

A Summary of Richard's 22 Grievances and the PNA's responses

Greg Wilhelm, PNA chair

August 13, 2008

1. Jeanne Knepper is the recognized chairperson of the TCAP and does not have written authorization from the United Methodist church to act as their representative.
  - 1.1. Jeanne Knepper and Susan Landauer were the co-chairs as of the June 10 election.
  - 1.2. Our bylaws do not require written authorization from a corporation as to who the representative is.
  - 1.3. Jeanne is the only person employed by UPUMC that is not a resident of the neighborhood; she is not denying any UPUMC person the right to attend as a PNA member.
  - 1.4. ONI does not have a rule for this.
2. No member of the board shall serve more than eight consecutive years and the administrative rules cannot conflict the bylaws.
  - 2.1. The bylaws (Section 2: part a) state that no member shall serve more than 8 consecutive years, while the administrative rules (Section 7, paragraph 2) say "the combined period of consecutive time as a board member and nominating member shall not exceed 5 years." The January 2005 Board, not forum, minutes indicate that Susan was a guest and not a board member. So, even if Susan were on a nominating committee, she would have until 2010 to serve on the board
  - 2.2. ONI does not have a rule for this.
3. Susan Landauer has exceeded more than eight consecutive years
  - 3.1. The January 2005 Board, not forum, minutes indicate that Susan was a guest and not a board member. So, even if Susan were on a nominating committee, she would have until 2010 to serve on the board
  - 3.2. The bylaws do not stipulate how long a person has to vacate the board before being reappointed.
  - 3.3. ONI does not have a rule for this.
4. The PNA did notify the public of the forum meeting, specifically in the Oregonian and by mail to registered member
  - 4.1. The PNA did not advertise in the Oregonian (per Administrative Rules Section 2) as we tried other means to gain more participation. These include:
    - 4.1.1. Shell Station billboard at Lombard and Fiske
    - 4.1.2. PNA website notice
    - 4.1.3. ONI notice
    - 4.1.4. Advertising slides in both theaters in the St. John's Theater
    - 4.1.5. Mention of the meeting in Sentinel write up on the Street car
    - 4.1.6. Susan's Neighborhood newsletter
    - 4.1.7. Greg Wilhelm's personal neighborhood email list.
    - 4.1.8. Previously hand delivered over 1000 flyers to residents about other PNA events and referred them to our website.
    - 4.1.9. Distributed nearly 400 business cards with our website.

- 4.2. Mailings (per Administrative Rules Section 2) re not feasible as we do not have an adequate budget to reach all neighbors.
- 4.3. On 8/6/08 the PNA board unanimously nullified the entire administrative bylaws and intend to update the bylaws with any relevant information formerly contained in the administrative rules.
- 4.4. We did comply with the ONI Section VIII, E.
- 4.5. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
5. There was not a quorum present at the June 10 forum meeting
  - 5.1. Our bylaws for community forums state “a quorum for any community forum or special meeting of TCAP shall be the number or members in attendance”
  - 5.2. PNA’s bylaws need to be corrected to meet the ONI Section VIII, B, 6 rule which states “It is invalid or bylaws or other rules to provide that whatever number of members is present constitutes a quorum.”
  - 5.3. Our secretary did an analysis of the attendance of forum meetings from September 2005 through June 2006 and found that the average attendance is 15. We had over 30 people at the June 10 meeting.
  - 5.4. A survey of adjacent neighborhoods shows that in effect we had a quorum:
    - 5.4.1. Kenton Neighborhood Association: “A quorum for any general or special meeting of KNA shall be the number of members in attendance.” They are in violation of ONI.
    - 5.4.2. St. John’s Neighborhood Association: “A quorum for any general or special meeting of the SJNA shall be (7) active voting members, five (5) of which must be active board members.”
    - 5.4.3. University Park Neighborhood Association: “A quorum for voting or taking action at any General or special meeting of the membership shall be at least (10) active members.”
    - 5.4.4. Arbor Lodge Neighborhood Association: “A quorum for any general or special meeting of the ALNA shall be the number of members in attendance.” They are in violation of ONI.
6. No record date was established as to whether people can vote
  - 6.1. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
7. PNA did not have a list of members at the meeting
  - 7.1. The Secretary always has the bound copy of the member list. Our bylaws do not stipulate the organizational structure.
  - 7.2. Our administrative rules say that we are supposed to transfer the list to disk at “appropriate times.” We have not had the bandwidth to do this and the actual time for transfer is not set.
  - 7.3. Our secretary reviewed the 18 ballots against the member list and threw out 2 ballots because she could not locate the members name. However, the outcome of the election is unchanged.
  - 7.4. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
  - 7.5. There are no requirements in the ONI standards that this be addressed

8. Voters are supposed to get ballots upon entering the meeting by the election committee.
  - 8.1. We have not had such a committee in a years
  - 8.2. The Secretary always has the bound copy of the member list.
  - 8.3. The chair explained the criteria each person must meet to vote.
  - 8.4. Tom Griffin Valade distributed the ballots after the rules were explained, not at the beginning of the meeting.
  - 8.5. Tom Griffin Valade counted the votes and reported the results.
  - 8.6. The election did not happen at the beginning of the meeting because we had to accommodate Commander Henderson and Master Recyclers. Thus, the ballots came later.
  - 8.7. On 8/6/08 the PNA board unanimously nullified the entire administrative bylaws and intend to update the bylaws with any relevant information formerly contained in the administrative rules.
9. The bylaws denied some people the right to vote
  - 9.1. The bylaws are setup so that people do not just show up form one “hot” topic and vote, then never return. The bylaws act in effect like voter registration; you cannot vote unless you are registered.
  - 9.2. The minutes indicate that the votes were being distributed and people began to vote when Richard made a motion.
10. The election committee did not distribute the ballots
  - 10.1. As stated in Item 8, we do not have such a committee, so Tom Griffin Valade pass out the ballots to all members who indicated that they were eligible to vote.
  - 10.2. Robert’s Rules of order permits a teller to distribute ballots. The PNA designated Tom Griffin Valade to distribute ballots in lieu of the non existent election committee.
  - 10.3. On 8/6/08 the PNA board unanimously nullified the entire administrative bylaws and intend to update the bylaws with any relevant information formerly contained in the administrative rules.
11. Jeanne Knepper’s vote was invalid because she was not the written authorized representative of the United Methodist Church.
  - 11.1. As stated in item 1, our bylaws do not require written authorization from a corporation to indicate their representative.
  - 11.2. ONI does not have a rule for this.
  - 11.3. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
12. Richard Ellmyer was denied a position on the board because he did not achieve >50% of the vote, which is not stated in the bylaws or administrative rules.
  - 12.1. Article V, Section 5 of the bylaws state that elections of board members “requires a majority vote of the membership present for each candidate on the ballot” Since Richard did not receive >50%, he did not get elected. The rule prevents someone with one vote from getting appointed to office.
  - 12.2. Our secretary reviewed the 18 ballots against the member list and threw out 2 ballots because she could not locate the members name. However, the outcome of the election is unchanged.

13. Data from the membership book was not transferred to disk per the PNA administrative rules.
  - 13.1. As stated in Item 7, Our administrative rules say that we are supposed to transfer the list to disk at “appropriate times.” We have not had the bandwidth to do this and the actual time for transfer is not set.
  - 13.2. On 8/6/08 the PNA board unanimously nullified the entire administrative bylaws and intend to update the bylaws with any relevant information formerly contained in the administrative rules.
  - 13.3. There is no ONI rule on this
  - 13.4. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
14. The board members had knowledge that Jeanne Knepper had not documentation authorizing her to represent the United Methodist church, yet they let her hold office.
  - 14.1. This is libel as he never formally asked all the board member this question.
  - 14.2. We do not require written authorization per our bylaws.
  - 14.3. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
15. The officers had knowledge that Jeanne Knepper had no documentation authorizing her to represent the United Methodist church, yet they let her hold office.
  - 15.1. This is libel as he never formally asked the officers this question.
  - 15.2. We do not require written authorization per our bylaws.
  - 15.3. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
16. Richard Ellmyer was denied 10 minutes of speaking time granted by Robert’s Rules of order.
  - 16.1. Robert’s rules state that a person may speak for up to 10 minutes unless an organization has adopted special rules setting other limits. Since this was new business at the conclusion of the meeting, the chair limited Richard’s debate to give all members a short time to speak. The general time given is 3 minutes.
  - 16.2. We are proposing an amendment to our bylaws to address exceptions to Robert’s Rules of Order.
17. Robert’s rules require a reading or distribution of the previous minutes and voting acceptance.
  - 17.1. The PNA edits and approves the minutes via email to get make them available on the website faster. The minutes of all prior meetings were available on the website prior to the meeting.
  - 17.2. We are proposing an amendment to our bylaws to address exceptions to Robert’s Rules of Order.
  - 17.3. Members can make a motion at any community forum meeting to modify the minutes by majority vote.
18. The PNA did not present a plan of work at the community forum meeting.
  - 18.1. The committees, people on the committees and what they committees do is available on the website. There is no definition for how thorough the plan has to be either.
  - 18.2. On 8/6/08 the PNA board unanimously nullified the entire administrative bylaws and intend to update the bylaws with any relevant information formerly contained in the administrative rules.

- 18.3. There is no ONI rule on this
19. An agenda was not available at the May 10<sup>th</sup> board meeting
  - 19.1. Jeanne was busy and created the agenda at the start of the meeting.
  - 19.2. There is no ONI rule on this
20. Scott Jensen and Jeanne Knepper cannot both serve on the board because they represent United Methodist Church.
  - 20.1. Of all the board members of the United Methodist Church, only Jeannie is not a resident. Thus, all other board members can be on the PNA and Jeanne can be the corporate representative.
  - 20.2. There were no other board member of the United Methodist Church at the June 10 meeting.
  - 20.3. There is no ONI rule on this
21. Jeanne Knepper signed documents as the chair, while she was acting as co-chair.
  - 21.1. It is true that our bylaws do not allow for a co-chair, but since none of the board member wished to be the chair, we agreed to make Jeanne Knepper and Susan Landauer co-chairs until someone wanted the position.
  - 21.2. ONI Standards do not address adherence to the ORS, so the complaint is beyond the purview of the grievance process.
  - 21.3. There is no ONI rule on this
22. Richard disputes whether TCAP is recognized by ONI as the neighborhood association.
  - 22.1. Since we have received ONI funds for several years, the precedent is set that we are the recognized neighborhood organization.
  - 22.2. We will submit a letter to further clarify this matter if needed.

[End]