, will they, will the agency now pay for an employee out of set-aside, continue that?

Morris: Yeah, that, that's the way it's set up in the budget.

Hauth: Yeah.

Morris: It's a, it’s…

A Stevenson: Chair Hauth?

Hauth: So, do any of those other… Do any of those other budget, I mean, again, I think that should be worked out with the committee of blind vendors, but I mean, we can talk about that more. But are there any other impacts upon the vending program as far as the self-service initiative as far as repairs or machines or anything?

Morris: No, not that I'm aware of.

Hauth: Okay, thank you.

Bird: Randy?

A Stevenson: Chair Hauth? Chair Hauth? Chair Hauth?

Hauth: Yes, go ahead. Go ahead Art, make it, make quick because we do have one other motion to make.

A Stevenson: I'm going to make it quick. Right. Please remember, guys, that the governor has the right to line item veto anything in anything passed by the legislature, so, we won't know the final of anything until, she has 30 days to the end, and she's already stated that she is not going to sign anything till the end of the 30 days, and so, we can make public comments to the Governor's office. In fact, she's encouraged it. So, if you got anything that you want to say to the Governor concerning what's going on within the agency, the time to do it is nat--, between now and 30 days from when it closed. I forget what day it closed. But that's a fact. Okay.

Hauth: Thank you, Art, thank you, Art. Yeah, so the other thing is Jerry, I don't know if you're still on the line, but I know you sent me an email earlier. So, a few meetings back, there was a motion made that requested the agency to stop, based on what RSA had provided, to stop spending federal and set-aside money to litigate against managers, and also it talked about set-aside being used for employees, and there was some allowance there, but it all had to be documented and justified, and there needed to be an exact need. It looks like the agency, not necessarily is support, I mean disapproving of that. But they're disapproving of the, you know, use of money against managers and litigation. But also, within that motion, it asks that the agency provide a corrective action plan, and they also provide the last 10 years of AG's cost as program relevant. You know, the money that was spent on AG's cost, and so, the agency denied the motion, but did not deny all the specific motions. So, I think Jerry had suggested that the Elected Committee make a motion to request the 10 years, past 10 years that program relevant AG’s cost that had been spent relative to the program. So, that is my motion. Do I have a second on that?

A Stevenson: I second it.

Hauth: Second's been made, and just to specify that’s by cat--, by, that’s by category. So, a second's been made. Do we have any discussion around that?

A Stevenson: I want to say something. Randy?

Hauth: Yes, Art?

A Stevenson: Randy, it's Art.

Hauth: Art.

A Stevenson: Okay, the law, the law states that the agency is required to provide program relevant information, program relevant information. And the 10-year request is program relevant. We have to know how long the agency has been violating the law without the active participation of the Elected Committee and doing that. So, remember, okay, the law of states they must provide all program relevant information. And this is not confidential information. Thank you, Randy.

Hauth: Thank you. And just to clarify, that is by category. So, and source category and source. Anyway, so, do we have any discussion around that before we vote? Okay, we'll go ahead and take a vote. Lewanda Miranda, I'm going to start with Lewanda Miranda.

Jackson: You should start with her.

Miranda: Say, yes.

Hauth: Yes. Okay. Carole Kinney?

Webber: Yeah.

Hauth: Steve Jackson?

Jackson: Yes.

Hauth: Derrick Stevenson? Derrick? Okay, did I, Derrick, are you there?

Jackson: He had to catch a bus.

Bird: Ha ha.

Hauth: Okay, I'll vote yes as well. So, is there anybody else?

A Stevenson: Hey! Yeah, me, Randy.

Hauth: Oh, Art.

Jackson: Yeah, Art.

Hauth: Art, go ahead. Sorry.

A Stevenson: Randy!

Hauth: Sorry.

A Stevenson: Yes, yes!

Hauth: Okay. So, that motion, motion passes. And we have one closing comment here.

Haseman: This is Linda Haseman. I just want to share that if the agency doesn't provide that, you guys have every right to go to the Secretary of State and request it, because it should be able to provide it. If you do not go to the Secretary of State, there is also a transparency department in the state of Oregon, and also, I believe, there is a disability ombudsman or a governor's ombudsman. So, there's no reason that, that can't be provided. I know the agency's tried to stand on the fact that they don't have staff, which, in my opinion, doesn't matter. They should have staff, and if they don't, they need to figure it out. And the other part is, it's accounting, and it’s state records, accounts, payable accounts receivable and how they pay those monies is state records. They need to produce it to you guys. Thank you.

Hauth: All right. And I voted yes, as well. So, motion passes. Anything else?

D Stevenson: Yeah, Randy?

A Stevenson: Yeah, I wanna, I want, Derrick?

D Stevenson: What? I'm just kind of wondering…

A Stevenson: You didn't, you didn't...

D Stevenson: I was, I was kinda under the impression that the licensed managers and the BECC decide how set-aside is spent. Not, I don't believe the Commission for the Blind can just say, well, we're spending this on an employee, whether you like it or not. I think it has to go through some kind of process before.

Hauth: Oh, no, you don't understand, Derick. No, I'm sorry, man, you don't understand.

D Stevenson: Oh.

Hauth: But no, you're, you're I mean, you're absolutely right. Everything I've known in my last almost 40 years of trainings and informationals and expert advice is yes, absolutely. It's supposed to be so, anyway. Well, is there anything else, quick comments?

A Stevenson: Randy? Randy? Randy? Randy?

Hauth: Go ahead, Art. Go ahead, Art. Art, go ahead.

A Stevenson: Okay. I, I, okay, I ditto what Linda said. But I also want to make a statement, okay, if they don't provide us with the documentation, that's official misconduct as we discussed earlier in, in the meeting. Okay, the agency can't just arbitrarily and capriciously say, no, we're not going to give it to you. No excuses. They must follow the law period. Thanks, Randy, have a good night, everybody. I love you all.

Hauth: Yeah, thank you. Just, just, yeah, just real, real quickly. I will share with everybody that I did file a complaint based on RSA's guidance to the agency that they shouldn't be using those monies, and I filed it based on the motions that were made and objected to by the agency. And Dacia is scrambling around to try and find out how to deny that. So, she said, oh, no, it doesn't really [inaudible]. I've known about this for a long time. I mean, how ridiculous is that, right? So, you know, it's clear this money is important to the agency, because unfortunately, their bad administration practices have forced that. But clearly, we need to push this envelope because it's totally improper and I believe, unlawful. So, anything else before we go, guys? Anyone?

A Stevenson: See you next Thursday!

Hauth: All right, thanks everybody.

A Stevenson: See you next Thursday!

Hauth: Hey, Lewanda.

Bird: Taco Thursday!

Hauth: Thank you so much. And hey.

D Stevenson: Good to hear from you, Jer.

Hauth: I just want to say thanks, everybody. Bye.

Motions Passed:

1. **“…that BECC adopt meeting minutes of past meeting**

Proposed: A Stevenson. Seconded: Jackson. Passed. Yes, A Stevenson, Webber, Miranda, Hauth, Jackson

1. **“…that** **take every action to address inappropriate behavior by Executive Director Johnson**

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

1. **“…that Elected committee pursue official misconduct against OCB**

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

1. **“…that BE repair process be streamlined.**

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

1. **“…that OCB work with the agency to develop an ADA format**

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

1. **“…that OCB respond to VFMS within 48 hours**

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

1. **“…that OCB get in compliance with the fair hearing/evidentiary process**

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

1. **“…that remaining agenda items be tabled until next BECC Meeting (Art says next Thursday, which would have been/be 7/13)**

Proposed: A Stevenson. Seconded: Hauth. Passed. Yes: Hauth, A Stevenson, Webber, Jackson, Miranda (Derrick did not vote, see transcript)

1. **“…that OCB release past 10 years’ worth of AG’s fees spent on the program**

Proposed: Hauth. Seconded: A Stevenson. Passed. Yes: A Stevenson, Hauth, Webber, Jackson, Miranda (D Stevenson did not vote)