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

**Tuesday, March 7th, 2023**

**2:00 PM – 4:00PM**

**OREGON COMMISSION FOR THE BLIND**

This meeting will be held by videoconference. Attend the meeting using the Zoom.com platform or by telephone.

• 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. PUBLIC COMMENTS.
3. THE TRUTH BEHIND THE LEGISLATIVE REPORT.
4. INITIAL INVENTORY/INVENTORY/CHANGE FUND/INVENTORY RECOVERY IN CONSIDERATION OF RSA’S FISCAL OFFICER, DAVID STEEL AND HIS PRESENTATION.

1. What funds are being utilized?

2. What’s the truth, behind the funding source?

5. VFM, DERRICK STEVENSON’S 50 MACHINE MANDATE.

6. ELECTED COMMITTEE ADVOCACY, AS REQUIRED.

7. RECEIVING PROGRAM RELEVANT INFORMATION, TRANSPARENCY OR LACK THERE OF.

8. BREACH OF CONFIDENTIALITY OF CLIENTS VR FILE.

9. STRATEGIC PLAN, TO DEVELOP COMMISARY PROGRAM.

10. IMPROVING COMMUNICATION NOTICE OF OCB STAFF TAKING TIME OFF, AS WELL AS ISSUES WITH AUTOMATED RESPONSE TO REPORTS, ETC.

11. ADJOURNMENT.

**Transcript**

Hauth: Okay. Well, let's go ahead and get this thing going. Anyway, good afternoon, everybody. Let's make sure we have a quorum here. I do hear for attendance, I do hear Art Stevenson and Lewanda Miranda. I'm here as well. How about Carole Webber? Carole on? No Carole?

Webber: I'm here.

Hauth: How about Derrick Stevenson? Oh, hi, hi, Carole.

Webber: Sorry, I was on mute.

Hauth: That's, that's all right. How about Derrick Stevenson?

D Stevenson: Yes, present.

Hauth: Hey, Derrick. Welcome, welcome. Eric, you're here. Is anybody else here with you?

Morris: No, it's me, Randy.

Hauth: Okay. And so, now any managers? I think there is only five or six people on the line, so, I don't think there'll be a bunch of managers on there. But are there any managers on the line? Okay.

Bird: Jerry Bird.

Hauth: Any… Hey, Jerry, welcome. And who else? Okay, any interested parties on the line? No one? Okay. So, let's go ahead, and Carole, if you, as you do graciously, if you would mind going through that agenda with me, line by line as we go forward, I'd appreciate that.

Webber: Of course. Next, we have public comments.

Hauth: Okay. So, I, I do believe that the, the adoption of minutes will be carried over till the next meeting, because we didn't have a chance to have this done, because it was a requested meeting, and I know Eric is going on, I guess he's going on vacation later in the month, so, this should work out well, but on public comment, if you'd like to make a public comment, please let me know, and I'll give you the floor.

A Stevenson: Hey, Randy?

Hauth: Yes, yes, Art?

A Stevenson: Yes, it's me. I just wanted to mention that I was approached by the agency to do some training of a perspective [sic] manager, and the more I thought about it, the way that program's going and everything, and the way the rules are, and we have lots of managers who still don't have facilities, even though, you know, they've been in the program for a lot, long time, that I couldn't encourage or be a part of training somebody in, in a program, even the way that rules are written now, that managers can take over several locations and everything, that I chose not to do any training, because to be quite frank, I would encourage that individual, that he rethink getting in the program at this time, because of, you know, things that were going on in it. So, you know, I didn't want to see, I didn't want to be a part of bringing another person into the program, like several have in the past here, and ended up, you know, there not being any opportunities for them. So, I just wanted to mention that, the reason why, that given the environment and the way the rules are written any more, that I just couldn't support training and bringing another individual into the program at this time.

Hauth: Thank you, Art.

Bird: Jerry Bird.

Hauth: Jerry, go ahead.

Bird: I can say a quick comment on that, as my comment here, public comment. I thought we had a full-time trainer that gets paid 40 hours a week, or whatever. When I got in the program, I, there was a trainer. I mean it, it, and that towards the end of after all your training, then you kind of go after, you, they showed me how to do sandwiches and we cooked stuff. I mean, it was a training, Kerry Snow and I. So, I'm wondering why if we have a full-time trainer, why she should be knowledgeable to know how to train these guys. And then, then, at the end, when they're trained, they can come in and maybe work with you, but you know, it's not our responsibility to train someone. Good lord! We got a trainer, that’s it. Thanks!

Hauth: All right, thank you. Anyone else? Any other comment? Okay, I think I'll make a quick comment, being there's no one else on the line that wants the floor. I, I'll do this by a disclaimer, you know, when you watch TV and you see all these different drug ads, you know, and gosh, yeah, after you hear all the disclaimers, you're scared to take it, right? It could cause this and that, you know, whatever. But anyway, my disclaimer isn't that scary. But I just want to identify that, as, as has been stated over the last several years, and as the agency has reminded me, which correct, correctly so, I have been a voice of opposition against the self-service initiative. I believe the data that's coming in, being collected, and has been previously collected, shows that the self-service initiative is not a benefit for the managers, not financially, and in many instances, people who are suffering, you know, from secondary disabilities or health related issues, whatever it would be. There's, there's a lot of barriers, challenges, so, obviously, you know, blind people don't drive. So, with that being said, I do want to, and not that I support anybody having to be, and go through what I have gone through this last year, unless, of course, they want to, right? You know? I totally support if a manager believes that that is the best situation for them to operate their business, and they choose to do that, well, you know, Godspeed to them. That's a great thing, but if not, you know, in my opinion, people shouldn't be forced to do that, and we've already had that discussion. But I do want to say, it's been about a year, a year in March, a year ago, that I was forced out into the self-service initiative. I think I mentioned this to you before, I received two progressive disciplines, and even though I brought forward to the agency my health related issues, there was nothing that stopped the agency from going forward with, with that. And so, being it's been a year, and I've been the only one out there, I'm wondering from the agency why that has been? Was that a targeted, you know, initiative simply on me? And now everything's gonna, you know, just, you know, be hunky dory? I mean, in talking to other managers, nobody has received discipline like I had. Nobody has been demanded to be out in servicing, even in, you know, so… I just want to share again, I don't support anybody having to go through this, and I hope you guys all advocate for the kind of management of your facilities that you choose to do that will be most profitable for you. But I do need to raise the question to the agency, why has it been me that's had to go through this? And why has it been me that the agency hasn't listened to as far as my health-related matters or my financial hardships or the other hardships? So. You know, I just wanted to raise that question and put that question out there. I just don't think it's, don't think it's fair. I don't think it's proper. I think it was a targeted initiative, and you know, I'll let the record reflect that's what I believe. So. Okay, what do we have next?

Webber: Number three is the truth behind the legislative report.

Hauth: Okay, so let me pull up something here.

Bird: Randy?

Bird: Yes, Jerry?

Bird: If I may, before you go on, I couldn't, couldn't get, find the mute, but from, from your comment on what you just said, isn't it… I think I've, I've watched going on, I don't know how many other people do? I think quite a few. I think it’s a personal issue, we've seen it all for many years with Randy, and there's other ones. Especially with Carla and all this other stuff, it has, and even our commission board. They have targeted, they are mad at us, that we’re, stand up for ourselves, and you will do what we dictate, or else. So, it's a personal issue that I think we need to maybe look into a little deeper. It's got to get dealt with. Thank you.

Hauth: Yeah. Thank you, Jerry. Okay, moving on.

Jackson: Steve Jackson's here.

Hauth: Yeah, Steve, welcome. Thank you.

Jackson: Sorry I'm late.

Hauth: Do you have any, do you have any thoughts? Yeah, thanks for joining in, do you have any comment?

Jackson: My quick comment is, I don't quite understand why my micro markets get inspected every month by Ben Lane, and I'm wondering if that happens with everybody else, because it doesn't really help my sales. I don't understand it.

Hauth: Yeah, and I don't, I don't have the answer to that. Maybe Eric can answer that, you know, either now or through the meeting. So, Eric, if you'd like to answer that, please do.

Morris: Yeah, Randy. Thanks for the opportunity. Steve, Ben's out there visiting all the micro markets and all the live locations every single month. That's part of his basic job performance. So, he should be checking with you monthly to see what's going on, seeing how he can help you and working with you.

Hauth: Okay, so.

Jackson: Can I say one more comment? Steve Jackson.

Hauth: Yeah, sure, sure. Steve, help yourself.

Jackson: Ben, Ben used the word inspection just today in the email. So, that's why it feels like an inspection. So, like…

A Stevenson: Hey, Steve?

Jackson: Some, sometimes, I understand why he wants to come by, but sometimes I don't necessarily think he needs to, is all.

Hauth: Are there any, hey, Steve Jackson...

A Stevenson: [inaudible] hey, Randy?

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

A Stevenson: Randy, I.

Hauth: Yeah, go ahead.

A Stevenson: I, I have, I definitely, I have to make a comment on this. Of course, the state statute says that the agency is only supposed to adopt rules and regulations that ensure the proper and satisfactory operation of the vending facility, and for the benefit of the blind licensed managers. And obviously, this, as, as, as Steve would say, and I'm truthfully, I wonder what the benefit, what this is doing to make sure that his, his facility is properly and satisfactorily operating, and what the benefit is to it? Obviously, the agency has a responsibility to comply with the laws and rules and regulations of the program. Okay, and, and I can ensure you, I can assure everybody that the agency doesn't go to every one of my locations every month to look at it and inspect it, and all those kind of things. And so, quite frankly, I, I do feel that it's a pick and choose thing, and, and that truly, if there's a problem, then, of course, you know, OCB should be there to help resolve issues and problems. However, obviously, if Steve has to take time every month out of his daily schedule without any true purpose for the visit, to me that's not beneficial. And therefore, I do believe that the agency picks and chooses what they want to do, when they want to do it. And, and quite frankly, it would be insulting to me, if I had to have the agency come and, and I'll, and I'll say it, babysit me. They're supposed to provide the training and education that a manager knows what he's doing, and unless there's problems and complaints, they shouldn't be showing up all the time to make these evaluations. Certainly, it takes away from other things that the agency could possibly doing, and so, to me, it is, it's, it's something that shouldn't be occurring all the time, because a manager is trained to operate their facility. And if there isn't problems, then they shouldn't have to be put through this crazy thing that goes on to certain managers, but not other managers. 'Cause, it's just in my opinion, not treating managers uniformly. It's picking and choosing different facilities like the micro market, that they're going out and doing this stuff, and that is a violation of the rule, the law. It's uniform treatment, and, and quite frankly, I do think they oftentimes choose out managers and, and more harass than do any beneficial stuff. Anyways, that's, that's what I had to say concerning that, and I don't, I don't remember the Elected Committee agreeing with at all that this is something that should be done, but of course, the agency continues to do things in a ununiform manner, which as I said, is a violation of the law. Enough said.

Bird: Jerry's got a real fast one. Hello?

Miranda: We can hear you, Jerry.

Bird: Oh.

Hauth: Go ahead, Jerry, yeah, go ahead.

Bird: I just want to make maybe a comment and a recommendation maybe for the board members, when we get to maybe Derrick's part about the 50 machine stuff, that they consider, because you know, we're, we're supposed to do the 30 hour work week when they got this log, that tells everything we gotta do. It has vacation, sick, and it's supposed to have medical in it, and it's supposed to have other. I went back and listened to our handbook. And, and, and now, now I getting told that I didn't do it because she's not going to count my vacation time or my sick time that I had to do because I had heart surgery. So, she says, I, I wasn't qualified. But my point is, isn’t it, we're blind people. Isn’t it about time maybe you guys asked for a log from them? What we got, six people? We got one, one, one staff for every two managers? What the heck are they doing? I know, I know Ben's trying to, I guess, you know, get some hours in or something, but you know, that, that's ridiculous. Why should they, I mean, I think they're supposed to be 40 hours. Don't they have any documentation? They can just sit there and twiddle their thumbs, and say I, I done the hours. But we can't do nothing but show them our every 15 minutes in their words. So I’m concerned with the, that kind of treatment and bullying around that this agency's doing. I, I hope you guys would consider something like that. Thank you.

Hauth: Yeah, thanks, Jerry. Hey, Steve, let me ask you just here before we move on. How, so, how do you feel, like I mean, when, when Ben or whoever comes in to do the inspection, how does that make you feel? That's one thing I'm trying to understand. And what kind of benefit has it provided to you, if any? You there, Steve? Hey, Steve, are you there? Steve? Yeah, maybe he's having trouble on mute, or getting off mute. Anyway, we're going to go ahead and move on, Steve. Maybe if you can hear me and get off mute, maybe you can answer that as we go forward, but it'd be nice to understand you know, how that, how that is, kind of, how that's making you feel. So. If you're there, speak up, and if not, we'll move on. Okay, we're going to go ahead and move on. So, the, what was, what was the last one, Carole? Oh, I see it here. It was the truth behind the legislative report. So, anyway, have any of you guys, any of you managers read the legislative report that was provided in January? I believe Eric attached at one of our weekly reports? If you haven't, you know, you might want to look through it. Couple of things as I've read through it came to mind, and one was, you know, why the Elected Committee isn't involved in that? I know that when we went to the legislators, the point and intent was to have the agency, you know, submit a report that basically shows the health and wellness of the program, and also, you know, what state agencies are cooperating and complying with us. Quite, quite frankly, when I read the report, it was more of a, you know, smoke and mirrors kind of thing. It was more of a, in my opinion, marketing and sales pitch. And I can understand that, you know, especially when the budget cycle is going in, and you know, all these monies are going to be directed toward homelessness, and healthcare, and so maybe the agency is trying to find their niche in there to get more money. But when I read it, I just thought, you know, this isn't necessarily a truthful reenactment of the health of the program. I mean, obviously, there's a ton of issues in the program. Take Covid out of the picture, right? There's all the conflict and contention around the self-service initiative. Obviously, the agencies having trouble with money, so they're asking for spending allowance and additional spending allowance. I mean, look at the AG's cost, about $150,000, if I'm reading it correctly in one year's time put toward this small, small program, most of it on complaints matters, which the agency would probably blame the managers, right, for advocating or speaking up for themselves, or filing a grievance. But I think it goes hand in hand with not being good administrative leadership from the, from the top on down. That's, you know, what you usually see in agencies that spend so much money on Attorney General cost. So, when I was looking through it, and they were talking about the micro-markets, and I mean, what a wonderful concept this was, and how the agency really stepped forward and invested in the program. Didn't talk about how the accessibility issues were impacting people who are blind. Didn't talk about the thievery occurring in these markets. Didn't talk about the money that people weren't making, and that these were being installed even before they probably should have. But it talked about the self-service initiative, talking about the true investment, and how they're going to help blind vendors have their own businesses and make more money, you know, didn't talk about the reality of the situation, you know. The barriers are creating hardships on people and how people don't make more money when they switch from subcontracting to self-service in most, most instances. They didn't talk about all the other challenges. And so, you know, I just hope, I hope that going forward we can have more involvement and participation in the report. Not necessarily just, you know, bashing the issues and the agency, but being more forthcoming and forthright and addressing the challenges. I know there were some challenges addressed, you know, due to Covid. But there's so much more than that. Obviously, if you look at the hundreds of thousands of dollars that's being collected in unassigned vending, when managers are suffering financially. I mean, that's, that's a shame. I don't know if the legislators were provided that information or not. So, just wanted to throw that out there. You guys should take a look at it and let's look forward to next year of somehow having a seat at the table with this report. So, okay, anybody else before we move on?

A Stevenson: Hey, Randy?

Hauth: Yes, Art?

A Stevenson: I, you know, I just want to reintegrate [sic] I agree with you 100%, okay, that obviously, we should most definitely be a part of giving input to the report and allowing our input. But again, you know, and I know I say this all the time, active participation. You know, we are supposed to be allowed to give our input and our perspective. Of course, the agency doesn't want our voices to be heard, or as I feel, any real discussion about the problems that we are having out there. It's like, you know, we don't even allow... That's all I'm gonna say about that. We should be allowed to give our active participation in our input on the report and stuff like you said, that really aren't telling the whole story. If it wasn't for the Vending Facility Development Committee, you know, checking out what should the true parameters be in setting up a micro market that's going to be successful, and if we hadn't brought up that stuff, it wouldn't have even been a part of the discussion. And obviously, in the law it says that the agency is supposed to make surveys and on the feasibility on what is needed in establishing these vending facilities before they're established, and that was never done. It was never done and if it hadn't been for the committee going out and doing the research on what it, what it takes to establish a micro market that will properly satisfac--, and satisfactory operate, that, that information would have never been taken into consideration when the law dictates the agency is supposed to do that when they do their surveys. But they didn't, they, they didn't do any of that stuff, and that is shirking their responsibility. And it is, it's downright very, very disappointing. And I guess that's all I’ll say on that right now.

Hauth: Okay, well, let me, yeah, let me, let me.

A Stevenson: But they aren't doing their job.

Hauth: Okay, thank you, Art. Let me ask Eric. So, Eric, can you tell us, give us some insight? How is that report created? Is it just you, or is it like a team effort there in the agency, and is there any room at the table for the Elected Committee, or is that something? I know we've had this discussion before. Because I think it's been like the last three years or more that the report's been made. But just to understand that better, who puts it together? And why doesn't the agency want the committee at the table with them?

Morris: Well, thanks for asking Randy. Yeah. So, my, my team puts that report together, and you know, the, the basis of the report is the RSA15 data that we have to have done by the end of the year each year. And then we use this, that to be the backbone of the report as it goes in the legislature by mid January. So, as you read through the report, it's just highlighting stuff from, that we've done in the program, and some of the, you know, the like, especially in the past couple of years, the, the challenges within the program from a financial perspective, out, highlighting, you know, the average earnings and stuff that went way down because of the pandemic. But I think there's definitely room, in, in fact, as you guys were talking about it again, you know, we could have a message in there from the chair of the Elected Committee. I, I don't see why that would be a bad thing.

Hauth: Well, I, I appreciate you answering that. I mean, I know we're here ripping the report apart, right? But you know, we, we would look forward to being involved in that somewhere going forward. So, you know, we're a ways away from another one. But just wanted to see, you know, where the agency was with that, so. Okay, what do we, what do we have next?

Webber: Okay, next is the initial inventory, inventory change fund, inventory recovery in consideration of RSA's fiscal officer David Steele.

Hauth: Okay. So, I know… Go ahead.

Webber: There's two items underneath, there's two little items underneath that, too, Randy. I don't know if you want me to read them first, or…

Hauth: Sure, sure.

Webber: Okay, what funds are being utilized and what's the truth behind the funding source?

Hauth: Okay, well, and I think why this ended up coming in, I know there has been a lot of discussion over, like, inventory. How does that process work? You know, what is actually initial inventory? If the agency's categorizing as it did in my instance, the inventory that I received from the agency as initial inventory, is that proper, and also what funds are being [inaudible]. I don't know if I shared this before, but we've gone back and forth with this whole thing, you know. And so, we heard from the agency early on that these, this inventory was purchased with VR110 monies, and then when shared the concerns that it shouldn't be, the agency came back and said, oh no, we're, we're, we're confident that it's a proper use. And then, then the next thing we hear is well, no, it wasn't used with VR110 monies, it was used with state monies. And you know, it got a little confusing and convoluted. When you read through the, which we've done a couple of times, when you read through the rule, it looks as though, it looks as though the inventory levels need to be maintained by the manager, doesn't look like the manager, then confirming by David Steele's recent presentation, doesn't look like it's allowable for a manager to act as a loan with that federal money or set-aside money and, like, get inventory from the agency and then be required to pay it back. Sounds to me, at least from what I've heard, to be an improper use of that funding mechanism, the federal money. And also, when you read through the statute, even though it is a little bit confusing, the way it's written, it looks to me like all the manager has to do is maintain that level of inventory, so that when they end up leaving that is transferred back, you know, it's entrusted or held by the agency, or what the terminology is. So, you know, I guess my question is, you know, from the, and I know maybe there's others here that want to, want to talk about this, but you know, Eric, if you had to answer here, I guess my, you know, how does, what's the agency's recent, or position about the presentation that David Steele, you know, made that was recorded and sent to, I think it was sent to you and Dacia. So, what's the position on that? And also, initial inventory. Why is the agency identifying inventory as initial inventory? And does the agency believe that's, you know, the proper way to do it? Or are they, you know, rebooting or re-looking at the process? Or?

Morris: Yeah, thanks, Randy. The… So, yeah, the recording that went out and stuff that we talked about that over the past, what, month or so. And then just last, was it last Friday, I think it was last Friday, RSA released the TAC from David Steele's office, or David Steele released it. Talking about the same subject. The thing to keep in mind with this, the TAC is, I mean, the TAC, much like the conversation, and just FYI, Terry, it looks like Terry's logged into this meeting. He could obviously speak to it, too. But a lot of these things are, the TAC was not easy to read through and understand, I think, from a programmatic point of view to sit down and go, hey, this is how we're going to change the program. We have a specific rule around initial inventory that talks about the repayment of it. So, from the agency's perspective, we're waiting for some very specific technical assistance on this to see how, how it does affect not only this piece of it, but when they talk about the, the procurement lot language around supplies and equipment, you know, that's like a lot of people said, potentially crushing to the program. Because RSA is saying that, you know, anything, is it anything above $1,000 in equipment, or below a thousand? It's, it’s definitely a different look at the way things are set up for funding when it comes to the Business Enterprise Program. Because essentially, you can't, it's very restrictive about what funds, if any funds, can be spent on the program, period. So, I think we're still waiting to get some better, more clarifying information. I know that NCSAB has a meeting coming up here in the spring to talk, I, I'm sure more about that. Terry, if, if you had some comments, I, I was really hoping that RSA would come back from David Steele's presentation with some very specific, because he, he was asked a whole bunch of questions that were just kind of off the cuff, and sometimes that's not always helpful.

Hauth: Yeah. Well, and then the reason I, the reason that this was brought on to the agenda is, well, for a couple of reasons. One, you know, why is it being called initial inventory when, you know, most don't believe it's initial inventory? Is that because the agency is trying to match those funds or what? So, I'd like to, I know that the question is asked and would like to be answered. Why is the agency identifying inventory, like that was provided to me, as initial inventory? So, that's, that's one thing, and then the other thing is managers, such as Lin Jaynes and Derrick Stevenson, and even myself, you know, like, having this whole service model transition going from self-serve, or going from subcontracting to now self-service, right, and having to ramp up and invest in the inventory and that. Even though the agency is, you know, at this point, which it doesn't even look like it's a proper thing to do, but they've provided the inventory and now they're requiring, like, a payback and a loan back, you know, from the managers such as myself. It puts people in a, in a hardship, and so, I know several managers have shared that. And so, again it looks to me, and maybe, you know, I know we're not going to get this resolved tonight, but going forward as more specific questions are asked and answered, it looks to me like even in the rule we have now, the agency can, you know, I forget the terminology, but they can maintain or hold an interest in that inventory, and the manager can use that inventory and just maintain that level of inventory. And if and when they leave, then they need to ensure that that level as inventory is there, but not necessarily invest in, pay in, and buy that inventory. But, anyway, so, that's just, you know. Do you, do you know about the initial inventory, why the agency's identifying it as that?

Morris: Yeah, Randy, I, I can definitely talk to those points. I think historically, going back to as far back as I can remember and see, I think I looked at a copy of the rules from, gosh, was it '86 or '92 forward? All the rules referred to it that way. In fact, back in the day, those early nineties rules basically said, hey, you're going to pay it back, and you're going to pay interest on it. And then, there was a change, I think, around 2000, where that changed to the 20-month payback. So, that, that reference is always kind of been there. There's no, there's no wordsmanship going back and forth around initial inventory versus inventory, at least that I'm aware of. And you know, we all participated working through the rules four years ago, and this was obviously not a big bone of contention at the time. I think several people on this call, or at least a couple of people on the call, have went through that process where they got the inventory, they repaid it back, they own it, they can do with it what they will. And I would say approve the, that piece of the puzzle. It's ‘22 now, we, you know, several years ago. So, I think from my perspective, the RSA, the Randolph Sheppard vending unit at RSA, is probably also doing a hard look, and then you heard that during the conversation, they're going to have to go back and process that internally, based on what RSA fiscal is telling them about these changes and base--, reinterpretations coming down from OMB.

Hauth: Okay, well, you know…

A Stevenson: Randy? Randy?

Hauth: And again, we're not. Yeah, yeah, hold, yeah, go ahead. Hold on, just a second. I just want to say, I know we're not going to get it resolved tonight, and I know there'll be more conversation around this, but and I know you're not the CFO of the agency, but you're our point of contact, and you're the one that we need to, you know, ask and get the answers from. And I will tell you, even though you provided that information to me yesterday that was requested, I don't know, a month or so ago, I appreciate that, we haven't had a chance to look through that, but the, the other concerns are the, you know, the flip-flopping back and forth of the agency, saying, Gosh! We used federal money. Oops! No, we didn't use federal money. We used state money, and so, I know there'll be some questions around that proper use as well. But I think I heard Art asking, or I'm not sure who wanted the floor.

A Stevenson: Yeah, it was Art [inaudible].

Hauth: Okay, go ahead, Art.

A Stevenson: Okay, for the record, we had this discussion during the rule making process and we obviously, we rejected the rules, and one of the reasons we rejected it, is because of the situation. We wanted it to be, maintained the way, the way it was, because the initial inventory was there at the location, and the manager was supposed to maintain that level. And if you go back and listen to the meeting, there was a hefty discussion that we did not want to change it. We wanted it to remain the way it was because of that reason. And of course, the agency went ahead, and did their thing, and adopted those rules with, without that. But if you go back and listen to the meeting, we had the discussion that the manager, it was not a loan, the manager had to maintain the level in, in, in that. And then, you know, there was no payback, no payment, or any of that, because the law says that the initial stock would be, would be provided. And so, for OCB to say, that we were in favor of the new format is not a true statement, because we voted against, against the rules at [sic] a whole, and one of the reasons was because of inventory. We wanted it to remain the way it was. But the agency did their thing and so, that's, that's how it really happened, because I remember the discussion, because I was definitely a part of it.

Hauth: Thank you, Art. I think, I heard somebody else want [inaudible].

Smith: This is Terry. Randy, can Terry say something?

Hauth: Hey, Terry! Yeah, sure, Terry, go ahead.

Smith: Okay, I, I, I just wanted to, to, to say, Eric wanted me to comment about it. This is one of those interesting conversations where everybody's right, except for those questions were not answered off the cuff. I mean, those questions were provided to RSA a week to 10 days in advance, so they would have time to research the, the answers and give us the right answers, and at least one of the answers we weren't provided the answer we expected, that we were led to believe we were going to get. And that was on the coin mech issue. We were led to believe that the answer was going to be “yes”. So, we didn't ever even ask that question. The, the, the, the inventory question was asked, because that has come up in other states, that's been the position of RSA and it has been asked. I mean, we, we sent it, we, we posed that question to RSA probably two years ago They never formally responded. But they, you know, told us verbally that, that, you know, you couldn't use VR monies to, to do loans. So, you know, I think, you know, that, that point is, is, is valid. I think, I think Eric's point is also valid that a, a conversation on a, a training of that kind certainly isn't policy. It isn't binding on the agencies, or, or you know, so that, they, you don't establish policy on those telephone calls. So, I don't think RSA is gonna come back and say, well, you heard this on this, on this training we did. And I think the interesting thing is, and I think, I think Eric is also correct about this, is that RSA did approve the rules, and if the state is operating in accordance with the rules that have been approved by RSA, then they do have somewhat of a safety net. Now, that's being challenged in another state. There's a federal arbitration. We're waiting to hear the decision on that case, where that was the agency's defense, was that they were, you know, these rules were approved by RSA, and they were abiding by RSA's rules and the vendor has challenged it, saying it was the, you know, it violated the Randolph-Sheppard Act, which I think it did. But it's gonna be interesting to see if the arbitration panel going to come down on the side that the state wasn't at fault, because they were following rules that were approved by RSA. Are they going to come down on the side saying, yeah, RSA approved them, but they were wrong. If the, if you submit, and I, I, Art, I swear, I do not remember the conversation about the, I mean, we talked about so much, and that was so long ago, on the inventory issue. So, I don't remember everything that was discussed, you know, during that rule making process. I do know this, if you submitted those rules today, RSA is going to question the source of funding. That's what they're going to ask you. How, how is this funded? And if you say that you're using federal dollars, then they're gonna say you can't do it as a loan. If you're using state unassigned, or state dollars, or whatever, then they're not, they're gonna they're gonna allow it. They're just not going to allow you, set-aside you never could use it for inventory. But federal dollars, you could. So, that's sort of, that's, that's sort of where it is on the, on the federal level. Like I said, both sides are sort of right on this issue, I mean, but so, that, that's all I got to say about that.

Hauth: All right. Well, thank you, Terry.

A Stevenson: Randy? [inaudible]

Hauth: And again, we're not going to get... Hold on, Art. Art, hold on just a second, and then I'll give you the floor. We're not going to get it resolved tonight, and I know that the training doesn't codify it, and I know RSA has been really, there's a lot of things that they've allowed to go, and you know, then, in my opinion, wishy washy on. However, it does probably pose the question that, hey, federal monies aren't supposed to be used here, and they’re at least having the conversation, that that's it. Going forward, we probably need to understand and resolve and you know...

Smith: Right.

Hauth: Address those matters, that's just my, just, just my thoughts, so.

Smith: Okay.

A Stevenson: Randy?

Hauth: Well, let, go ahead, Art, go ahead.

A Stevenson: Okay. I do know this, we approached RSA, we said we had lots of problems with the rules. There wasn't true active participation, and they pooh-poohed us and ignored our concerns. We had a nice long talk with that lady, I forget what her name was, but RSA was aware of the problems we had with lots of things. And just totally and utterly ignored them, which is not what they're supposed to do. They're supposed to listen to us and, and, and address the issues of concern that we had. But they did not. And so, obviously, we, we need to, you know, approach it that way, because RSA was quite aware that the Elected Committee had rejected the rules at a whole for lots of reasons, including the active participation definitions. Which, you know, you, you know how it doesn't give true active participation. But I did want to make that comment, because RSA was aware of the, a lot of the things and just ignored them and wouldn't really listen to us. All they would listen to is the agency, which, which obviously, it’s...

Hauth: Let's go ahead and move on, Art.

A Stevenson: It’s not…

Hauth: I know, I, I hear you. I hear you, buddy. So, okay…

D Stevenson: This is Derrick.

Hauth: That's a, that's a conversation for another time, though. But you're, you know, I, I hear what you're saying. I feel it too. Derrick, go ahead.

D Stevenson: Yeah, I think the federal law when it talks about the mission, supply and beginning inventory, say, states that they have to do that whether or not a manager can afford to pay it back or not. I guess the question is, is, what, do we have to set what that point is? If I'm losing a $1,500 a month and then you want to charge me $1,500 a month, I would say that's not, that’s not a feasible id--, idea, and that's something that needs to be looked into, also. So…

Hauth: Okay, thank you. Thank you, Derrick. Anybody else before we move on? Any other conversation? I think this is a good, you know, a good, good first confusing conversation around this topic, but... Okay, what do we, what do we have next?

Webber: The item, item five is VFM Derrick Stevenson, 50 machine mandate.

Hauth: Okay. So, I think this was requested to be put on the agenda, so, I'll yield the floor to whoever had requested it. I don't know if it was Art or Derrick, but the floor is yours. Hello?

D Stevenson: I guess I'll, I'll speak to the matter. Can you hear me?

Hauth: Art, no, no, not at all. I, we can hear you. Art, you're on mute if you're trying to talk.

A Stevenson: Let Derrick go first.

Hauth: Okay.

D Stevenson: Well, my main concern about the whole, whole situation is just that. Is, am I going to benefit from, from this? Or am I going to lose money and not be able to service the machines and do things properly? Basically, I have to hire, I have to have a driver. I can't get around it. So, every time I go out I gotta pay them. It ends up to being that I'm losing, you know, like I said before, at least a third of my income because of this initiative, which, which is still in question on whether or not it's the mandate is actually something that they can force on a person or not. So, no, I didn't ask to put this on here, but Art probably has some things to add to that.

Hauth: Art, would you like the floor?

A Stevenson: Yeah, I can, I, well, I can say this. I mean, a lot of the locations down in Southern Oregon are small locations, that don't generate a lot of income. Derrick does not have the buying power that the third-party contractor does in order to be able to service that site, and so, and they’re definitely you know, scattered all over Hell's creation. But you know, when RSA did the audit, okay, they definitely said, hey, you can add vending income, you know, to locations to make them more feasible and stuff like that in order to bring up, you know, an individual's income. And, and so, I, I will just say that, doing 50 machines and only 50 machines does not pencil out in Southern Oregon. Now, I don't necessarily agree with the 50-machine mandate, but here in Salem, you know, it's a lot easier to self-serve and make some profit. But in Southern Oregon, it just isn't. And therefore, obviously, everybody has seen the Chey--, Cheymoff and the Arizona papers on that. And obviously, operating a vending facility can be done in several ways. And if you’re, you can use a third party contractor and make some money, then you should be allowed to do it. The simple fact of the matter is that Southern Oregon is a complete different animal than Art Stevenson in Salem, Oregon. And therefore, in order to achieve profitability, there should be allowances given the circumstances. However, you know, the agency just says, no, you're going to do it this way, when we all know there's several ways to operate a facility to make it you know, viable. And in Southern Oregon, it's just a completely different animal than it is here in Salem and Portland, and you know, even Eugene, because, because of those facts. And so, reasonable accommodations, and obviously, the goal is to be profitable. And those kind, those kind of things should be taken into consideration instead of just saying, oh, no, you're going to do it, no matter what, even if it is going to lose money. So that's, that's the brux [sic] of it. You know, we should be looking at the individual circumstances and making accommodations that will make money for the blind licensed manager. That doesn't mean that they shouldn't be, you know, working with the third-party contractor having their, the blind licensed manager’s sticker on the machine, so they can be contacted for, you know, different situations that occur at that facility and that the manager is monitoring that in order to make it feasible.

Hauth: Yeah, well, thank you, thank you, Art, for sharing that concern, and I know, Derrick, you've shared that concern a couple of times. Like I mentioned earlier...

D Stevenson: I just have one thing to add?

Hauth: Sure, Derrick, go ahead.

D Stevenson: Yeah, I, the big question to me, is who's benefiting from this? And for the life of me, I can't think of how it's benefiting anybody. It's not benefiting me, and it's definitely not going to benefit my customers, because you know, it's, it's not. So, you know, there, there's just no way that my customers are going to get the same service as they are getting now.

Hauth: Well, thank you, Derrick, and like I was saying...

A Stevenson: And just for, just for the record, just for the record, Derrick is servicing his machines, his pop machines at the rest area. So, it's not like he's not willing to do things that are profitable and, and feasible. And so, that, that needs to be noted for the record, too. He has no problem with working and doing something as long as it's going to show good results.

Hauth: Okay, well, thank you. So, what I wanted to say is, like I mentioned earlier during public comment, is, this is going to be a, you know, I've been the first one demanded and forced out there. There's been a couple other volunteers previously, but over the last year, however, you know, those of you know, out there are being contacted. I know Jerry Bird is in the crosshair, and I know Derrick's in the crosshair, and I mean, let's back up for a minute, and listen and look at what happened to Lin Jaynes, right? So, Lin Jaynes suffered drastically during Covid. She lost her husband to Covid, she lost her driver and her partner. Her prisons were shut down. She was bringing in three to $400 a month off of her subcontractor, and the agency was pushing her and demanding her, and I'm sorry, but they were bullying her to get out there and do the self-service, and when she said, how am I supposed to do that? They said, just do it out of your profits, which was totally ridiculous, right? And so, with that kind of mindset, and then when Lin leaves the program because she feels she was bullied into having to leave, and she couldn't put herself in, in debt to try and accomplish something that's being demanded by the agency, and then when she leaves the program, the agency comes back and says, well, it wasn't a viable route. So, I'm concerned for, you know, I'm concerned for others, as well, that are out there going to be faced, these hardships and these hurdles. People who maybe don't have partners and don't have drivers, and you know, the list goes on and on. Who does it benefit? The data that I'm looking at, doesn't benefit the agency. It doesn't benefit the managers. It, in my opinion, personal opinion, it benefits a desire by the agency administrator that this is what they wanted. This is what's best, and we know you can do it, right? That's what she's said, we know you can do it. Now, how ridiculous is that, when the data showing that is not a, a helpful thing. So, maybe going forward, maybe some way this levy will break, and we'll have conversation about sensible plan, but clearly this is creating a lot of chaos and negative hardships and impacts on people. But anyway, Derrick, so, I know you wanted, you know, and Art you wanted the floor for that. So, I mean, that's my two cents worth. We can move on if you so choose. So. What do we have next on there, Carole?

Webber: Okay, before I tell you what's next, I just want to give you a time check. You have five more items, and it's 3:09.

Hauth: Thank you so much.

Webber: Number six, sure, Elected Committee advocacy as required.

Hauth: Okay, I believe this was requested as well. I mean, I don't know who wants to take this on, but clearly the Elected Committee is there to advocate on behalf of the managers, like, receive and transmit grievances. I will share that I know during administrative reviews, that advocacy effort has been limited by Executive Director Johnson, basically told what you, you know, how much time you have to talk and what times you can talk, and so forth, and so on, which I don't know that was the intended purpose of that whole review process. I believe it was to resolve the issues. And the ones that I've been in as an advocate, been requested to be in as an advocate, it seems like the agency is trying to, you know, line up their position on how to defend themself. And it's not really, let's work together and resolve this, unfortunately. But with that said, who asked for this to be on the agenda, and who would like to have the floor?

A Stevenson: Hey, Randy?

Hauth: Yes, Art?

A Stevenson: Okay, clearly it states in the federal act, and even in our rules, that the Elected Committee is supposed to receive, transmit, and advocate for a blind licensed manager when they have issues that need to be addressed. Clearly, the administrative review was made optional because they couldn't, RSA said you can't force them to do, add an administrative review. However, the agency and the Commission Board will not allow the Elected Committee to do their job, you know, in order to address and handle complaints, concerns, etc. Which obviously, it is a violation of the law. We are not allowed to participate in commission meetings to inform the position of the Elected Committee, and of course, the position of the blind licensed manager, which obviously, is a violation of the law. The Commission Board oversees the agency and therefore, when we are asked to advocate on situations, we should be allowed during the meeting to relay those messages to the Commission Board. And so, the agency works really, really hard at not allowing us to advocate or listen to our views on situations. And, and you know, quite frankly, that is just wrong. And it, it definitely needs to stop. I, I, Randy, I, I know you would, and I, I would love to tell the Commission Board on the record our concerns about micro markets. How inadequate the agency instituted this new thing in the state of Oregon, and we had lots of evidence of it, although we aren’t allowed to do that, aren't allowed to do it at all, and therefore, our blind licensed managers are being forced to do something that, first of all, wasn't considered totally on whether it was a satisfactory site, and that it would fully function and make the blind licensed manager money. But you know, so, and, and, and the list goes on and on about how we are not allowed to voice or advocate, which was the intent of the federal law, and, and, and it is our responsibility, and, and, it needs to stop. And, and so, I don't know how we get them to comply, but they need to comply. And the reason they need to comply is because all this stuff is affecting our managers and the vitality of our program and the intent of the program. Not to satisfy a building because they just want to be hip and have a micro market. So, that's my input on that, Randy. The agency just must start doing their job and allowing us to advocate and resolve some of the issues of the program, but also to educate them, that hey, we, we look across the country, we know what makes a viable micro market, and what doesn't make a viable micro market, and you know, we're not, we're not in the business of installing facilities that won't properly and satisfactorily operate, which is the law, also. So, that's all I gotta say about that, Randy. It's just time, okay, that the Elected Committee is truly treated like an Elected Committee and all parties involved really allow it to happen like it was supposed to happen, like it is supposed to be.

Hauth: All right. Well, thank you Art, anybody else before we move on?

D Stevenson: This is Derrick.

Hauth: Derrick, go ahead.

D Stevenson: Yeah, I'd just like to mention that, you know, this problem's going to be the same as long as our administrator is, is allowed to pick and choose who's on the OCB board. I think, you know, the way it's being handled now is, is just criminal. All I gotta say.

Hauth: Yeah, yeah, well, I do, I do know, I mean, I’m sure, unfortunately, that's how these silly politics work, I mean, we've seen it firsthand, right, where Dacia's been able to have a total impact and influence on these appointments of these commissioners, and I mean, here they are, you know, rubbing shoulders and having coffee with each other, and they're expected to hold an agency director if it's Dacia, or anybody else. I mean, I'm sure this isn't the only commission, or you know, agency that has that same kind of interworking relationship, unfortunately. But, you know, you're right. You're right, Derrick, until actually folks get on there, people get on there that really want to do the work and dig into addressing the issues from that higher level, because it all flows downhill, right? And so, if they're addressing the higher level…

Bird: Can you hear me? Can you hear me?

Hauth: But anyway, yeah, we can hear you. But anyway, that's, it is what it is right now. So, you know, we'll see. But where, where's the next? What's the next item that we have?

Bird: Randy? Randy?

Hauth: Yes, yes, Jerry, yeah, Jerry?

Bird: I got, I, I got shut off, and I had to get back on and that, and I wanted to have some comments on, on Derrick's position.

Hauth: Please yep, yep, please help, help yourself. We have, we have like 40 minutes left, so we should have enough time. I know we want to talk about the strategic planning. So, go ahead.

Bird: Okay, Thank you. My first comment and I, I want you all to know, I say this before I done quite a bit of research and checked statues and rules, administrative rules. And I, I went and listened to the handbook summit, just the other day. For sure, Terry remembers that. And my first comment is, you guys, there is not a 50 machine mandate, and Derrick, I mean Eric has, has basically said that, there isn't. He made that up. For three years made us believe that we had a mandate. We were going to get throw [sic] out if we didn't do these. Okay. Well, there isn't. What there is, though folks, is there's a 30-hour work week requirement. Now, I don't like it neither. But I think Terry can remember when we discussed that, we put in a bunch of items to be put on the list. Now, they all got agreed to. I got the verdidge, verbiage that it, it talks about the meeting. And what was supposed to be in there was a lot of that stuff, but there's also supposed to be other. And oh, what was the other, there, some other stuff that, you know, we should have put in there. I kind of lost my train of thought. But anyway, oh, there's sick leave, that's what I was at. We discussed it, and it's discuss it in detail. Well, Terry said don't call it leave, sick, there was a place to put how many hours of that week you was sick. Said that there's vacations, there's a spot there to put how many hours you took vacation. But what there isn't there, though, which we discussed was medical reasons. It was never put in there, and that was talked about quite a bit, like I said, and other. So, I got Dacia saying that I can't, that I've been for the last years, I've been doing a 30-hour work week. Now, she says that I, I'm not qualified in that. I'm not doing that because she's not going to count vacation, she's not going to count my sick time, she's not going to count my medical reasons, which was mostly used when I had my, when I had my heart surgery. There was no other place to put it. Even though it don't say we can't claim it, claim all these items. Now she says that, now she's not claiming them. They're not claimable, even though right in the statute it says that you guys will not be, that, you won't not be excluded from, from taking these things. So, once again, I got to say, that it makes no sense to try to make a person have to get attorneys and stuff to fight them when they're, they’re, don't even make no sense. Now, my final one. My final one is quality. It's a very important one. We spent quite a bit of time on that, which was concerning of self-service. And stated quite a few places that we need to look at that. I'll send everyone if they want, but it goes through if your, if your subcontractor can do better quality than you can. Now, that's in the statute. Now, we must look at what was the items that it meant for quality? There's a good list, and if it’s, you can't, if you can't, if you can't supply the manpower, if you can't supply warehousing conditions, if you can't... I can't remember all of them. If you can't provide variety, if you can't, if you can't provide healthy foods. Basically after all on the list, what it is is if you, if your subcontractors can provide better quality than you can, they have a, they have bigger buying power, it even says that, you know. They’ve got employees, that if we’re sick you don't have to come up with one. I mean, these prisons and stuff, you have to take a, an exam and training. You can’t just walk in there and say, I want to fill these machines. So, once again, I'm in confused why we do these summits. And we state all these things that we agree to, once we got them back in the room, which you know they left the room and wouldn't discuss. But and so, it gets all done, and then apparently, they see, or something just take stuff out as they desire, you know. Taking stuff out that helps us, because they want their vision. They don't have any empathy for us, even my heart doctor, cause I got it signed yesterday told me, why do they do this? I said, that's a dang good question. He couldn't believe it. Well, aren't you blind and all this, what, you know. Why are they making you, you know. And I know their theory, oh, because we want, want you to go out and, and put yourself out there, buddy. But I'll tell you what, if we can't provide quality and that, we're going to get a bad name, that blind people can't do it. He can, and if Art, Art decides he want [sic] to do it, or anybody else, they're there to do it. And all it says is that you have to meet the 30-hour requirement. And if you don't, responsibility of the agency to provide you with some vending machines that bring you up to the minimum. There's nothing about no 50 machines. It's all about your 30-hour work week. So, I don't know what we need to do, but this baloney's got to stop that Eric and all them making up their own rules, and taking stuff out, and sending us the wrong operating agreement so it wouldn't have our, our dispute process in it, you know. I'm about tired of being abused by this agency, and I got about another week to decide if I'm going to go to a, a fair hearing. I'm still deciding. But I'll tell you, I think they got it to where they think oh, immunity, you guys, you guys can't get an attorney because we're not going to pay for it. But we'll take, we'll take the attorney out of your money. We get an attorney, but you don't. So, they don't think none of us can do anything because we're stuck. We're stuck in their corner like little blind mice, and do what I say or don't. I don't know who Eric said his team was when he talked about Capitol stuff. But you know, this is, this is ridiculous. It's time to stop. They can't keep lying, making up stuff, and then oh, I, this and that. You know, the law's the law, and you can't force nobody to do 50 vending machines. And the quality is there. Now, I hope, Terry, you're still on there, and I think you'll agree exactly what I said, cause I got, if you want, I'll send this to you. I mean, we sat down and discussed these things. Okay, well, thank you, guys.

Hauth: Yeah, thank, hey, Jerry, thank you, thank you very much. And obviously, people, people are emotional, and people are upset. And people are, you know, trying to find a way to advocate for themselves. And so, you know, I understand that as I'm, I'm listening here. I was in that, not too, not too long ago. Let's all keep it, you know, professional, and best that we can, which, you know, I hope we are and I believe we are. We, we're going to move along to a, to a couple of items here. I know Terry must be on the line to talk about the strategic planning, but if the board would allow us to move forward so Terry can, you know, talk about that, and we can talk about that and get that, you know, conversation dialed in a little bit better, and then we can pick up on the other two items. If you guys are good with that, we'll go ahead and do that. So, you guys okay with that? Okay?

Webber: Sounds fine.

Miranda: Yep, I'm good with it.

Hauth: Okay. And Jerry, just so you know, I'm certainly not trying to dismiss anything you're saying, because I wholeheartedly believe, and you know, value those comments of impact, because unfortunately, the only thing I will say, blind people have a lot of, a lot of skills, and you know, there are blind people that can have the resources, have the support, and have the ability to be able to run a route or run a facility better than the sighted people who are out there doing it. However, not in every instance, right? It's not a one size fits all and bottom line, if you're blind and you can't drive, that's a barrier. If you're blind and you can't see the date stamp on a bag of chips, or you know, pull product from your warehouse, that's another barrier. So, there are challenges that blind people are faced with, and you know, I, I support you, and I agree with you, but I did want to say that there's a lot of blind people that do a really, really stellar job, but it's not one size fits all.

Bird: Randy?

Hauth: Jerry, Terry, go ahead.

Bird: One quick, quick one that I just thought about, which I was get there was the, the, the 30 hour man, 30 hour work week requirement. Now, it states that VMFs, I mean, vending, what am I doing? Yeah, VMFs, isn’t it?

Hauth: VFMs.

Bird: Yeah, they are who are under and required to do this. I can't find anything that says routes are the ones that are required. Another made up thing by the agency. Read it, folks. It doesn't say that, it's meant to every one of us.

Hauth: Thank you, Jerry.

Bird: Have to do a 30 hour requirement, and it don't say route. So, anyway, it's all of them.

Hauth: Okay, thank you. Thank you, Jerry. Hey, Art, if you just have something real quick, let's get it done and let's turn over to Terry. So.

A Stevenson: Oh yeah, I would, okay, I, I know the agency approached us on this strategic plan and wanted to start this process. And so, I would like to make a motion that Eric provide us with his draft strategic plan as soon as possible, so that we, the Elected Committee, can look at it and then, you know, respond to, to it before, before we move forward with it. But I think obviously the agency is supposed to provide us with program relevant information. The agency said we need a strategic plan and so they need to provide us with their draft strategic plan. So then we can evaluate it and move forward.

Hauth: Hey, Eric? Okay, thank you, Art. Eric, we have, do you have, thank you, Art. Eric, do you have a problem doing that?

Morris: Yeah.

Hauth: Okay.

Morris: Cause that's not, that’s not how effective strategic planning works. So, that's kind of [inaudible].

Hauth: Okay. Well, I know, I know, Art…

A Stevenson: Excuse me?

Hauth: I know, I know... Hold on, hold on! I know Art made a motion, and I'll, you know, I'll hear that motion. I just wanted to see if that was something that, you know, if you wouldn't mind sending that along, because you know, I, but whatever, I wanted to ask that question. So, a, a motion's been made.

D Stevenson: I second it.

Hauth: Okay, a second's been made. Any discussion around it? Okay, I guess, in my mind, I'm not, obviously, I'm not an expert on strategic planning, and I do know that it was brought forward to the committee by the agency, and I do appreciate that. It would be nice to understand the, the, you know, and the points of consideration or the motivations that the agency is wanting to work with the committee on. It would be nice if you guys knew that. I would suspect there's some ideas there of what we want to work on from you, your point of view, so, it'd be nice to share that. But anyway, that's all I had to say, so motion's been made, and second's been made. Any other discussion around that?

Morris: Randy?

Hauth: Yes, yes.

Morris: Randy, just a quick comment on that. So, I could definitely send you guys some bullet point ideas of what I think would be good strategic goals. But to say, I'm going to draft up a strategic plan and send it to you guys, that, that's never been a successful tactic doing that, because you're gonna say, these are crazy ideas, this is never what we wanted. Well, that's the whole point of sitting down and having a conversation over a couple of days, or a day or an hour.

Hauth: Sure, sure.

Morris: To share those thoughts and perspectives. So, there's consensus around it.

Hauth: Yeah, and, I would, I mean, from my point of view…

A Stevenson: So…

Hauth: I think, I think those points would be fine. But again, Art has made the motion, so, Art, do you have a conversation around that?

A Stevenson: Well, yeah, I do, Randy, okay? I, I actually have sat down with the agency lots of times to talk about, you know, the program, what we want to do, how we want to do it, etc., etc. And as a matter of fact, Alabama came out here and we did a bunch of stuff, and you know, and then, then it was all ignored and, and nothing was done. If we're going to go through and do a bunch of things, develop a strategic plan, then we, we need to know where the agency is coming from and what they are going to do, because, quite frankly, you know, I’ve sat down lots of times with the agency, and we thought good things were happening, but then it was all pooh-poohed, and it was a waste of time. And this way, if we have the agency's perspective on where they want to go…

Hauth: Okay? Well, I'm gonna, I'm gonna call, I'm gonna call the question.

A Stevenson: Then we can do that.

Hauth: Okay. I'm going to call the question, so we can actually get that done. And, and then hopefully, Terry is still on the line, and he can kind of weigh in with his perspective and point of view, and we can go from there. So, motion, question, a motion, second conversation, yea or nay, Art?

A Stevenson: Yea.

Hauth: Derrick?

D Stevenson: Yea.

Hauth: Derrick?

D Stevenson: Yea.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Carole?

Webber: Yea.

Hauth: And I'll vote yea as well, okay, motion passes. Terry, if you're still on the line, why don't you kind of take the floor, and just you know… I, I assume that's why you're here. Maybe you just here for, like, entertainment value. I'm not sure, but I would suspect you're here to talk about that. So, go ahead.

Smith: Well, but, to be honest, I’m, I'm not, I'm not exactly sure. I think there was some questions about the inventory issue as well.

Hauth: Okay.

Smith: So, so, I, I, I, was I, wasn't sure why I was, totally sure why I was being invited. But anyway. And I'm not totally sure about that motion that was just passed, but you know, I was, you, you, Eric first reached out to me a couple of weeks back wanting to know if I would be interested in facilitating a strategic planning initiative. And we did have one conference call to discuss that with Eric and Art and Randy and myself. And you know, we presented it, as that would be part of your subscription plan that, that you get with it, since it's only going to be one visit out. And you know, we were proposing that it'd be a, a two-day effort. I think that's it, today, the proposed dates that I was available. Did you get that, Eric? Did I send that today?

Hauth: Yeah, Lewanda, Lewanda, sent that out, Terry. Just so, you know she sent it out from Eric.

Smith: So, so, so, you know, those are the dates that, you know, that, when, when I can make it out there to, you know, if we want, if we want to, want to do this. I think we, I, I need to have probably another call, sooner rather than later on, you know, what the scope of that's going to be, because I, I notice on the agenda... I know it, on the conference call, and maybe I didn't pick up on it totally when Art was talking about needing a strategic plan for the commissaries, I noticed on the agenda, this is listed as a strategic plan for the commissaries, and so, I didn't, I, need, I, I, need a clear understanding of is, you know, are we look… I, I was under the impression we were looking at a, a totally new strategic planning initiative and not just focused on the commissaries. Commissaries, obviously, would be a, a goal in here and some strategies around that. But are, but we, are we, are we, are we talking about a, a comprehensive strategic plan here? Which is what I thought we were talking about.

Hauth: Well, and Eric, I think that goes back to kind of trying to have more understanding about, you know, the agency brought this forward, where you guys at? What, you know, what are you receptive to having for conversations so that we can kind of develop from our side, too. So, the floor is yours, Eric.

Morris: Yeah, I think, to Terry's point, I, I was thinking of a comprehensive plan, because I think what Art's talking about is in the, I mean, with the pandemic it seems like everything's in the distant past, but it has been a long time since the program actually sat down and did a comprehensive plan. Obviously, like Terry is talking about, commissaries would be a part of that, because I know everybody's interest in that. But that's, that's not, that's not a whole, it, that's, you need a comprehensive strategy. Not just one, one point.

Hauth: Okay, go ahead, Terry.

Smith: Okay. Yeah. So, so, that's, that, you know, that's my thinking. I, I, I mean, I have done, I, I did, I did go into one state and we did a strategic plan that was, you know, focused strictly on, on growth, and we didn't deal with anything else. But I think, I think these things are better if you, you know, if there, because this is your one opportunity to sit down, and rather than piecemeal it, that you can sort of address all of the points at, at one time, and pretty well start with a, you know, a fresh slate, so to speak. So, that's sort of the way I was approaching this, so… And as far as what, if you know, if, if both sides want to present some bullet points. That's fine, but you know, the strategic plan is going to come out of the process of sitting around the table and talking about things. You know, I don't want it to be something where we are debating you know, if Eric sends out bullet points, which is fine, I'm not, I'm okay with that. But I don't, I don't want to be in a situation where, where Eric is sending out bullet points, and we are debating his point, bullet points, or he's having to defend his points. That's not the way this process should work. You know, if he's got areas that he wants to, you know, put in as far as what he would like to see come out of it, I'm perfectly okay with that, and I think the committee can do the same thing. But the real, the real plan itself has to come out of that room after we've been in there for two days, and, you know, gone through that entire process. So, that's sort of where I'm coming from. So, I think at this point, now that I think I understand what we're doing, then it's just a matter of coming up with the dates, and you guys letting me know, and I can make plans to come on out there, and we can get this done.

Hauth: Sure, and I mean, I would, Terry, I would agree with, I would agree with you. I mean, my mind, we need to know where the agency is coming from, and we also need to provide where we are coming from, and you know, try and, you know, I almost see it kind of like a strategic planning dispute resolution, you know, kind of. I mean, we could, you know tie it into some, some kind of guidance that will help, you know, get rid of some of the, some of the issues here hopefully. But just so you know, after our call, I reached out to Lewanda and Art, and I know the talk was well, we don't want to incorporate this into our In-Service. Let's have our In-Service, but let's also focus time on the strategic planning. So, I know that was the most recent conversation that came, and I guess here on our level, we're going to have to work with the agency around the dates that you've offered and provided, and that's why Lewanda sent those out. So.

Smith: I, I just have one request.

Hauth: Eric?

Smith: I just have one request.

Hauth: Sure.

Smith: I, I need to nail the dates down sooner rather than later, because probably tomorrow, I'm going to get a request in here for something, you know, for, for a date that I gave you.

Hauth: Okay.

Smith: And that’s just the way my calendar, my calendar works. So, we, we, the sooner we can get those dates locked in, the better that I can assure you that we could, I can be there.

Hauth: Okay, and Eric, so, what are your thoughts about having an in-service, and then having that, as well? So, we're not, you know, using the In-Service as our strategic planning.

Morris: Yeah, I think that's fine, Randy.

Hauth: Okay. So, Lewanda, maybe you can work with, if you wouldn't mind, if you can work with Eric on those dates that you have, and we can try and get it dialed in somehow.

Miranda: Sure.

Hauth: You don't mind. So.

Miranda: No, I don't mind.

Smith: Alright, guys, I'm out of here. Thanks.

Hauth: Thanks, thanks, Terry, you bet.

Miranda: Thank you.

Hauth: Okay. So, what do we have left? What did we skip over? I know there was, I think, the breach of confidentiality. And then there was a transparency. Right? Is that what that was?

Webber: Yeah, the transparency, breach of confidentiality of clients, VR file.

Hauth: Okay, so, I'll just I'll just share that in a, in a... So, you know, each one of us has a VR file so, vocation, vocational rehabilitation file which your vocational rehabilitation counselor documents and identifies, you know. It has your IPE, you know, other various documents, and then each one of us has a BEP file, which I think is held in the Aware system, and you know, you can all ask for that. I mean, you can ask Ryan to provide that to you if you ever want to look at it. That is something that, you know, a manager has access to. I came across a document here recently that showed that AAG Merrill, I think she's retired now or left the agency, but AAG Merrill had reviewed my VR file, and so, when I reached out to Vinnie, I said, did you share that with her? And he said, no, absolutely, I wouldn't do it. It’s confidential matter, you know, and there's only a few people in the agency that have access to that. So, I went through the process of trying to understand why somebody would do that without my permission or authorization. I'm still looking into it and researching different avenues and angles, I did reach out to Executive Director Johnson and asked her if she provided that to Merrill, and of course, even though it was my own VR file, the response was, oh, we can't talk to you about that if it's a AG related matter. And then, I was told that, you know, previously to go through public records. I was give, I was getting the old run around, you know, and so, anyway, I'm still looking through that and processing through that. But I just wanted to share with, that I had a conversation today on next steps on how to address that. I just think it was, you know, if it was or not, I think it was inproper [sic] to share my file with, without my authorization, so. That was my, my two cents worth on that. And the other item on the agenda was a transparency. Right?

A Stevenson: Randy?

Webber: Right.

Hauth: Yes, yes, Art, go ahead.

A Stevenson: So, there was another agenda item. I don't know how it got skipped over, or whatever.

Hauth: Oh, sorry.

Miranda: Number seven.

A Stevenson: Number seven.

Hauth: What, what was, what is that one?

Webber: Receiving program relevant information, transparency, or a lack thereof.

Hauth: Okay. The floor is yours, Art.

A Stevenson: Well, no, no, that, that, that wasn't… Well, obviously, we need to receive program relevant information. We made a request, and I, I'll cover this real quick. We made a request to receive the reports received for the, the vending locations that OCB was getting from the third-party contracts. We wanted the actual reports that the agency was receiving on that. And, and I do believe that is program relevant information. We don't want a spreadsheet, we want the actual reports that are coming in for those vending machine locations, and so, hopefully, we are going to get that information. We want the actual reports. But I was talking about the, the two vending locations that have been assigned to me, the call center, and the city police locations. And to date, I haven't received a penny or been assigned that location by Dir--, those two locations by Director Morris, which is a violation of the law. And, and they've been collecting that money when it actually should have been coming to me. I made myself available. It was assigned to me. I didn't agree to the fact, oh, when I'm self-servicing it, then I'll start getting the income. It was assigned to me from the very beginning of the year, and I'm still not, haven't received a penny, and Eric says, well, you agreed to, to do self-service. I did agree to do the self-service, and when that self-service happens, then I will. And of course, I wanted to work with the agency on that. Not just let the agency do it all. I wanted to be involved in it. But I didn't agree to allow the agency to collect those commissions while I'm waiting for the machines to be installed. The, it should have been assigned to me immediately, and, and, and then the commissions should have been sent to me from Canteen, and not to OCB. And so, law’s quite clear; when a manager becomes available, it's supposed to be assigned, and Eric just can't pick and choose what laws and rules and regulations he's going to follow and pooh-pooh the rest of them. And so, that income should have been coming to me. It was assigned to me, and, and, so, I want to make a motion that I should receive that income back to January, and, and that obviously Eric should comply with the law, and assign that location to me and inform Canteen that. If not, then if it isn't done, then I want the Elected Committee to take action that the agency is not complying with the law. They're making up rules again to suit their purposes, and, and, and not following other laws. And so, that's where I'm sitting with that. It needs to be done and if it isn't done, then I need the Elected Committee to advocate and make sure that the agency is complying to all the laws, which in my operating agreement, they agreed to do. They agreed to follow all the laws of the program.

D Stevenson: Are you making a motion, or?

Hauth: Yeah, are you making a motion? Cause we're running out of time. So, make your motion, my friend.

A Stevenson: Okay, well, I, I make, I make a motion, you know, that the Elected Committee, you know, has assigned that to me. It should be, well, what should my motion be? Okay. I make a motion that the Elected Committee compel OCB to abide by the law and provide me with that income that I should have received. And also, if not, yeah, just, that they do it, that he, that he follows the law and the operating agreement, which he's supposed to do. He can't just pick and choose or make up new rules.

Hauth: Okay.

A Stevenson: Because that's what he did. I talked to him on the, on the phone and he said, well… Yeah.

D Stevenson: I second!

Hauth: Okay. So, the motion has been made. Second, any discussion? Okay, hearing no discussion, yea or nay? Derrick? Might be a conflict of interest, Art, so. Derrick?

D Stevenson: Yeah, I might have a conflict, but I vote yea.

Hauth: Art?

A Stevenson: Conflict of interest, yea.

Hauth: Lewanda?

Miranda: Yea.

Hauth: Carole?

Webber: Yea.

Hauth: I'll vote yea, as well. Okay, what do we have, what do we have next? I know we're running, we only have a few more minutes left here, but I think we...

Webber: Okay, well, we got everything except number 10, improving communication. Notice of OCB staff taking time off, and issues with the auto. What, issues with the automated response to reports, etc. That's the last one.

Hauth: Okay, well, I would think that this has to do with, maybe this was something Art brought up, but Art, have the floor. I think we’ll [inaudible]. Okay, go ahead.

A Stevenson: Yep, it was. It, well, well, it was. Okay, I had a situation where I turned in my reports, both reports, and it bounced back to me for some reason, and then, by accident, when Nikki resent it, she thought she attached both reports, however, she did not. And OCB is now doing the $50 penalty for turning in a late report. I sent the evidence that a mistake was made and the whole nine yards, and the agency said, tough luck, Art. Even though you had your reports done and a mistake was made, you're still going to pay the $50 late fee, okay? Now I, quite frankly, thought this late fee garbage was ridiculous. Voted against it. I mean, you know, but you know, again, you know, we had the discussions about it and the agency was, oh no, we're going to ding you 50 bucks, no matter what. They even, you know, changed the, saying well, if Monday falls on a holiday, you got to have it in early, and all that other crap. Anyways, you know, I, it's ridiculous that a blind licensed manager who is really never late, always on time, and a simple mistake was made, and then the agency feels compelled to ding me, even though I gave them the evidence that it was a mistake, the reports were done on time, they just got sent back, and then when we resent it, the other report didn't get attached. So.

Bird: You're gonna have to charge [inaudible].

A Stevenson: Yeah. Well, anyways, I want to make a motion, okay, because I don't agree with it anyways. It's just late fee garbage is ridiculous. If a manager ain't doing...

Bird: The rules.

A Stevenson: …what they're supposed to do.

Bird: I hate it, too, but they talk [inaudible] stupid stuff. I hate it, too, but it's the rule. You know?

A Stevenson: Well, and, and Jerry, I have a, hey [inaudible]...

Bird: They go like, well it's the rules so we're all stuck. Let's change the rule.

A Stevenson: Well, and I'm just about to make that. I, I, okay. We voted, the Elected Committee voted against the rules, and, and, and of course, it didn't matter. The agency just did what the heck they want to, and I believe it's in conflict of, it doesn't benefit us. It, it definitely dings us, even if we're human and make a mistake. By golly, OCB's never held accountable for any of their mistakes. So, anyways, I want to make a motion that the late fee does not ment--, it does not benefit blind licensed managers and that this rule be changed.

Hauth: Okay, motion made. Do I have a second?

Miranda: I'll second it.

Hauth: Okay. Second's been made, discussion? I just, I just want to say that there's a couple of things around that rule, the, where the money is going. I believe it's going in to set-aside. So, those of you who have been charged, that money has gone into set-aside, and that's not the proper use of monies to go into set-aside. The other thing is, I believe, it's a little stringent. I mean, if there's somebody that's a chronic abuser, and they're not reporting properly and on time, but there's been issues that I know of personally, and that I've heard of, where somebody has mailed in their check, and it arrived on a Saturday when nobody was there, and they were charged, or you know, like in Art's instance, where in good conscience, they tried to provide the information and accidentally made a mistake. And you know, so I wonder how does that actually benefit anybody? Especially, you know, it, probably that rule probably needs to be looked at along with some other rules within there, but just wanted to share my perspective on that. So, a motion's been made, a second. Yea or nay, Derrick Stevenson?

D Stevenson: Yea.

Hauth: Art?

A Stevenson: Yea.

Hauth: You may have a conflict, I don't know, I don't know, how…

A Stevenson: I have a, okay, I have a conflict, but yea.

Hauth: Okay, Lewanda?

Miranda: Yes.

Hauth: Carole?

Webber: Yes.

Hauth: Okay. Yeah. And I'll, I'll support that and vote yes, as well. So, that motion passes. Okay, so, did that go through all the agenda items?

A Stevenson: Hey, Randy?

Hauth: Yes, Art?

A Stevenson: Randy?

Hauth: Yes, Art?

A Stevenson: I'd also like to make a, I would also like to make a motion that the Elected Committee encourage, because he can do it, Eric waive that $50 penalty that they assessed me.

Hauth: Okay, that's your motion?

A Stevenson: Yep.

Hauth: Okay. Second?

Miranda: I'll second.

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

Bird: Jerry.

Hauth: Jerry, go ahead.

Bird: Real quick, I've got a, a, a late penalty comin’, could we include that, that I don't have to pay that in this motion? Thank you.

A Stevenson: What were the circumstances, Jerry? Provide us with all the circumstances, and, and we can consider it.

Hauth: Well, let's finish this motion, I know, let's finish this motion, and Jerry, if that, if that’s something you want us to consider, we sure will. So, you know, it’s improper, we believe. So, unless you want to add it to this motion, somebody. I don't know. But.

Bird: No, I'm fine with it, I just was making a point.

Hauth: Okay, okay, okay, let's go ahead and vote. Yea or nay, Derrick?

D Stevenson: Yea.

Hauth: Art?

A Stevenson: Conflict. Yea.

Hauth: Lewanda?

Miranda: Yes.

Hauth: Carole?

Webber: Yes.

Hauth: And I'll vote yes, as well. Okay, you guys, I think that's about it. I don't know what the time is, Carole, but it's probably…

Webber: 4:05.

Hauth: 4:05. Okay, is there anything, Eric, is there anything you'd like to add in before we adjourn the meeting?

Morris: Yeah, Randy, [inaudible], Lewanda, I'll reach out to you [inaudible], we'll get the dates figured out.

Hauth: Yeah, and I do, I do…

D Stevenson: I have something to say.

Hauth: I do want to say, yeah, go ahead, Derrick.

D Stevenson: I would just like to say, I have a meeting tomorrow at 1:00, and I would like it if someone from the Vending Development Committee attend it, and so that I have someone there on my side, and I'm not three, three against one.

Hauth: That's probably, probably a good idea. So, hey, hey, just real, and so, hopefully, you know, whoever is on the committee, I think that’s Lewanda or Art, hopefully, one of you guys can reach out to Derrick. Hey, Eric?

Miranda: Yeah, and Carole.

Hauth: I do… Okay. I do know we had it on the agenda, we talked about it briefly, but it'd be nice if when you're going on vacation or you're going to be out of the office or whatever it is, if you could let people know in advance that'd be much appreciated. I do know that, that conversation has been had and, also with the automatic reply, it doesn't seem to work very automatically from Ryan McBee, like when reports are sent in. You know, we send in reports over the weekend, and we don't get an auto, auto reply until he gets back to the office on Monday after 8:00, so, I, I don't know if that's the, the way that auto replies work or not. But anyway, just wanted to mention that, maybe it's something you guys can look into. So.

Morris: All right, we're, we're, we're continuing to work with IT on that Randy. It's a Microsoft 365 issue, that is a struggle.

Hauth: Yep. Okay, well, let's go ahead and adjourn the meeting, you guys. Thank you very much.

Morris: Good night, everybody.

**Motions Passed**

1. **“…that Eric provide draft strategic plan.**

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

1. **“…that compel OCB to give Art S. back monies.**

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

1. **“…that late fees do not benefit VFMs & should be changed.**

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

1. **“…that OCB waive $50 penalty for Art.**

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