

MINUTES OF BMHA MEETING OF 02-02-2016

Meeting called to order 5:23 PM

I. The primary original purpose to call the meeting was to consider a motion brought forward to withdraw Jeff Allen as the Vice-President of the Board and to require him to resign. This was done for several reasons enumerated in a separate document (appended here as Appendix I). However, in the time between that event and this meeting, Jeff resigned (on 01-31-2015 at 6:14PM). Nevertheless, he is still causing trouble for the Board and the Animal Rescue Center, for example, by saying negative things about the Board and its members to new board members, and texting Leeanna relentlessly.

Donna suggested that the Board send him a cease-and-desist letter requiring him to immediately cease these activities, not engage in them in the future, and to keep in mind that he is still bound by the promise of confidentiality he signed upon joining the Board. Moreover, he needs to stop going to the County Commissioners with presumed BMHA business because he is no longer a member of the Board.

Eddie suggested also that he be sent a letter, cc to the County Commissioners, accepting his resignation and reminding him that he is still bound by confidentiality. Eddie also noted that when Jeff shared meeting minutes from the Annual Meeting of January, 2016, that had not been approved yet, and were therefore a matter of confidentiality, he not only breached confidentiality but also violated OR state law, specifically ORS 65. He should be further advised that the Board has chosen not to pursue his violation of state law and his attempt to fabricate false information in the minutes in question, but may do so in the future should he not cease his negative behavior or continue to violate confidentiality. Moreover, it should remind him that, no longer having any association with the Board, he is NOT to meet with any governmental agency with purportedly Board business, as he has no standing to do so and was never authorized by the Board to do so in the first place.

The Board accepted Jeff's resignation and approved moving forward with both actions described above.

II. Eddie Garcia noted that the County Commissioner meeting on 02-03-2016 was supposed to contain an item soliciting public commentary regarding ARC support, but instead that was changed to an executive session "regarding potential legal action." This was no doubt related to Jeff sharing the unapproved minutes of the January 2016 Annual Meeting with Steve McClure, a County Commissioner, without the Board's authorization to do, wherein the Board moved

unanimously to pursue legal action against the County if a contract was not agreed upon and signed within 30 days of initial contract presentation.

Eddie then read a statement (appended here as Appendix II) that he prepared for that public commentary session. As a member of the press, he is allowed to attend executive session meetings of the Commissioners and would attempt to do so at the aforementioned meeting.

Eddie has also been in communication with the OR State Senator who passed Senate Bill 4, signed into law by Governor Brown. The Bill mandates strict observance of vaccination laws, but the County is blatantly disregarding that law because they are not enforcing it, and this is one of the things Eddie wants to talk to the Commissioners about. In fact, Eddie noted, and others also commented, that the County follows virtually none of the ORS regarding animal law, nor do they even enforce their own ordinances regarding same.

Donna asked about the laws regarding mandatory use of a shelter if one is already in place; Eddie has discussed that with legal counsel for the County, Wyatt Baum, who noted that a contract is in place and they are in breach of said contract. Only if the ARC is non-compliant can the County then go to another agency or source for resolution and enforcement of animal law and animal sheltering.

John Brinlee noted that an interim contract had been set up to make sure the BMHA status as a nonprofit was maintained, but it has expired now, and we have only until April 1 to get it renewed. The County's own mission statement mandates enforcement of state and local laws, so a short discussion ensued, concluding when it was agreed that the Sheriff, Boyd Rasmussen, needs to step up to the plate and require enforcement on the part of his animal control officers.

Donna also brought up the issue of building ownership; the County budget has a line-item for building maintenance, so they should be helping with repairs if they truly claim ownership, but Eddie noted that there is no record of any deed being filed with the County clerk. Originally, Louise McNeely, who donated the funds to purchase the land and build the shelter, requested that the County hold the building in trust, but evidently there has never been any discussion of who truly owns it, and this is a problem because the Commissioners still maintain that they own it.

The Board reiterated their strong desire to follow through with litigation if it becomes necessary. As one member said, "We don't want to, but the unwillingness of the County to get this done has tied our hands."

John Brinlee and Leeanna noted that the contract approved at the prior meeting has now been delivered to the Commissioners. That means the 30-day clock has started ticking as of 02-02-2016.

III. Possible new location for the thrift store: Several Board members toured the former LDS Family Center on Fir Street, which has been vacated and is for sale. It does need some work but there are some plus factors: 1) it has hot water and uniform heating, unlike the current building; 2) it has handicapped access, which the current building lacks; 3) it has a spacious basement for stock storage; 4) the payments would only be \$509.00/month, as opposed to the current rental fee of \$800.00/month

Mike noted that it would need to come under careful scrutiny if we consider it seriously; for example, it has a flat roof, and these rooves are notorious for leakage. Moreover, Dana said it may be too compartmented with walls to be an effective retail space. Nevertheless, the Board agreed it was worthwhile to check into it more fully.

IV. Minutes of prior meeting. The minutes of the prior meeting could not be approved at the outset of this meeting because the only printed copy was the one Jeff marked up in his attempt to make himself look more favorable to the County Commissioners and to alter items of fact in the copy at the shelter. The Secretary is to provide a clean copy by email to Board members so they may examine them again, make any necessary comments or suggest changes, and then approve them later.

V. John Brinlee noted that the fund balance continues to go down, and suggested that the Board start up web pages on some of the self-funding sites out there, such as Kickstarter and GoFundMe. If someone could help with those websites, it would be great. Eddie said he would assist, and suggested we put together a short video to post as the page is constructed.

Meeting adjourned 6:27PM.

Minutes prepared by jer