

Board of Directors
Special Meeting

Monday, July 25, 2022 at 5:00pm

Madras Aquatic Center
1195 SE Kemper Way
Madras, Oregon 97741



Board members present:

Board Chair Jinnell Lewis, Board Vice Chair Lindsay Foster-Drago, Secretary/Treasurer Deanna Seibold, and Board member Jillisa Suppah attended in person. Board Member Teresa Baggett was absent.

Staff Members present:

Courtney Snead, Executive Director and Gregg Markwardt, Facility and Safety Director attended in person.

Visitors:

Jeremy Green and Courtney Osborn, Bryant Lovlien & Jarvis joined in person.

SPECIAL MEETING, 5:00 PM

1. Convene meeting

The Chair called the special meeting to order at 5:08pm.

2. Executive Session – ORS 192.660(2)(f)

The board will meet in executive session under ORS 192.660(2)(f) – to consider information or records that are exempt by law from public inspection.

The Chair closed the public session and entered executive session at 5:10pm. The Board reconvened the public session at 5:34pm.

3. Public Hearing – Patron Trespass

At the conclusion of the above-referenced executive session, the board will hold a public hearing to review and consider the trespass and exclusion of a certain patron from Madras Aquatic Center Recreation District facilities.

The Board chair opened the public hearing at 5:35pm.

Attorney Jeremy Green reviewed the purpose of the public hearing and the findings of the attorney's office investigation into the behavior of the patron who was trespassed.

The Board chair asked if anyone in the audience wanted to provide testimony for the hearing.

Board Treasurer/Secretary requested clarification from Mr. Green on the patron's responsiveness to the request for input on the investigation. Mr. Green shared that his office reached out to the patron about an interview regarding the alleged misconduct as part of the investigation and he said he was not willing to be interviewed and intended to get legal counsel. Mr. Green anticipated hearing from him/his attorney at that point but had not. He sent a follow up letter advising him of the public hearing, as well as email on the morning of this meeting and has not received a response.

Executive Director Snead provided testimony for the record. She felt it was important to speak as a leader of the MAC, both on behalf of staff and patrons. The behavior comes to a point, is addressed, it recedes, and then the behavior starts to escalate again a few months later. She did not believe that anyone on staff felt in danger of the patron until they were asked to fill out a harassment and stalking threat assessment by local law enforcement. Speaking for herself only, after filling that out and reading the questions, it became apparent that the behavior we have been seeing is concerning. She has tried hard to maintain a professional demeanor and will continue to do so. After sharing the situation multiple times and then having a law enforcement officer tell her to work with staff to change up their routines and be careful, it made everyone more nervous. Being in that mental space was challenging for her personally. Whatever decision the board makes, staff is prepared to carry it out. As a public organization we are here for all of our patrons, and ultimately, we don't want anyone to be excluded from the MAC. As one staff member leading the staff, but also personally affected by this situation, she wanted the board to understand that whatever decision/outcome it will be implemented by staff.

The board discussed next steps with the guidance of Mr. Green. He explained the board's options, including extending the no trespass, providing the patron with a letter regarding behavior expectations, and providing the board with a draft policy for patron behavior expectations at a future board meeting. He suggested that the board's first step be to vote on a finding related to the patron's conduct.

Chair Lewis expressed her opinion that the patron's conduct was inappropriate, unwarranted, bordering on harassment of staff and other patrons and was concerning to her. A consensus of the board agreed.

Vice Chair Foster-Drago moved to approve a finding that the patron's conduct was inappropriate, unwarranted, unwelcome, bordering on harassment and inexcusable. Secretary/Treasurer Seibold seconded. Motion passed 4-0.

Vice Chair Foster-Drago said that at a minimum, the patron should receive a letter explaining the board's expectations of appropriate patron behavior, and that she was in favor of extending the no trespass.

Secretary/Treasurer Seibold asked Mr. Green to confirm that the letter would confirm the board's finding.

Mr. Green confirmed that the letter is a memorialization of the board's findings, a cease and desist, and any other response the board deems appropriate.

Chair Lewis said that the patron had been trespassed for 25 days and wondered if there was board support to extend it to a total of 90 days. Board members were generally supportive of the approach.

Treasurer/Secretary Seibold wants to ensure that there is education for staff as part of this process. Mr. Green agreed and said it was noted.

Treasurer/Secretary Seibold moved to issue a cease-and-desist letter including the findings of the board and extending the trespass to a total of 90-days. Vice Chair Foster-Drago seconded. Motion passed 4-0.

The public hearing was closed at 6:28pm and the board resumed their work session agenda.

4. Standing updates
 - a. Local option levy
 - i. Review draft local option levy resolution (*action item #12 on the business meeting*)
 - ii. Review memo on political activity

The executive director walked the board through a cover memo summarizing the financial and operational impacts of the local option levy renewal passing and failing.

Vice Chair Foster-Drago asked when this information would be shared with the community.

Executive director Snead said that the MACRD can share the information in an objective manner and would want to have the state review it to ensure it was balanced before it was shared with patrons.

She continued reviewing the draft resolution referring a local option levy renewal to taxpayers in November 2022, renewing the current local option levy property tax rate of \$0.40/1,000.

- b. Capital improvements and other maintenance project updates
 - i. Donated tree in front of the MAC from the Kemper Family

Executive director Snead shared that she met with the Kemper family who provided donations to plant the new tree in the courtyard in honor of Dr. Carlos Kemper.

- 6. Review board-related items for the new fiscal year
 - a. Review proposed board member vacancy timeline and application (*action item #4 on the business meeting*)
 - b. FY2022-23 board meeting calendar (*consent agenda item*)

The board reviewed the proposed timeline and application for filling the vacant board position #5.

Vice Chair Foster-Drago asked how the length of terms could be changed so they aren't so long. Executive director Snead said that we need to find the by-laws, which would determine how the board can change term lengths and other governing rules of the MACRD board of directors. She indicated she would work with Jeremy Green to locate the bylaws and bring them to the board at a future work session.

The board discussed their meeting schedule for the coming year and decided to keep the meetings on the third Monday of the month unless there was an issue with quorum or scheduling.

Board Chair Lewis noted the end of the work session at 6:56pm.

BUSINESS MEETING, approximately 7:30 PM
(immediately following the work session)

Board Chair Lewis called the board meeting to order at 6:58pm.

- 1. Roll Call: Board Chair Lewis, Vice Chair Foster-Drago, Secretary/Treasurer Seibold, and Board member Suppah were present in person. Board member Baggett was not present.
- 2. Pledge of Allegiance

3. Adoption of the Agenda

Treasurer/Secretary Seibold moved to approve the agenda as presented. Vice Chair Foster-Drago seconded. Motion passed 4-0.

4. Receive and accept resignation of Teresa Baggett from the board of directors, position #5
- a. Review board member vacancy process and timeline (draft press release)
 - b. Review board member application
 - c. SDAO "Characteristics of an effective board member" publication

Treasurer/Secretary Seibold moved to accept the resignation of Teresa Baggett from board position #5. Board members Suppah seconded. Motion passed 4-0.

Treasurer/Secretary Seibold moved to approve the timeline and process for filling the vacant position as discussed in the work session. Board member Suppah seconded. Motion passed 4-0.

5. Elect FY2022-23 board leadership
- a. Board Chair
 - b. Board Vice Chair
 - c. Board Secretary/Treasurer

Treasurer/Secretary Seibold moved to nominate Jinnell Lewis to serve as Board Chair for FY2022-23. Vice Chair Foster-Drago seconded. Jinnell Lewis accepted the nomination. Motion passed 4-0.

Vice Chair Foster-Drago moved to nominate Lindsay Foster-Drago to serve as Board Vice Chair for FY2022-23. Treasurer/Secretary Seibold seconded. Lindsay Foster-Drago said she didn't mean to nominate herself by motion, and accepted the nomination. Motion passed 4-0.

Vice Chair Foster-Drago moved to nominate Deanna Seibold to serve as Board Secretary/Treasurer for FY2022-23. Board member Suppah seconded. Deanna Seibold accepted the nomination. Motion passed 4-0.

6. Correspondence
- a. Patron comment card(s), email(s), and other communications regarding MACRD operations

The board received the updated State of Oregon election manual that was sent to the executive director by the Jefferson County Clerk.

7. Visitors section/public comment

Members of the public are welcome to speak to the board of directors during this time. They should sign in at the beginning of the meeting to be recognized by the board chair. Speakers are asked to limit comments to three minutes.

No members of the public were present.

8. Financial update

- a. June 30, 2022 balance sheet *(draft until audit completed)*
- b. Draft June 2022 Month end profit and loss budget vs actual
- c. Quickbooks FY2022-23 budget report

Executive director Snead reviewed the general fund, debt service fund, and maintenance reserve fund financials in the board packet. It was noted that the June financials would not be accepted by the board as final until after the official audit is completed in the fall.

9. Consider approval of the consent agenda:

- a. Approve proposed board meeting calendar for FY2022-23
- b. Approve Board work session and business meeting minutes, June 13, 2022

Treasurer/Secretary Seibold moved to approve the consent agenda as presented. Vice Chair Foster-Drago seconded. Motion passed 4-0.

10. Consider adopting Resolution 2023-01, annual procedures

- a. Cover memo
- b. Resolution 2023-01, adopting annual procedures

Executive director Snead reviewed the annual procedures resolution, for which adoption annually is a best practice.

Treasurer/Secretary Seibold moved to approve resolution 2023-01, annual procedures, with an updated approval date of July 25, 2022. Vice Chair Foster-Drago seconded. Motion passed 4-0.

11. Consider adopting Resolution 2023-02, approving budget adjustments for the FY2022-23 annual budget

- a. Cover memo
- b. Resolution 2023-02, approving budget adjustments for the FY2022-23 annual budget

Executive director Snead reviewed the cover memo and proposed budget adjustments, which are as a result of an unanticipated grant for \$120,000 that the district was awarded by the Oregon Association of ESD's for summer programming.

Treasurer/Secretary Seibold moved to approve resolution 2023-02, approving budget adjustments for the FY2022-23 annual budget. Board member Suppah seconded. Motion passed 4-0.

12. Consider adopting Resolution 2023-03, approving referral to district's electors the question of renewing a five-year local option tax levy
 - a. Resolution 2023-03, approving referral to district's electors the question of renewing a five-year local option tax levy

Executive director Snead noted that the board reviewed the cover memo and proposed resolution during their work session in June and tonight. Board members noted that the resolution number did not match up with the agenda. Staff said it was an error and would be fixed.

Vice Chair Foster-Drago moved to approved resolution 2023-03, approving referral to district's electors the question of renewing a five-year local option tax levy, with the noted number change. Treasurer/Secretary Seibold seconded. Motion passed 4-0.

13. Executive director report

Executive director Snead reviewed her report included in the board packet.

14. Board member highlights

Vice Chair Foster-Drago shared that when the golf program was originally switched from the old program to the MACRD she was sad, as it was such a great program to date. Now it has turned out to be a wonderful program and cool opportunity for kids, and she has been excited to see the high turn out of children who had not been participating in the old program.

Board member Suppah shared that her highlight is seeing the Papalaxsimisha Program logo in the MACRD guide and on the scoreboard and noted that it is a great partnership that is serving many families in the district.


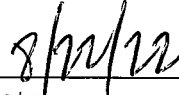
Chair Lewis said that her kiddo was excited about camp this week and that her other child has been begging to get back into swim lessons. It's great that kids are excited about our programs.

15. Adjourn

Board Chair Lewis adjourned the business meeting at 7:43pm.

The next board work session and business meeting is scheduled for Monday, August 22, 2022 at 6:00pm.

Respectfully submitted,  
Courtney Snead, Executive Director Date

 
Jinnell Lewis, Board chair Date