

**Jantzen Beach Moorage Board Meeting**  
**April 19, 2011 -- 6:30 PM**  
**Jantzen Beach Super Center**  
**(continued April 20)**

Present: Chuck Hindenburg, Leonard Myers, Bruce Broussard, Berni Pilip, Sherre Vanegas, Jerry Perkul, Margaret Puckette, Ron Schmidt,

Not Present: Ginny Girotti-Sorem, Sher Shepps

Office Management: Pam Pariseau

Members: 1533, 1545, 1555, 1613, 1619, 1625, 1641, 1663, 1717, 1719, 1741, 1749, 1839, 1859, 1877, 1883, 1991, 1995, 1999, 2007, 2035, 2045, 2049

**Open Meeting**

Meeting called to order at 6:36 PM by President Chuck Hindenburg.

Board members introduced themselves. Chuck thanked Pam for getting all the items together for the meeting.

**Open Business from the Floor**

The president asked for open items from the floor, stating that these items can either be addressed by the board at this time or tabled for later discussion. Michelle Tworoger 1545 had two issues. The first dealt with the moratorium on assessments that the board had passed at a recent special meeting on March 24. Michelle maintained that this was an illegal action in that it was taken at a special board meeting and not a regular board meeting. To retract assessments undermines the credibility of the previous board. The second point was a conflict of interest involving a board member who voted on the assessment motion who was personally involved with an assessment issue.

Chuck interrupted to clarify that we would not talk about BOLI, would not discuss persons or employees, and said he would take it under consideration. Ron Schmidt asked if Michelle would be willing to give the secretary her notes. Chuck clarified with Michelle that the conflict of interest involved one of the parties, not two, involved in assessments, and that it was one director that should not vote.

David Hume 1663 congratulated Kathy on great job and was sorry to see her leave. He maintains that his moorage property is part of his retirement and as such, the board needs to be mindful and responsible. People need more feedback from the board. A good organization has been falling into absurdity. Chuck said he will do his best and will be dealing with it. Things have quieted down in the office according to Pam. Chuck will not deal with "management by gender" and will not tolerate it. Someone said that there are gender and discrimination issues, and certain board members pose an extreme liability to the moorage. Chuck said he will not tolerate behavior that he has heard about but will not deal with third party information. He needs first hand information and his phone number and email are available at all times. This is a community and Chuck wants to bring it back to a community. He said we don't have to like people, but we are a community and have to treat people respectfully.

Rick Pariseau 1999 talked about newsletter. He said he will print virtually anything that is not obscene. Newsletters will be available at bottom of every ramp and in the office. At this time, he has about 100 of the 170 members' email addresses. He needs anything to be printed in the May newsletter by Friday, April 22.

Chuck will try to get Rick information for a "president's corner" in the newsletter.

Laurie Heald 2045 said she didn't realize that the *Island Times* was a "moorage" newsletter. Rick said that JBMI is at the top of the newsletters. There have been two issues so far.

Someone said they argued all the time with his neighbor, but that they are still friends. Chuck said we all have differences, but we have something in common, and that is a beautiful place to live.

Andy Anderjack 1883 said that said board has a responsibility for assessments. The board can't override them. Some members on the board don't treat people right. Chuck agreed. The board is working for the moorage and not themselves.

Chuck would have every certificate holder be on the board at some time to see what it is like. Being on the board is not easy. It is work and everyone should see what it is like. Ron Schmidt said that the board has a fiduciary responsibility to all certificate holders.

Michelle Tworoger 1545 says vote on the moratorium on assessments needs to be ratified. Chuck is not going to ratify a vote that was made with all directors present. Moratorium was called for special assessments (not regular ones) until the review of the procedures for special fines and assessments is completed. Procedures are being looked at, not the fines. Chuck says Ron Schmidt, Sherre Vanegas, and himself are all new at this. He thinks things are coming back. He wants the staff to be able to do their jobs without interruption and be treated with respect. Progress has been made. Michelle asked about the conflict of interest in the vote. Conflict of interest was on both sides of the issue according to Chuck. Margaret Puckette says this shouldn't be discussed now but there needs to be a fact finding committee. Chuck said the vote was valid. The board has more pressing issues. Barbara Nelson 1995 says people shouldn't only come to meetings where the issues are hot and that they need to be involved on a regular basis. Chuck suggested that perhaps having a raffle at the meetings so people would come for a positive reason.

Chair recognized Jay McCaulley 1555. He asked whether the assessments were voted on by the board. Margaret said we don't want to get into this now. There needs to be a fact finding. Chuck says there is a process and it will be addressed, but it will go on a list. Friday is Kathy Harrison's last day as manager. Right now we are dealing with priorities.

Rick Pariseau 1999 said certificate holders believe there are no rules being enforced. There is a communication problem. Certificate holders believe that they can do anything they want. There is no law enforcement. Chuck said that is not correct. Rick said you're saying some things are okay and some are not. This is a communication problem.

Dave Hume 1663 wouldn't trust half the board members to run his dog house and that a board member will be involved in litigation. He believes certain members involved in litigation should resign until litigation is settled. Chuck interjected that we need to run a civil meeting.

Ted Bentley 1749 wants to move on. He believes that the problem appears to be between the manager and several certificate holders. He thinks the assessment issue might be why the resignation occurred. More important is where is the moorage going in terms of short term management, and long term management with a spine and backbone to deal with the issues. Chuck wants to have to have something published by next meeting that states people are still accountable for the regular rules and they will be assessed accordingly.

Michelle Tworoger 1545 wants to talk about McGinnis because there are legal issues as to why he is no longer here. He was given a severance and Michelle does not think he should be rehired under any circumstances. Chuck asked Michelle to contact him with information.

### **Secretary's Report**

March 15 board minutes draft.

Sherre said Ivan Karmel 1927 "disagreed" instead of "agreed" with the suggestion by Alex Alexander that the house numbers be omitted with dealing with financial issues.

Pam said that there are blanks because Kathy didn't know who made the motion.

Someone suggested that minutes be approved at end of meeting and everyone agreed.

### **Treasurer's Report**

Treasurer's report will also be approved at the end of the meeting.

### **Moorage Manager's Report** (see attached)

In Kathy Harrison's absence, Pam Pariseau gave the moorage manager's report.

Two new residents.

1635 foreclosed by Sterling Savings Bank. They're paying insurance but have paid no moorage fees either since or prior to the foreclosure, which will remain a lien on the property.

1631 not paying as per agreement. Only \$500 was received in February, \$300 in March, and \$300 in April. The \$600 month is not available in the account from which the payment was to be made. Kathy sent email to attorney asking if we could go forward with garnishment. Sherre said there was a garnishment but he quit his job, and asked if we were going back to garnishment. Chuck said that it is clear that we have a problem with 1631, a huge arrearage.

No theft or vandalism this month. Pam suggested a Starbucks card or something for the security guard. He's been going above and beyond. He comes early and stays late. Turns off people's lights, turns in keys, etc.

Leonard Myers gave the security guy a \$25 American Express gift card and a pizza for his efforts. Chuck said we'd get something out for the security guard. Ron Schmidt appreciates Leonard's action and thought we could repay Leonard, but Leonard said no.

People have been tailgating at west gate, we're asking everyone to use their card. Ginger Mumford 2049 said someone called her a jackass when she waited until the gate closed. Alex Alexander 2035 noticed that gate stayed open so long and asked if we could shorten time. Pam said that the gate stays open longer now because of boats and trailers being moved to the storage facility. Alex suggested going back to the shorter time frame of the opening. Pam said rain causes issues because of the problems with the wiring. Someone suggested an automatic exit gate so tailgating could be lessened. The gate card serves as time stamp for security purposes. Moorage has tried video cameras, but the quality at night is not good enough for police to use because faces and license plates are not clear enough. The ones ODOT uses cost hundreds of thousands of dollars.

Parking citations. 35 issued, all but 5 issues have been resolved.

Car prowl reported on Columbia Crossings property.

Security Gates. Pedestrian 2 gate is still locked and an issue. There are too many wires with too many splices. Two bids \$18k and \$9k for partial rewiring. Laurie's husband John Heald 2045 has been looking into it. He says that perhaps if our maintenance workers ran the wires, that he could perhaps hook it up. If he couldn't, we could hire someone that could. Ron Schmidt says ADA is an issue. Chuck suggested a combination lock but Leonard Myers claimed that might be a security issue if people leave it unlocked. Ginger Mumford 2049 suggested community help and perhaps people could be on call. Barbara Nelson 1995 said that just because a gate opens doesn't mean it's ADA because it's difficult to pull the gate open and then try to get through in a wheelchair or other mobility vehicle.

Deck screws. Issue of wrong screws. Screws popping up. Phillips Fasteners to meet with Don and Rick Christensen to decide if they are going to pay for replacing the screws because Christensen was supplied with the wrong screws when the decks were replaced.

Dock carts. Three more dock carts purchased, bring the new total to 10. Pam reminded everybody to please return the dock carts to the specified location when through with them.

B-F dockways are almost done. Don is finishing railings. Some dock ways are leaning. Margaret Puckette asked about the fire extinguishers, and it was stated that they would be reinstalled. Handrails will help. D Row has a problem with the river current and Margaret said that an upstream outrigger kept the D row in place previously and should be replaced.

People from A row are commenting that they like the way the other walkways look and are reconsidering replacement. Bids for replacing Row A have been requested.

Ron Schmidt asked about the fire lines. Pam said everything was reattached this week, and everything was always functional just not attached to the walkway.

Garbage Surrounds. Need bids for Ramps 4, 6, and 7 and in order for B-F permit to be signed off, the garbage surrounds need to be completed. Someone asked why the surrounds were being bid out when our maintenance people did it previously. Pam said she didn't know specifically, but that roofs now have to be included on the surrounds. It's a new City of Portland code. To get permit, we had to spend 10% on uplands.

Leonard asked about the damage claim from the dumpster, and what caused it. The resident did not claim it for two weeks. It was a really windy day and the garbage lids can bang around. He claimed the dumpster moved. Pam suggested a sign "park near dumpster at own risk."

1815 someone wants to purchase the slip and bring a house in. Previous board considered selling slip on contact. Ivan Karmel 1927 says he would write contract. Chuck wants someone on board to chair a committee to get agreement together.

Barbara Nelson 1995 says the slip has been open for a long time. Person owns house free and clear. House is small, but functional and maintained and has aesthetic value of 4 out of 10. The prospective owner has to move her houseboat and we need to act on this. Ron Schmidt moved that terms are okay: 20 percent down, 6.5 % with 20-year amortization with balloon after 5 years, \$130,000. Jerry Pekarul seconded. Bruce Broussard wanted to add that Ivan Karmel would consider doing contract. 5 votes in favor. Motion carried.

Have run out of hand rails. On order.

Moorage cleanup day. Need to schedule dumpster. Ron Schmidt will coordinate with HiNoon. Need date for newsletter. We need to get Rick Pariseau date by Friday, April 22. It was suggested that the sooner the better.

Herbicide needs on landscaping. Organic pesticides are being used.

Ron Schmit says that the moorage gates are our visual gateways to our community and wants to know whether we can "hide" some of the maintenance stuff.

A-F walkway below budget. We still have a few bills to pay.

Assessment of Fines and Procedures. Fines are not being dismissed but frozen until procedures are analyzed. We want to make sure that fines don't penalize minority by majority. Goal is to make it a nice place but we want to insure that individuals are not unfairly picked on. Margaret Puckette wants to know who is actually doing the fact finding. Ron Schmidt is looking into the "law" of it. The assessment schedule revised has not been voted on. Fines adopted in 1998 but Kathy combined them into one document which described situations which fall into the categories, and provided background.

Someone asked about the beaver issue and what has been done. Bruce Broussard said that there is a small committee that will be having meetings about it.

### **New Business.**

Chuck read a statement from the attorney. An employee complaint has been filed against JBMI which could have financial implications. Attorney has advised that this cannot be discussed outside of closed board meetings. The board will follow recommendations of counsel. Harassment and discrimination is against the law and against the policies of JBMI. No retaliation against employees will be allowed and will not be tolerated. All board members must not discuss issue or negotiations. Chuck said we will need to get the information to Sher Shepps. It was suggested that this go into the newsletter.

Bruce Broussard added that this was where most of our complaint problems started. He said that the board received no input and no one knew what was going on. No one was supposed to talk to anyone. We now have direction from attorney.

#### Managers Position.

At last special meeting, Chuck asked each member to come up with two short time alternatives and well as long-term solutions. If anyone has suggestions, please email board. Going back to short term, has the board come up with any alternatives? Sherre Vanegas and Ron Schmidt have been working on short-term moorage management. The board has responsibility to look at all possibilities. The options include full employees on one end of spectrum and on the far end of spectrum would be no employees, hire an outside firm. Board will continue to change. In the middle we might have a strong manager and subcontract out some of the work.

In the long term, it will take time to keep the system we have. In the short term Kathy has two days left. What did moorage manager do? Last time, the board tried to take over some of the manager duties and it was too much. Ron thinks we need a temporary person who can run the moorage.

Margaret said that last time we advertised on Craigslist received about 40 resumes. Six were chosen and three made the final list. Jan Zweerts 1859 suggested McGinnis and Hamer are both available. Someone suggested Pam and that we get administrative support for her. Sherre Vanegas said that right now the moorage only has one full time employee. Rick Pariseau 1999 said that if office help was hired, Pam might be okay. Andy Anderjack 1883 says he volunteered for the HR committee and no one has contacted him. We can get an employment agency to screen applicants and send us five. Pam knows what needs to be done in the moorage.

Bruce Broussard says jobs have to be posted. Residents shouldn't be employees. Chuck wants to discuss the short time issue of a temporary manager. Ron Schmidt agrees that there has to be a process. We have to make a good decision. The manager can't have 6-10 bosses. We need to forget about crap and deal with the long term issues and keep with the highest integrity. Ron will try to do things right, and realizes that there is a lot of history. McGinnis was offered \$17k to leave the manger position ten years ago. The president at the time, Janet Slack, offered to fight the battle, but he didn't want the moorage ripped apart.

Ron Schmidt moved to hire Tom McGinnis on a short term, up to 3 months at \$25 per hour with no benefits.

Chuck says he was on the board at that time, and he said he was not aware of any issues with McGinnis. It was a shock to him and he still doesn't understand the issues. Sherre said they are still looking for the reasons. Barbara Nelson said that they are people firmly for McGinnis and people firmly against him. There are too many issues with McGinnis. Barbara said that she knows what the issues were but can't talk about them in an open meeting. Someone said that it was a bad idea to get anyone with a past at JBMI.

Someone said that folks really didn't have a problem with Jan Hamer. Someone said that over 100 people signed petition to rehire Jan. No matter how good someone is, if they are a manager, they will irritate folks at times. He thinks Jan did a fairly good job at managing the moorage and would do a good job on a temporary basis.

Leonard mentioned about a manager living at the moorage, and that it could be very problematic for the manager. They couldn't just leave the moorage and get away.

Berni said that Jan was a diplomat, and he could talk to people and bring issues together..

Margaret said Pam was hired hourly on a temporary basis and she could apply for any job.

Someone said Jan was wonderful but was overloaded, but did not know how to say no.

Karen Trusty 1991 said she hasn't been here that long and it doesn't seem that bringing back people that have been fired or whatever would be a good idea. It seems that if we are trying to quell the situation, that bringing someone back would alienate much of the moorage.

Any "temporary" help needs to know that it's temporary.

Rick Pariseau 1999 thinks it would be mistake to bring back anyone who has worked here as a manager. We don't want past controversy. Hire a new slate.

Jan Zweerts 1859 thinks we need to get someone in here to keep things running.

Pam doesn't want the manager job because she lives here, and she likes her current job. She doesn't agree with Rick in that she thinks Jan should be rehired.

Sherre says that having gone through the period when there was no manager and trying to run the office was horrible. She wouldn't wish it on anyone.

Bruce moved to accept Ron Schmidt's recommendation to hire McGinnis for up to 3 months without benefits and that he would be allowed to apply for permanent position. Ron seconded.

Sherre says the membership overwhelming doesn't support McGinnis. Jerry Pekrul doesn't want to vote until a legal decision is known about McGinnis. The legal status of McGinnis has been brought up over and over again. Ron says that we are willing to consider Jan who was let go, but at the same time, we are not willing to support McGinnis. President at time didn't know why McGinnis was let go. Chuck read letter of strong support from Janet Slack, the president at the time that McGinnis was terminated. She was shocked when approached by several board members who wanted to terminate McGinnis.

Margaret Puckette says this sounds like a "he said, she said..."

Karen said that the motion floored them and if this motion goes through, there will be a lot of angry people. Why were they invited to meeting? The board will not like the consequences if the motion is passed.

The motion had nothing to do with what was discussed at the meeting. It was as though the minds were already made up. Jay McCaulley 1555 says Brad Howton probably knows moorage better than anyone. He is a marine consultant.

Ron asked if somehow the meeting could be recessed until tomorrow. We need to have a decision before the next meeting. Ron hadn't known that Jan had been willing to manage temporarily.

Chuck said that the message was received that a temporary manager was needed. Motion can be retracted, tabled, voted on, or turned over to a committee. Chuck believes this group needs to do some homework.

Ron, Jerry, and Margaret say board needs more information. Chuck doesn't want anyone to think that anything is being railroaded.

Chuck doesn't know whether Jan would accept a temporary assignment.

Barbara said we don't have time to complete minutes, treasurer's report, etc.

At 9:30 PM, Chuck recessed meeting until 7:30 tomorrow, April 20, 2011, at a location to be determined. Board members will be notified of location.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Berni Pilip".

Berni Pilip  
Secretary