**BUSINESS ENTERPRISE PROGRAM OF OREGON BECC SPRING IN-SERVICE MEETING**

**Saturday, May 01, 2021**

**2:00 PM – 3:30PM**

OREGON COMMISSION FOR THE BLIND

**Agenda**

• Any agenda item may become an action item.

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

1. Call to order - Chairman Hauth
   1. Roll call
   2. Disposition of last meeting minutes
2. Open Comments
3. Director’s Report
4. Chairman’s Comments
5. New Business
   1. Mediation, unassigned vending
   2. Silver Creek Falls
   3. Motion to request that agency stops disparate treatment, as identified within submitted complaint
6. Old Business
   1. FRRP
   2. Marion County Jail opportunities
   3. City of Salem Police Department update
   4. Capital Building Update
7. Open Comments
8. Adjournment

**Transcript**

Hauth: All right, let's go ahead and call the meeting to order, and hopefully Lin will be able to join in as we go along here. So, call the meeting to order. I'll take a roll call. Art Stevenson? Art, are you on the line, I'm not sure if you're on mute...

Stevenson, Art: Yeah, I'm here, I, I had to take it off mute. I'm here.

Hauth: Here, sure. Lewanda Miranda?

Miranda: Here.

Hauth: Steve Jackson?

Jackson: I'm right here.

Hauth: Okay. Lin Jaynes?

Jackson: Sorry about your brother.

Hauth: [inaudible] Lin Jaynes? Okay, I'm here, so we'll go managers. Carole Kinney?

Kinney: I'm here.

Hauth: Char McKinzie? Char McKinzie? Harold Young?

Young: I'm here.

Hauth: Trevor Garcia?

Garcia: I'm here.

Hauth: Celyn Brown?

Brown: Here.

Hauth: Sal Barraza? Jerry Bird? And any manager or board member that I have failed to call or that came in after I called your name?

Bever: Shawn Bever.

Hawkins: Randy?

Hauth: So, so, yeah, Shawn Bever. Shawn, it'll take me a couple years, my friend, but I'll get ya. I'm sorry about that. It's just...

Bever: [inaudible] fun.

Hauth: Just joking. So, okay, and anybody...

Hawkins: Randy? Randy?

Miranda: Char.

Hauth: Hey, Char, you bet.

Hawkins: Okay.

Hauth: Okay and I assume that Kathy, Eric, and Ben are on the line?

Morris: Yeah, Randy, Eric and Kathy have stayed, and Teresa and Ben have left.

Hauth: Okay. Is anybody else on the line that would like to recognize, be recognized? Okay. Well, let's go ahead, and I believe the first item is the adoption of minutes? Do I have a motion for the adoption of the last meeting minutes?

Miranda: I'll make a motion to adopt the last meeting minutes.

Hauth: All right, second, anyone?

Stevenson, Art: I second.

Hauth: I'll go ahead and second... Okay, thank you, Art.

[inaudible] I second, too. [laughter]

Hauth: And any discussion, any discussion around that? Okay, hearing none, we'll do a roll call vote. Yea or nay. Art?

Stevenson, Art: Yea.

Hauth: Lewanda.

Miranda: Yea.

Hauth: Steve?

Jackson: Yea.

Hauth: Lin? I'll vote yea, and Derrick is not on the line either, so motion passes. What did we have next, Lewanda?

Miranda: Two is "Open Comments".

Hauth: Okay, so if anybody would like to make an open comment, just let me know and the floor will be yours. [inaudible]

Stevenson, Art: Randy, this is Art.

Hauth: Art, go for it.

Stevenson, Art: Okay. Anyways, i wanted to say that beginning next month, I will have been in this program for 35 years. It's been a blessing and a curse. Let me tell you, there's been a lot of good times, and a lot of bad times. And I have always tried to contribute in a positive way. I would like to say that today there were some comments made, and I wanted to point out that the Elected Committee voted unanimously to reject the meeting--the rules of this program--and I believe that they were correct in doing so. Today we had a presentation from our director--made some comments about some things that I believe as managers our rights are being trampled on. And one of those rights is the right, the right, the Constitutional right--our managers to file complaints jointly. Now, the Oregon Commission for the Blind and the Department of Education decide, decided that they were going to ignore those rights. And that is really sad. I also want to comment, comment that I have filed a complaint with the Elected Committee with the intent to fight for our rights as managers in this great program. Because it is a great program, but it could be a whole hell of a lot better here in Oregon if the Oregon Commission for the Blind would work with us as managers and actually comply with the law. Typical example of that is our state statutes say that the state licensing agency may only promulgate rules that ensure the proper and satisfactory operation of the vending facility and for the benefit of the licensed managers. Obviously, there is a huge problem here when the managers of this program, the Elected Committee, rejected these rules and, quite frankly, our concerns have been ignored. Now, I plan on proceeding with my complaint. I plan to continue to fight for all of our rights in this great country, but also in this great program, which, you know, isn't all it can be in Oregon. And so, you as managers will be receiving a, a copy of this and I'll be working closely with the Elected Committee, because the time is, is now for us, okay, to claim our rights and not be treated as second class citizens, which is, as I said...

[inaudible, unidentified] Mm-hmm!

Stevenson, Art: ...constantly, it definitely against our Constitutional rights, not only as an American citizen, but also as, as a...

[inaudible, unidentified] ...screens...

Hauth: Hey! There's some background, excuse me, Art, Art, excuse me. There's some background noise, so if somebody's off of mute, please. And I'll, Art, if you could just finish it up, please, I'd sure appreciate it.

Stevenson, Art: All right! And so anyways, I'm going to continue to fight for our rights. Right now, even though I've been in this program for 35 years, I'm considering leaving because, quite frankly, I'm tired of the Oregon Commission for the Blind and the Board of Commissioners ignoring our rights as citizens of the state of Oregon. Thank you, Randy.

Hauth: Thank you, Art. Anyone else?

Jaynes: Chairman Hauth?

Hauth: Yes, Lin.

Jaynes: Chairman Hauth...

Hauth: Yes, Lin.

Jaynes: I wanted, I wanted to let the Board know I have been online, but for some reason it keeps going off to where I'll [inaudible] everything going on, and no one can hear me [inaudible], so I don't think [inaudible]. But I'm here though.

Hauth: Well, thank you, Lin. Thank you. Hey, Kathy? Are, is Kathy still here, Eric?

Ewing: Yes.

Hauth: Hey, Kathy, is Lin being muted or anything, do you know? Could you look and see?

Ewing: No, she is not on mute.

Hauth: Okay, okay, great. Thank you, okay, [inaudible] thank you. Any other comment? Anyone else? Okay, well, let's go ahead. I do have a few things to say, but I think I'll share those under, under, I believe, the Chairman's comments, so... What do we have next on the agenda?

Miranda: Lin, do you want to carry on from here? We're on number three.

Jaynes: No, I would appreciate it if you would. I do not have my computer at hand.

Miranda: Oh, okay. Number three is Director's Report.

Hauth: All right, Eric.

Morris: Hey, good afternoon, everybody. Yeah, we're getting a whole bunch of cross chatter there. Hang on, one second. Oh, that's better. Yeah, good afternoon, everybody. Thanks for sticking in. We're, we're fastly approaching the end of our Spring In-Service here, so I appreciate everybody staying on. I've got about half a dozen things to report on today. A few of them I think cross over with topics that we're going to potentially talk about later in the afternoon, but I figured I'd talk about them here and then maybe save us a little time on the back end. The first thing I wanted to talk about, and I think everybody saw it yesterday late in the afternoon was the Silver Falls State Park vacancy announcement. That's for the South Falls Café. And that's through the Oregon Parks and Recreation Division for, you know, they, they manage and control all of the state parks. So that cafe is at Silver Falls State Park. As you, as you take a look through the vacancy notice you'll see that, I think it said, they, they estimate 100 -- 1.6 million, 1.5 million visitors a year at that facility. And if you average that out, I think I averaged it out to about 3500 people a day in the park. And just based on my ad hoc limited travels during COVID, there's a lot more people out visiting natural recreation areas than there ever has been. Just 'cause people are desperate to be out and about. So, please take a look at the posting if you're interested. They're definitely looking for something beyond just a, a, you know, run of the mill snack bar. They really want somebody to come in and provide a, a memorable dining experience. Not dining, but a memorable, not only coming to the park and enjoying the, the, the beauty and scenery of Silver Falls, but also, you know, being a good place to go get something to eat, too. Is there somebody, somebody's...

[unidentified] I know, right?

Morris: And then, the other thing I wanted to talk about briefly, the FRRP, which is, I don't remember what, the Randolph Sheppard Relief Program. I, I can't remember what the acronym stands for anymore. The 20 million dollars that was the part of the December COVID relief bill. We've now received all of the attest-, attest-, all the forms back from all the managers. So, we're going to try and get that process as soon as possible, here in the next week or so. So, as soon as I get an idea of when those checks will be in the mail, I will let you guys know. And thank you to everybody who got those forms signed and pushed back. And yeah, I, I really appreciate Art's comments about Kat Peace. Kat did a great job, and you know, she'll, she will definitely be missed, not only amongst, you know, the group here but also internally with our staff. She did a great job, had a great attention to detail. So, we'll be looking for somebody to replace her, not replace her, but you know, pick up where she left off, and have that high quality of attention to detail and great customer service. So... Next, I think it's on the list for the agenda today, but also for the City of Salem. We've been communicating with the City of Salem and it sounds like they've had a whole bunch of high-level people leave the City of Salem, so they're reluctant to update their interagency, err, sign off on their interagency agreement, but we're working on that. Basically, we're continuing to hound them to try to get them to get that contract in place. But we haven't forgot about it. It's definitely on the punch list, but we're just trying to, you know, they've, they've, I guess, had big turnover at their upper-level management level. So, they're not, they're reluctant to sign anything right this second. And then I know we were talking about, a week or two ago, about COVID relief as we've done several times during the past year, taking monies out of the unassigned bucket of monies and dispensing that out. So, I'll be working on that over the next week or two. It definitely kinda got set aside for a little bit as we've tried to get the, the Silver Falls project up and going. Oh, and the one thing I wanted to mention, too, I know it's in the job post--, in the job, in the vacancy announcement, but there's a sense of urgency behind that vacancy announcement. They would like--they haven't had anybody in there since December, and it sounds like they're getting massive pressure to have food service out there, because there are so many guests. So, the intended opening date would be the 27th of May. That's what we talked about the other day. With the idea that they would have food service in place by Memorial Day, because that's going to be a huge weekend for them, and, you know, conversely a huge weekend for sales. So, there's going to be an accelerated timeline to say the least. So, we're trying to get approvals for equipment purchases, and get things ordered, and hopefully get some interested parties that want to go out there and do a great job for the Parks Department. They, they have several different of these types of locations across the state. Lake Billy Chinook was one of them that was a much larger opportunity that was kind of way beyond the scope of stuff that we normally do, but I have a feeling that if this goes well, it could lay the precedent for some other interesting opportunities as they come up with Parks. One thing I wanted to mention, I'm sure you guys have talked to our subcontractors about it, and I need to send out an email to the different vending companies. We had some of the people from, I don't remember which state department--state department!--department agency with the state was touring some of the buildings and they found a vending machine that was empty, but it was all plugged in and running. So, I would just encourage you to let your subcontractors know that if we have machines that are empty, we should unplug them and shut them off, or move them, you know, to storage or something like that. But not just have them there running, because the, the state really wants to try to maximize energy savings when we can. And obviously, I, you know, I told the person normally we were inspecting those all the time, it's not, it's not a major thing, but you know, during COVID that's been a little harder. And a lot of our buildings are just basically completely vacant, so... If you could pass that along, that would be great. And then last, last but not least, I saw this on the agenda, too, so we did some checking in with the Capitol, the legislative administration office at the Capitol. We tried to get ahold of them a few months ago, and I think, you know, with the election, the national elections and then the, the legislator start--legislation--Oregon legislators starting up in early--or, late January, they just apparently didn't get the emails or weren't returning calls. So, the Capitol Cafe had, most of you know, has been closed since the end of the short session last year and then COVID came in, so everything's been closed. They're looking at putting out an RFP for that location because the contract has ended. And this is normal for most, most state agencies or different parts of government, their internal processes require an RFP to go out, just like the Parks Department did. We intend to have a conversation with them before they put the RFP out to talk about the business model that is the State Capitol, because it, it's always described as feast or famine, and we've had a couple operators in there running it that have, you know, enjoyed the feast--and a little bit of feast--and much of the famine. So, trying to see if, if they're willing to adjust the business model there. And if not, and I, I'm not sure, nobody's banging on my door saying, "Hey, I want to go back and run the Capitol." But it may be one of those things that eventually we need to essentially walk away from, because it's, it's tough to make, make a dollar in the Capitol. So, that discussion will hopefully happen this, it's May all of a sudden--today's May 1st--so, hopefully later this month to have that discussion with them. And I would obviously update the Elected Committee and let you guys know what's going on with that. And that's the list of my things that I had to update everybody on.

Hauth: All right, Eric, thank you. And if anybody would like to ask a question or two, please identify yourself and hopefully Eric will be able to answer...

Stevenson, Art: Randy. Randy.

Hauth: Art. Go ahead.

Stevenson, Art: Okay, yeah, I haven't got a chance to go over the Silver Creek Falls thing, however I do want to make a motion that we waive the continuous education requirements for filing of this location due to the COVID-19 pandemic. Okay. So, I want to make that motion and let's...

Hauth: Okay, okay, well, I'll take a second and then we can discuss. So, do I have a second for that?

Miranda: I'll second.

Hauth: Okay, thank you, Lewanda. Open for discussion?

Stevenson, Art: Okay, Mr. Chair?

Hauth: Yes?

Stevenson, Art: Okay, yeah. I made the motion, so I get to talk first. Okay, as well known this is...

Hauth: That's a rare, now, Art, that's a rarity, doggone it [inaudible].

Stevenson, Art: Well, well, well, well, I know.

Hauth: Just teasing you, go ahead.

Stevenson, Art: Uh-oh. I, I, I appreciate the humor. Okay, as you all know the elected committee was not objectionable to having continuous credits, however, we wanted it to be extra credit when bidding on a location and that recommendation was ignored by OCB. And obviously we knew that this would be a good thing for, for extra credit, for people to be able to get, continue edu--you know, get some extra, extra credit, but it would really be valuable for new managers coming into the program and not necessarily for managers that have been around for years and years and years, and know a lot. And that's why we made the recommendation that it'd be a part, that is how we should have done it. And of course, that's part of the transfer and promotion system, which we are really supposed to be Elected Committee actively participate in. And as you know, I'm all for following the law, and I can tell you the reason why the Elected Committee wanted to do it that way, because then it would be beneficial to the managers and not a, a detriment. I believe that revoking the rights of a manager to bid on a location for a whole year was unreasonable. And of course, we tried to get a rule that we really could be proud of, and instead we got a rule that was a detriment in, in, in my opinion. And I know...

Hauth: If you could finish it, finish it up, Art [inaudible].

Stevenson, Art: Okay, all right. And I know right now that two managers have been disqualified that I feel shouldn't have been disqualified. And therefore, that is why I'm making this motion, especially since the COVID-19 thing has occurred and it's thrown all of our quote-unquote lives topsy-turvy. And this is a, a good thing for the commission to do, and I think we'll possibly have more managers that will be able to bid on this location. Thank you, Randy.

Hauth: [inaudible] Art. Thank you. Any other discussion? Okay. I do have a couple of things to say, and then I wanted to see what Eric's thoughts were on that, but a couple of things I would like to say is, yeah, I would agree that when we were going through the rules, you know, it would have been nice to have the continuing education be a plus or a benefit to a manager, but not to exclude a manager. And I know the Elected Committee, you know, there was, whatever happened, it, it happened a different way. And so, I also believe, specifically in this instance and this last year, because of the limitations that, you know, have been imposed as far as travel and, you know, other continuing education allowances, things being canceled, that if the agency can find a way with the Committee to excuse those continuing education credits, that'd be great. I don't have the rules in front of me, but I do believe that there's some kind of allowance that, that can be done. I'd have to, I'd have to look those up. But in particular, if there are managers that are qualified managers, which, you know, I've, everybody in this program should be qualified, right? But if they're interested in this opportunity and the Parks are wanting someone in there, in, by the 27th, which is like, you know, tomorrow, and there's a lot to do, it would be great to find a way to be able to work with the agency and exclude on this opportunity and others, you know, that continuing education requirement. So, with that, before we vote, Eric, I don't know what your thoughts are on that. If you have anything to add.

Morris: Yeah, Randy, you're right. There's a, there's a clause in the rules around, especially around this piece of it, that allows for that to be waived if there's some kind of a hardship. And if a manager is applying for it and they don't have the credits, I would encourage them to make sure that they list, you know, list out that, hey, there's been a hardship. I mean, we all know that COVID has been a hardship, but it's important for them to detail it out in their bid process.

Hauth: All right, thank you very much. Okay, any other discussion before we vote? Okay, hearing none, yea or nay. Art?

Stevenson, Art: Yes.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Lin?

Jaynes: Yea.

Hauth: Steve Jackson?

Jackson: Yes.

Hauth: And I'll vote yes, as well. That motion passes. Thank you. So, I do have a couple of questions about the report, Eric. I did start, and thank you for doing that. I know we've started to, a lot of times you ended up at the very last minute and weren't even able to be able to give a report. So, hopefully you appreciate that. We tried to make that happen sooner in the meeting, so you can provide an update to the Committee. Anyways, so I did start to read through that bid announcement, and I haven't gotten through it all the way, but it looks like, you know, there's, there's a lot in it. But it looks like there might be, and correct me if I'm wrong, might be some allowances for alcohol services and might be some allowances for, like, catering and weddings and that kind of thing?  Am I reading that correctly, or...

Morris: Yeah, that's correct, Randy. Beer and wine sales on premise are allowed. So, obviously that's, that's another hoop to jump through in the sense of the person that would be running the location would need an alcohol, you know, permit to sell alcohol, which Kathy's been doing some research with OLCC to see about that process. Because I don't think we've had anybody in the program that's been licensed through OL--OLCC, but it's just one more thing that, it's definitely there's, there's some significant profit margins in beer and wine sales. And it does mention catering out there and I'm not quite sure what that looks like at the South Falls Cafe and lodge area right there, but it's definitely mentioned in the contract. And, and you're right. There's both of those, the contract and the exhibit that goes with it are pretty massive documents. So don't, don't apologize for not getting all, all through since, you know, late yesterday afternoon. It is a pretty huge document, so...

Hauth: Okay. Well hopefully this will be a successful opportunity for, you know, for a manager and I hope that people show interest in it. Just in case somebody doesn't show Interest in it, then what's the, what's the plan?

Morris: Well, it, it's one of those situa--

Stevenson, Art: Randy?

Morris: Sorry.

Stevenson, Art: Oh wait. No, go ahead, Eric. And then I, I wanted to say something.

Hauth: Yes. Okay, sure.

Morris: If we don't have a, a, a vending facility manager or a licensee who's interested, there's, there's not really an option for us to subcontract it out. We would just basically need to turn it back over to Parks and they can... They have two other qualified vendors who've bid on the location, but obviously we get first right of refusal. But if we can't, if we don't have anybody that's going to step up, then, you know, we have nothing else to offer.

Hauth: Okay, Art?

Stevenson, Art: Yeah, Randy. I did want to mention that I am friends with the Mayor of Salem, Chuck Bennett. And so, Eric, I just wanted to throw out there if I could be of any service, and you are amicable to it, you know, concerning city center and stuff, I would be glad to work with you in making contact with Chuck and see if we can move that situation along. Thanks.

Hauth: Thanks. Okay. Any, any other comments from anybody before we move along?

Garcia: Randy, I had a question. It's Trevor. Any of the... And I'm not, [inaudible] not that I'm saying I'm interested. I don't think, I don't know if I could do it, because I'm right here in Portland. But, you know, it, is it a, is it a multiple location site, meaning is it, is it just kind of one area or is there multiple aspects that somebody could do going in with a teaming partner on, on this location?

Morris: Well, Trevor, that's a great question. They, they, Parks doesn't want us subcontracting it using a teaming partner kind of thing. They want it to be directly operated. The, the location--I'm glad you asked the question, because for those of us who can't see maps and stuff very well, the lodge that they have there is, it has two separate areas. I'll just call them two separate snack bar areas. There's one that's in the front of the location that allows for service to customers. Then there's one, that's more in the back where more of the heavy-duty kitchen equipment's at. But they're both, they can both run simultaneously, which is--I, I didn't quite understand that when we first started looking at it until I actually saw a, a map. So it is, it is one of those things that during the full high season, you know, summertime season, you would need staffing up front and you would need some staffing in the back because there, they both can serve customers. But then as you go into the winter seasons and stuff, and there's less hours, you could definitely staff it down and not run both locations as long as we were providing service.

Garcia: And is it--I'm sorry--when I said teaming partner, I mean... Would it be enough to justify two managers going in together or no? Would, would it be kind of [inaudible] the profit margin...

Morris: No, you... No, there's... It, it, it's definitely a really good location for one person and some staff, but two people... I, I, you guys would be, the people would be fighting over it, 'cause there's not that much business. There's a lot of business, but not quite that much. Good question though.

Garcia: Gotcha. Gotcha.

Hauth: Okay. Anyone else? Okay. So, what's next on the, what's next, next on the agenda? Is that...

[unknown]: Chairperson...

Miranda: Number four is... Chairman comments.

Hauth: Okay. Well, so yeah, a lot of times in the past I would make comments under public comment, but maybe this works a little bit better. Few things: nice to see the agency throwing their hat in the ring for this Silver Falls opportunity. Again, I hope that a manager is excited about it. You know, if I were a younger man in my prime, which I'm not, I'd sure take a look at it. But, you know, hopefully somebody will. And so another thing, you know, I hope as we go forward, I know we're going to have some things on the agenda a little later. I hope as we go forward, even though we maybe at times as a Committee disagree with the agency or vice versa, I hope we can find some common ground to make some progress in some areas. I do think we've made a little bit of progress in the recent past, but there's still a lot to do. You know, commissaries: what a wonderful--I was so hoping that this bid announcement would be for a commissary, and that we'd worked out all the details on how to keep the jail administration happy, and make a great opportunity of life for, you know, a manager, and so forth and so on. Like Tennessee has done with a lot of hard work and advocacy. So, hopefully that's something real that can happen in the near future. And also, the FFRP [FRRP]. You know, I, I know it's not a perfect situation. I know even Terry and Nicky who were some of the, you know, forefather, you know, providers that this legislation along with I think a few other people, said, lookit, this all got all twisted up. We didn't intend it to be so convoluted. However, the truth of the matter is that this had been a successful opportunity to reimburse managers across the land. And again, I know it's not a perfect situation, but I will say that I do appreciate the agency's efforts here. I think Oregon was the second, the second state program to be approved by RSA. I do wish, maybe going forward, we can get this dialed in. I do wish that the agency, once they got the final plan would have come back for the Committee's approval or input further. I know that didn't happen, but hopefully going forward, you know, and I will say that the Committee--or the agency did include what we had requested, you know, as a Committee. But again, you know, like the, like to thank the agency for working on this, and as far as mediation, we'll be talking about that a little bit later. I'm a little bit confused, but maybe Eric can explain it so we can understand a little bit better. But, you know, initially there's a group complaint that is in the Office of Administrative Hearings that deals with unassigned vending and inclusive of facilities like the Douglas County and the Medford facility, and other unassigned vending that were going into the agency and the locations did not go out for bid, for one reason or another. And I know there was some desire by managers in the Committee to move forward, to try and, you know, get these funds distributed. And I'll again, say the agency's been willing to distribute the unassigned vending other than the portion that's dedicated toward a halftime staff member as the agency says was provided for by the legislation. But, you know, it's been, it's been better lately that those monies are going to managers as I believe is the intent. And so I believe the last note I saw from Eric was that the agency is open to talking about these things, regardless of the outcome of the hearing, even if it goes forward or not, but sounds like it would have to be with the Elected Committee and not necessarily just with the complainant. And so when we get that, when we get there further, or in the meeting that, you know, we can talk more about it, but I think it'd be nice to find a remedy around this before we go to hearing. If we have to go to hearing then, you know, so be it. Kind of a waste of time, because most of the time, the administrative hearings officers, as, you know, a state entity, even though they say they're, you know, impartial there's questions around that, you know. And if you look at the record, 99.9% of the time, the state agency prevails on that. However, you know, that's, that sets us up for arbitration and that's what ends up happening. I hope it doesn't. So, and I think that is about all the comments I have. So, we can go ahead and go on forward, if you would.

Miranda: Okay. Number five is "New Business" and "a" is mediation: unassigned vending,

Hauth: Hey, looky there. How about that?

Miranda: Looky there!

Hauth: Did we have anything under training and edu-macation?

Miranda: No.

Hauth: Okay. So, as far as--hey, Eric, so as far as what I, what I just laid on you there, can you help guide us through the mediation request?

Morris: Yeah, Randy, I can, I can definitely take a shot at it. I think the complainants who were involved in the complaint, I emailed everybody back and I, I'm sure that's probably some of the questions you have. Because initially, what had happened, the agency received a email from the complainants, which, I think it's everybody on this call almost, basically saying the, the proposal for when it comes to unassigned vending was to equally distribute it to vendors on a quarterly basis, and then put the two previous vending routes out, put together one new vending route, and that was it. So the, the thing I'm sure everybody on this call knows, but I'll just say out loud, some of this stuff affects the entire program, not just the individual complainant. So that piece of it, especially around the distribution of unassigned vending and, you know, the establishment of vending routes, like criteria for that, needs to have active participation with the Elected Committee. Just, just like the FRRP funds, you know, they, you can't really do anything unless we, we sit down and talk about it. So, and that's essentially what I emailed back. So, you know, I, I didn't have a big presentations for this part of it, and I apologize for that, but you know, essentially what we would need to do is sit down in Elected Committee meeting and talk about what the even distribution to managers would look like, the effects on the program. And as long as everybody understood what the effects on the program, and potentially some of the effects may be, if we start issuing out all of the unassigned vending, potentially what would happen is set-aside rates may have to go up to cover costs for the program. Now, you know, over the last year set-aside balance has been wiped out just because the whole program has been wiped out because of COVID. But during normal times, the, the repair and maintenance and purchase of new equipment and stuff is usually pretty closely covered by set-aside funds, that 11%. But over the years, costs have increased. We've opened up new locations. We had to purchase new equipment. Old equipment dies. And no, you know, as most of us know that, you know, a freezer or freezer units and stuff, they're, they're not getting cheaper. So, the costs have kind of overrun the amount of set-aside we're collecting to pay for that stuff. So, we've used unassigned vending to cover some of those costs. So potentially if we didn't have that there, then either we would have to limit things, like not repair and replace things, which we're obligated to do, or we'd have to bump up the rate. So that's some of the things we would have to talk about as, you know, the Elected Committee and the agency talking about it and actively participating around it. And then...

Hauth: Well, and Eric, I think right at, at, at this point in time, I mean, I think we need to work on, kind of schedule maybe some special meetings to talk about this and get our cards on the table. And we understand that. I mean, I think the agency understands that we're, even though we're not in agreement with how the agency has not put locations out to bid and has collected unassigned vending, we're still coming to the agency saying, lookit, let's try and find a happy medium here. I don't think anybody wants to raise set-aside, especially in this, you know, terrible time of impact, but there might be ways to say, hey, lookit, at this point in time, we'll take some of this. I mean, I'm just, you know, talking out loud here, but, you know, suggesting, you know, you guys keep some of this for now. We'll take some of this for now. Let's put a few places out for bid, but also maybe let's put some parameters around these locations that aren't making any money. Right? So, some of the locations that I've looked at to say, hey, I'm making 0%, but the agency put in, you know, you know, a hundred thousand dollars and over a biennium or whatever to replace equipment. Maybe, you know, maybe if we could bolster the expectation of people paying their, you know, fair share of set-aside, that would also help. But, and I don't know all the answers, and it's not just what I think of course, you know, or what you think. It shouldn't be about that, but let's talk about it and see if we can find a way, you know. I know one of the managers on the phone right now, Sean Bever, not that he would be the successful person and, you know, bidding on a location, but I believe there's a location that we could develop here in the Portland, you know, West Portland, downtown Portland area that should go out for a potential manager, a new manager. But anyway, so if you're, if you're open to having Elected Committee meeting, a special meeting, you know, around this I think we're, I think we're on the same page. So... Unless I'm wrong, so...

Morris: Yeah. No, Randy, I, I definitely agree. I would just ask for just a little bit of time, because as we talked about with Silver Falls, that I'm going to be trying to onboard a new Kat Peace person. Just, I just need a little bit of time to get that stuff done, then definitely we'd have those discussions.

Hauth: Okay. Well, anybody else before we, before we move on, any other talk about that? You know, I guess, it just takes time...

Stevenson, Art: Randy?

Hauth: Yeah, Art, go ahead.

Stevenson, Art: Okay. As you all know, the Elected Committee voted against the rules and one of the things they strongly objected to was the active participation definition. That definition now does not even fit the parameter of what RSA has come out with. And I'll just say it frankly: we make suggestions, and the agency does what they want to do. And therefore, my thoughts are, our suggestions are rarely, very rarely listened to, and the agency actually does what they want to. And that is not, does not fit, as you know the, what the federal law says. And of course, you know as well as I do, we tried to, you and I, tried to have open conversations with RSA and they just ignored us. And, as I said before, we were treated like second class citizens and your input does not carry any weight in this state. And so definitely have real concerns about the active participation thing and am skeptical to participate with the agency given what's happened in the past. And so I'm, I'm just gonna say, and you know this, Randy, because you've been on the chatline--sorry about the dog--chatline with the other chairs and vice-chairs about active participation. And you know what we get here in Oregon is a far cry from what they get. And so, until we resolve that issue, I'm very skeptical about sitting down with the agency because past performance has been--well, you can make suggestions, and even if they are good suggestions, we're going to do what we want to because of the current definition. And so, I just wanted to interject my thoughts here on... You know, I don't mind spending time in good faith negotiations, but I do know that even the state statute, as I said before, says, "and for the benefit of the blind licensed managers," and quite frankly. that particular part of the state statutes and the federal law has, has, has been ignored. And until we can come to some meeting of the minds on this situation, you know, I am concerned. So anyways, I'm going back on mute now.

Hauth: Anybody else? Any other board members? So, you know, I've been, I've been thinking about this, as well. I mean, I think, you know, I think they, you know, the agency probably doesn't trust us. We don't trust them. I don't think it hurts to try and resolve these issues. I think there's still going to be complaints and grievances and hearings, but, you know we can go, we can proceed possibly cautiously as I'm sure they will, you know. But I do want to, I do want to enter-- introduce a couple of motions. I mean, right now it's kind of messed up a little bit because we have the hearing schedule then, you know, there's some other things going on, but, you know, I don't think any of this, these motions that I make, if they're adopted by Committee, I don't think... I do hope that within the response of the agency, they'll be able to find a way to help, you know, get us all on the same page. And maybe these motions aren't perfect, but I believe it will drive us hopefully to the table together. But anyways, so I do want to entertain a motion. A motion made that within 45 days from today's date, the OCB put out to bid the Medford vending route and in doing so waive any continuing education requirement demand based upon the impact of the COVID-19 pandemic, and that the bid include the locations that have historically made up that facility and/or additional locations, to active participation with the BECC by way of a special meeting. And so that's the first motion. Do I have a second on that?

Miranda: Second.

Jaynes: I second it.

Hauth: Okay. Any discussion around that? Okay, so hearing no discussion, yea or nay? Art Stevenson?

Stevenson, Art: I'll say yea.

Hauth: Derrick's... Lewanda Miranda?

Miranda: Yea.

Hauth: Lin Jaynes?

Jaynes: Yea.

Hauth: Steve Jackson?

Jackson: Yea.

Hauth: And I'll say yea, as well. That motion passes. The second motion is, and again, just for the record, these motions are to hopefully help drive the conversation forward so that we can, you know, hopefully get, get a resolve, not only for the blind vendors, but, you know, find some middle ground here for the agency, as well, as we go forward. And again, none of this is set in stone, but I believe we have to record it as part of our duty, as well, so... Second motion is a motion that within 90 days from today's date, the OCB put out to bid the Douglas County vending route, and in doing so, waive any continuing education requirement demand based upon the impact of the COVID-19 pandemic, and that the bid include the locations that have historically made up that facility and, or additional locations through active participation of the BECC by way of a special meeting. Do I have a second on that?

Jaynes: I second.

Jackson: I second.

Hauth: Okay, a second's been made. Any discussion?

Stevenson, Art: Mr. Chair?

Hauth: Yes, Art.

Stevenson, Art: I want to point out for the record that this would allow the agency to become more compliant with the state statutes. The state statutes say that the agency may only provide for the continued operation of the vending facility if a qualified, blind licensed manager is not available. Putting these locations out to bid, we'll see if there are any managers available for assignment. And therefore, these actions will, we're either going to have managers bid on it, and therefore that complies with the law, or then it allows the agency to act appropriately because there isn't a qualified blind license available for assignment to those locations. Thank you, Mr. Chair.

Hauth: Thank you very much. We've got to go on and call [inaudible]. Yea or nay, Art Stevenson?

Stevenson, Art: I vote yes.

Hauth: Lewanda Miranda?

Miranda: Yes.

Hauth: Lin Jaynes?

Jaynes: Yea.

Hauth: Steve Jackson?

Jackson: Yes.

Hauth: And I'll vote yea, as well, so motion passes. And before we move on again Eric, I hope this can help us, you know, have discussion. I, I respect that you're busy and I get that. Hopefully, you know, the agency through responding, we can find some middle ground to work together on this, so... What's next on the agenda?

Miranda: Silver, Silver Creek Falls.

Hauth: Okay, well, we talked a lot about that. Does anybody have any continuing--ha, continuing!--does anybody have any further conversation on that, or any special comments on that?

Jackson: Hey. Hey, Randy, it's Steve Jackson.

Hauth: [inaudible]

Jackson: Well, I have a question about those last two motions you passed. Is that okay if I ask quickly about that? Is, umm. I just wanted to ask, were they ever postage to go out for bid? Were they, was it ever a... A letter, an email?

Hauth: Well, you know, you know, yes or no. I would, I would agree with Art that they need to become compliant with the state statute, which requires those locations to go out for bid. You know, the Medford route, I believe did go out...

Jackson: It never went out to bid though, right?

Hauth: Well, I believe it went out for bid and Jason Doss before his death was awarded...

Jackson: Mmm, that's right, that's right, I didn't know [inaudible]...

Hauth: Douglas County route never went out for bid, but I mean, I can talk with you about that offline, too.

Jackson: Well, yeah, okay. I just...

Hauth: But anyways, so.

Jackson: I'll talk to you [inaudible].

Hauth: Yep. No worries. Okay. Okay. So Silver Creek Falls, anything on that from anybody?

Stevenson, Art: Chairman Hauth?

Young: Harold.

Jackson: I have one thing to say about it, Steve?

Hauth: Sure!

Jackson: Can I say something [inaudible]?

Hauth: Well, hold on, just a second. Yeah, you can, Steve. Go ahead. You're a board member. Go ahead. And then we'll move on to the next...

Jackson: Sorry. I just, I just think whoever wants to go for the Silver Creek Falls, they need to remember that it's going to have a slow season. It sounds like it has a lot of opportunities that, you know... Whoever wants to bid on it, then I'm sure there's a slow season, you know.

Hauth: Yeah. Thank you, Steve. Okay. And who was that? Was that Trevor, or?

Young: No. It was Harold.

Hauth: Harold, Harold. I'm sorry, go ahead, Harold.

Young: I would just like to say that I have been up there a couple of times to look at it from the outside. It is a really cool, [inaudible] old building and it probably has a lot of potential. I mean it's... Definitely need to be, just from looking in the windows, needs to be cleaned up and straightened up. Hasn't been opened for a while. And if I was 20 years younger, I would go for it today. But the same as Derrick, I have an issue going on right now, not that severe of an issue, but I do have an issue, and I should know by the middle of next week, whether or not I'll be able to get on it.

Hauth: Well, I wish, I wish you well, Harold. And, you know, I know, I know you do a great job wherever you go.

Unknown: Definitely.

Young: Thanks, Randy. Appreciate your support, thank you.

Hauth: Okay, you bet. Lewanda? I [inaudible] you're off of mute, Lewanda.

Miranda: Am, am I off mute now?

Hauth: No, you're, you're... We can hear you now, but I, I think I heard you talking in the background. I just wanted to make you aware of that, so... Any other conversation around that before we move on? Okay. What do we have next, Lewanda? And Eric, what time is this meeting scheduled until?

Morris: Oh, we got about half an hour, Randy.

Hauth: Okay. Thank you. Okay, what's next?

Miranda: Can you hear me?

Hauth: Yes, I can.

Miranda: Okay. Motion to request that OCB stop desperate, disparate treatment as, disparate treatment as identified within submitted complaint.

Hauth: Okay. So let me, let me kind of take the lead on this again. I believe this is another action that the, hopefully the committees will support, that will hopefully drive the conversation in the right direction. So, I would like to make a motion around this. I know that I have heard from a lot of managers over the, you know, over the recent past, and I've also seen some documents that I believe, you know, confirm that the blind vendors get treated in a disparate way versus sighted companies that the agency exchanges with. And [inaudible] I believe it's based on blindness. You know, if it's not, then I'm not sure why those things are happening. I think we need to push this agency to make these treatments and the way that they interact with blind vendors in a more respectful and uniform way as they do to to non--, to nonblind companies that they deal with. It looks like the nonblind companies, in a lot of ways, get a lot more graces and allowances. And those persons aren't licensed blind vendors who are licensed through the agency. So, you know, if that's right or wrong, I believe it exists, and I know other, others of you believe it, as well. So, I do want to entertain a motion. I know some of these issues, you know, have been addressed and in my opinion, the agency has tried to keep these issues from making their way through the administrative hearing process. But I do want to introduce a motion. And again, hopefully we can find a way to talk through these or work through these. I think these would also be open to discussion. But anyway, a motion made, a motion that OCB immediately stop what many VFMs contend to be disparate treatments imposed upon them as those items and issues and treatments are identified within the complaint known as 088-case number 2020, ABC-04270, Agency case number OCB-BE-2020-08, and connected issues. Do I have a second on that?

Jaynes: I second it.

Hauth: A second's been made. Any discussion [inaudible]? Okay, hearing, hearing no discussion, take a vote, yea or nay, Art Stevenson?

Stevenson, Art: Randy, Randy, Randy...

Hauth: [inaudible]

Stevenson, Art: I had to, I had to go off mute there.

Hauth: Go ahead. Go ahead.

Stevenson, Art: Most definitely. Okay. So, what I, what I'd like to say is that I urge all of the Elected Committee to vote yes on that. And boy, are we treated differently. You know, there sure is a process to discipline blind licensed managers. However, there is no rule that allows us to lodge a complaint and get issues resolved that we have with OCB staff. And that includes, includes the Executive Director of the Commission for the Blind. And I think we most definitely have to have our rights protected also. And so like in the rules, there's no process for us to lodge a complaint against agency staff. There's no process for us to be able to expose and talk about our concerns. And therefore, you know, we have a high, supposedly there's high expectations of us, but there is no high expectations and often--and I guarantee you that, this, because I've experienced it--the OCB commissioners, just kinda put their noses up the air, in the air and say, hey, you know, we're not gonna address those issues. So, I vote, you know, we want equal treatment. We don't want to be treated differently and therefore I urge a yea vote for everybody on the Elected Committee, because the time has come. We always seem to be held accountable for everything that we do, but I'll be quite frank, agency staff, just the, you know, our issues about them are, are never addressed. So...

Hauth:  Okay. Thank you, Art.

Stevenson, Art: You can take the vote now.

Hauth: Okay. I do want to say real quickly, just so everybody knows. I have seen some communications out there where private companies have paid late, not paid at all, and they're not held to the same standards that managers [inaudible]

Unknown: [inaudible]

Hauth: Other private companies have been out there surveying facilities and other things. So again, I will take a vote on this, but my intention is that we can somehow work together to remedy these issues with the agency or find another way to address them. Yea or nay, Art Stevenson?

Stevenson, Art: Yea.

Hauth: Lewanda Miranda?

Miranda: Yea.

Hauth: Lin Jaynes?

Jaynes: Yea.

Hauth: Steve Jackson?

Jackson: Yea.

Hauth: And I'll vote yea, as well, thank you. Motion passes. What's next on the agenda?

Miranda: Six is old business, "A" is FRRP.

Hauth: Okay. I think Eric went over a lot of these things on the, on his Director's Report. And I know there's other discussion. I don't know if there's anything else around this, but if there is, let me know. Okay.

Stevenson, Art: Let's move on.

Hauth: What's next, what's next on the agenda?

Miranda: "B" is Marion County Jail opportunities.

Hauth: Okay. Who would like to...

Stevenson, Art: Mr. Chair?

Hauth: Yes.

Stevenson, Art: I move that we table this subject right now. I think the Elected Committee knows that vending at this facility, we haven't received our priority and stuff. And so hopefully the agency is going to aggressively go after opportunities that we know are there, that we know exists. That in all actuality during this pandemic, we could have been making money on, because I know the services of those machines have continued. And so, let's just table this for now. And hopefully the agency is going to assertively start, especially in these times, assertively obtaining locations that we know will survive during issues like this pan--, pandemic. This vending and the commissaries. Thank you.

Hauth: Do we need a motion, this...

Stevenson, Art: Yeah, I'll move, yeah, I move we table it, but...

Hauth: Okay.

Stevenson, Art: But do proactively work on this with the agency.

Hauth: Okay. Do I have a second on that?

Miranda: I'll second that.

Hauth: Second's been made. Any discussion around that? Okay. Hearing no discussion, call the question. Yea or Nay, Art?

Stevenson, Art: Yea.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Lin?

Miranda: You're on mute, Lin.

Hauth: Lin? Steve?

Jackson: I vote yes.

Hauth: And I'll vote yes, as well. Lin might've dropped off. Thank you. That motion passes. What's next on the agenda?

Miranda: "C" City of Salem police department updates.

Hauth: Okay. Is that, is that in Eric's wheelhouse, or who would like to talk about that?

Morris: Yeah, Randy, I, I think Art and I both talked about that earlier.

Hauth: Okay. Anything else on that, you guys?

Miranda: And we talked, oh.

Stevenson, Art: Mr. Chair?

Hauth: Yes, Art.

Stevenson, Art: I would just like to say, I respectfully hope that the agency would reconsider the recommendation of the Elected Committee. We voted that that vending go to Char McKinzie. As you heard earlier, you know, things are less favorable there at city center.

Unknown: City center?

Stevenson, Art: Yeah. And I can guarantee that, you know, the police, even though they're under attack, are still alive and well, and that that location should be assigned to Char, like we recommended before. And therefore, the agency would be compliant with the law because they're assigning it to a manager that we all know has said she would be glad to do it and is available for assignment. So anyways, that's my stance on the police department.

Hauth: All right. Thank you, Art. Any, anybody else on that? All right. What else do we have?

Miranda: "D" is Capitol Building updates, which we've already talked about.

Hauth: Hey, lookit, by having a director's report at the beginning, lookit, we get a lot of these things resolved.

Miranda: Yeah. I [inaudible] that. Seven is open comments.

Hauth: Okay. Any open comments, please let me know. You can have the floor.

Stevenson, Art: Mr. Chair?

Hauth: Yes, Art.

Stevenson, Art: I would appreciate it, all you managers, please say a prayer for my brother. And, and, yeah, I would appreciate it. So, I'm now out of here because this has been difficult, but you know, I love you all. As always, if there's anything that I can do as a member of the board or as a fellow licensed blind manager, if you need anything, call me because I love you all. And I want to see great things for you. And that's it, Randy, so everybody have a blessed weekend and thanks for your thoughts and prayers. I'm gone.

Hauth: You, you too, Art. Thank you, thank you so much for all you do.

Miranda: Thank you, Art.

Jackson: Thank you, Art. Thank you very much. I love you.

Hauth: Okay, any other, any other open comment? Hey, Eric, I don't know if, you know, I think this did go out, but I don't know if Ben's still on the line, if he wants to introduce himself to everybody, or if you want to just kinda recap, you know, who he is, where he is, you know, the who, what, whys and wheres...

Morris: Sure.

Hauth: But, might be of interest to people on the line.

Morris: Yeah. And I, I apologize to everybody. I had him and Teresa get off the line a couple hours ago to basically get back to work. Yeah. Ben has a similar career path to Tom Pileggi in that we worked together at Fred Meyer. But Ben, Ben's done some, some other widely varied things just like Tom had done throughout his career, including working as, at the Amazon facility down there in Salem prior to coming to work for us. So he, he has a vast retail background. And if you're, if you're interested in tech stuff or like the Micromarket 365 type of things, you know, that technical side of things, Ben is your guy to go to for that. 'Cause he definitely knows the ins and outs of electronics, but just like Tom, he's a, he's a no BS kind of guy. He'll tell it to you straightforward and he'll be there to support the different VFMs. I think that's been probably one of the toughest things with Ben is that, you know, during COVID, he hasn't been able to get out and visit the facilities like Tom was doing prior to COVID. So, I know he's anxious for that and I'll definitely, I'll see if I can get him onto the next meeting so he can spend a little time talking for himself. So, I, I, I apologize. I would have had him talk a little bit about himself at the front end of this. I did want to

Hauth: Okay.

Morris: I did want to say thank you to Lewanda and Kathy for putting this on today. I know they both did a lot of work on this, and it's not easy putting it together and I, I truly appreciate their efforts.

Hauth: Yeah, I do as well. I do as well. So, anybody else before we go?

Young: Yeah, Chairman Hauth, this is Harold.

Hauth: Harold.

Young: I would just like to thank everyone. The Elected Committee, you, Randy, Lewanda, Kathy, and Eric and everybody. It's good to get together and talk. I mean, that's the way things get worked out. So, thank you guys.

Hauth: Yeah. You're welcome, Harold. Thank you.

Unknown: Yeah, thanks, everyone.

Hauth: Well, if there's nothing, if there's nothing else, thank you everybody for joining in.

Unknown: Thank you, Lewanda. Thank you, Kathy.

Hauth: I hope you have a great Sunday and let's go ahead and adjourn this.

Morris: Take care everybody.

Brown: Thank you.

Miranda: Bye everyone.

**Motions**

1. **"I'll make a motion to adopt the last meeting minutes.” [03/18/21 meeting]**

Proposed: Lewanda Miranda. Seconded: Art Stevenson. Passed. Derrick Stevenson not present.

1. **“…make a motion that we waive the continuous education requirements for filing of this location due to the COVID-19 pandemic.”**

Proposed: Art Stevenson. Seconded: Lewanda Miranda. Passed. Derrick Stevenson not present.

1. **“…motion made that within 45 days from today's date, the OCB put out to bid the Medford vending route and in doing so waive any continuing education requirement demand based upon the impact of the COVID-19 pandemic, and that the bid include the locations that have historically made up that facility and/or additional locations, to active participation with the BECC by way of a special meeting.”**

Proposed: Randy Hauth. Seconded: Lin Jaynes. Passed. Derrick Stevenson not present.

1. **“…motion that within 90 days from today's date, the OCB put out to bid the Douglas County vending route, and in doing so, waive any continuing education requirement demand based upon the impact of the COVID-19 pandemic, and that the bid include the locations that have historically made up that facility and, or additional locations through active participation of the BECC by way of a special meeting**.”

Proposed: Randy Hauth. Seconded: Lin Jaynes. Passed. Derrick Stevenson not present.

1. **“…motion that OCB immediately stop what many VFMs contend to be disparate treatments imposed upon them as those items and issues and treatments are identified within the complaint known as 088-case number 2020, ABC-04270, Agency case number OCB-BE-2020-08, and connected issues**.”

Proposed: Randy Hauth. Seconded: Lin Jaynes. Passed. Derrick Stevenson not present.

1. **“…I move that we table this subject right now [Marion County Jail Opportunities discussion].”**

Proposed: Art Stevenson. Seconded: Lewanda Miranda. Passed. Derrick Stevenson not present.