Agenda October 24th, 2017 at 7pm at La Reunion:

Check-In

Approve Minutes from Last Time

Staff Evaluation

Kim Ehardt to visit to discuss new co op project

Review housing policy suggestions from UT CDC

Harassment and Grievance Policy Recap

NASCO Institute Planning

Mission Statement

Executive Session

Added by Gatlin Johnson for this meeting (if this is not the appropriate place, please place these items where is appropriate):

1) Revise standing rule 6 to explicitly state the Board's obligation to  
notify its' houses of the time, location, and agenda of any Board  
meeting, including any modifications, in order to more accurately  
reflect the intended function of standing rule 6.

2) Adopt the following as a standing rule: The Board shall, when voting  
to enter executive session, explicitly list in the minutes made  
available to members of CHEA, all reasons necessitating the use of  
executive session.  
  
3) Adopt the following as a standing rule: In the case where the Board  
votes to overturn an act of House process on the basis that such act(s)  
were erroneous uses of process or were otherwise deemed as unacceptable  
acts by the Board, the Board shall inform the offending House of what  
actions were deemed erroneous and/or unacceptable and what acceptable  
actions should be taken by the House in future relevant cases. Such  
information must be provided to the offending House by the time the  
following Board meeting's minutes are made available to the Houses.  
  
4) Rescind the protections of executive session on all items pertaining  
to Agenda Item 5 "Chris Baker’s Appeal of Membership Review" from the  
October 10th, 2017 meeting of the Board.  
  
5) Formally recognize the decisions made at the October 10th, 2017  
meeting of the Board pertaining to Agenda Item 5 "Chris Baker’s Appeal  
of Membership Review" as nullified due to the Board failing to give  
adequate notice to the Houses of changes to the meeting agenda in  
accordance with Board standing rule 6 and extensive history of convention.  
  
6) Appeal of the Membership Review of Chris Baker.

***In Attendance:***

*Joshua Sabik - Chair*

*Gatlin Johnson - Treasurer*

*Indya Flanagan - Secretary*

*Trip Maker - HR (telecom)*

*Corey - La Reunion Member*

*Russ - La Reunion Member*

*Alex - La Reunion Member*

*Paul - Memco for La Re*

*Nolan - La Reunion Member*

*Richard - La Reunion Member*

*Bernard - La Reunion Member*

We decided to go through Gatlin’s agenda items first as they are pressing.

**1) Revise standing rule 6 to explicitly state the Board's obligation to  
notify its' houses of the time, location, and agenda of any Board  
meeting, including any modifications, in order to more accurately  
reflect the intended function of standing rule 6.**

A lot of the membership did not know what was on the agenda for last time. We have to make sure that the Board sends out notice to everyone when something extra important gets added.

**Gatlin moves:**

“The final agenda, time, and location of board meetings will be announced to the entire membership of CHEA at a minimum of 72 hours in advance of the meeting. Emergency cancellations or postponements must be scheduled at least 48 hours after the regularly scheduled meeting.”

Indya seconded. Moved and seconded to **amend standing rule 6**.

Motion passes 4 in favor, 0 opposed, 0 abstaining.

**Approving Minutes from October 10th**

Gatlin moves to approve, Josh seconds. Amended so that Josh approved minutes from last time.

Minutes approved as amended, 4 in favor, 0 opposed, 0 abstaining.

**2) Adopt the following as a standing rule: The Board shall, when voting to enter executive session, explicitly list in the minutes made available to members of CHEA all reasons necessitating the use of executive session.**

Straightforward, we should give a reason if we go into executive session.

**Josh**: prudent to enter executive session when discussing anything contract-related. Would be negligent to do anything regarding a contract outside of executive session. In an ideal world, wouldn’t need to worry about hiding anything. That said, we don’t want all records open to possible opposing counsel. Even municipal governments able to go into executive session with dealing with sensitive issues. There are some times when being specific is detrimental, but we could certainly be more specific with the outcome.

**Gatlin**: if it’s sensitive we can say that, but a good faith effort should be made to explain as best we can. Agrees we should give a reason, agrees there are times we have to do executive session. Maybe we should give the best reason we can, state intention and reasons for session.

Trip:

Confused as to why any legal issue regarding contract needs to happen in executive session. If abiding by law, seems like should be able to discuss publicly.

If a house does something that puts us in legal jeopardy the house should know so it doesn’t do that in the future.

Moved to Gatlin, seconded by Trip to adopt Standing Rule 7: **The Board shall, when voting to enter executive session, explicitly list in the minutes made available to members of CHEA all reasons necessitating the use of executive session.**

Motion passes, 4 in favor, 0 opposed, 0 abstaining.

Josh calls a break at 7:30. Josh calls meeting back to order at 7:39.

**3) Adopt the following as a standing rule: In the case where the Board  
votes to overturn an act of House process on the basis that such act(s)  
were erroneous uses of process or were otherwise deemed as unacceptable  
acts by the Board, the Board shall inform the offending House of what  
actions were deemed erroneous and/or unacceptable and what acceptable  
actions should be taken by the House in future relevant cases. Such  
information must be provided to the offending House by the time the  
following Board meeting's minutes are made available to the Houses.**

Last discussion dovetailing into if we repeal a decision by house, we should explain why and make that reason available as soon as minutes get sent out.

Houses need to receive that information swiftly. If a house does something wrong when conducting a member review, tell house what specific procedure they did not do so they can improve.

**Gatlin moves to adopt standing rule 8 as written in the agenda, seconded by Josh.**

Motion passes 4 in favor, 0 opposed, 0 abstaining.

**4) Rescind the protections of executive session on all items pertaining  
to Agenda Item 5 "Chris Baker’s Appeal of Membership Review" from the  
October 10th, 2017 meeting of the Board.**

Gatlin: More explanation better than less. Interested in knowing what about Chris’ testimony was asked to be privileged. For this item, we should send out the minutes for this particular session.

Josh: Natalie was attending, she is not here tonight. We need to get her consent. Also opposed to getting into habit of unsealing executive sessions when asked. Executive session because it was a legally sensitive issue.

Trip: In favor of this motion this one time, doesn’t think we covered anything in executive session in respect to Chris’ appeal.

Corey: If we’re going to talk about an appeal, we need to have the info from that meeting.

Josh: it’s not about being mean, it’s about

Bernard: *If you’re running people off, you should not be allowed to stay at the co op.* Member who clashed with Chris was very upset that the Board overturned the decision reached by La Reunion at Chris Baker’s membership review.

Gatlin: understands we need to be careful since Natalie’s not here. To be clear, all we would make public would be the executive minutes about Chris Baker’s membership review. Thinks it’s possible to let group here at the meeting see what Chris wrote.

Nolan: we should be a transparent cooperative. One aspect that makes us better is that we try to do right by our members and right by the law. If our goal is to maintain fair housing and uphold cooperative principles, we need to be as transparent as possible and go into executive session as rarely as possible.

Josh: executive review already very rare, only happens once or twice every year. Don’t go into executive session to flout law - all board members can be held individually liable for our decisions. Really important to have space to deliberate issues fully. Individual board members can be sued, not just CHEA.

Trip: Agrees that executive session should be extremely rare. Didn’t question why multiple items in one executive session. Concern about liability, not very sympathetic to. Executive session should be concerned with issues of confidentiality and legal liability. Thinks that if the legal liability nefarious enough we should have a lawyer there.

Gatlin: Having reviewed stuff in question for rescinding protection, does not believe it would put us at

**Josh moves to limit debate by 10 minutes on this item. 4 in favor, 0 opposed, 0 abstaining.**

Josh: completely understands why people want to know what goes on in executive session. Again, reasons for it to be held in confidence. Also not comfortable making part of the minutes public because not all attending executive session are here.

Corey: suggests we just don’t reference anything Natalie says, and also make the emails Chris sent public.

Gatlin: not without precedent at co ops, has been on a board where they looked at what members of previous board said. People are here who want to see it, we don’t need everybody present to consent to this.

Josh: in our executive session rules the executive session records are open to board members, but not to the membership generally.

Russ: if La Reunion members had known, other people from La Reunion would have been at the board meeting at Sasona, even if they weren’t a part of executive session. If we are to revisit issue, would like all the information on the table.

Paul: key issue is transparency.

Gatlin moves to adopt this motion, Trip seconds.

All in favor: 3

Opposed: 1

Abstain: 0

Josh moves to enter executive session to approve minutes for executive session from October 24th, 2017. We exited session at 8:27.

**5) Formally recognize the decisions made at the October 10th, 2017 meeting of the Board pertaining to Agenda Item 5 "Chris Baker’s Appeal of Membership Review" as nullified due to the Board failing to give adequate notice to the Houses of changes to the meeting agenda in accordance with Board standing rule 6 and extensive history of convention.**

We need to make it crystal clear how interested parties can participate. Gatlin made choice from emails that Chris sent out and scant information about membership review proceedings. Should at the very minimum consider his appeal upheld.

Josh still doesn’t think we violated rule 6, but violated rule 1

**Moved by Gatlin, seconded by Trip to adopt item 5 as written in the agenda.**

3 in favor, 0 opposed, 1 abstaining.

**6) Appeal of the Membership Review of Chris Baker.**

Josh moves to timebox discussion to 30 minutes. 3 in favor, 0 opposed, 1 abstaining. Motion carries.

Richard: Chris claims he wasn’t notified until Friday afternoon. In fact, Richard talked about him in the breezeway on Thursday afternoon, and the membership review was posted on Wednesday (time stamped on wiki).

Trip: any new materials?

Paul: forwarded email thread between Chris and La Reunion steward.

Russ: in response to Chris’ email, Russ spoke with Chris and wanted him to understand that Russ interested in process being followed correctly. Realized that electronic notification did meet the deadline and process requirements. Chris had spoken with people who put his name in for review.

Josh: Curious because membership reviews require 3 signatures. At what point was Chris made aware that there were 3 signatures?

Richard: told him on Thursday, communicated verbally. The review as posted on the wiki had 3 signatures before Friday at noon.

Nolan: concerns over bullying and forcing the house’s hand on fair housing

Paul: Chris brought up to Bernard that he was gay, interpreted Bernard’s non-response as negative.

Gatlin: he was not accused of violating the law.

Corey: he was undermining our ability to continue to work legally

Josh: looked at case law on this. In a roommate situation you have more leeway picking a prospective tenant. Roommate preference not in violation of fair housing act, have large amount of leeway with who they want to live with.

Corey: individuals can definitely violate the fair housing act, even if they’re not really providing the housing. Problem here isn’t that Chris did any action that would have violated law, issue is that even the perception of a preference given to the public could violate fair housing principle. That was the basis for bringing forward a membership review.

Trip: appreciates the info and concerns on protected classes. At Sasona we have definitely evicted members for being chronically annoying to other members. Doesn’t seem unreasonable if it’s a pattern. You don’t have to break a law to get evicted. Has personal experience being roommates with Chris, evidence of how someone’s behavior could be evictable.

Richard: Fair housing issue a part of item on membership review, but bulk of review was mainly a pattern of behavior across race. Very resistant to roommates to the detriment of house.

Nolan: pattern of bullying behavior that pervades every interaction. That’s what we kicked him out for.

Josh: thinks there were not grounds to evict. Just because you don’t like somebody doesn’t mean you can’t deprive them of housing. For us to break a contract makes us liable as an organization and individually. If the constituent organization does something in good faith that goes against fair housing, it is the board’s business. Thinks we were in the wrong and did not have grounds to break contract.

Corey: The problem we were forced to address was that Memco had already signed agreement with third party NGO intending to lease other room in Chris’ unit to someone. After that was signed, Chris took action to make that prospective member not want to live there. Before that, there was a cleanliness issue where the unit was not inhabitable for health reasons. Further, he asked the Memco at the time to not let someone move into his unit because they were “weird;” this was another instance where the would-be roommate was from a 3rd party NGO. Makes us look bad to these 3rd party NGOs. He put us in that position twice already. Refused to recognize why that was problematic for us.

Alex: reason that he was kicked out was a history of bullying incidents. It was NOT because we did not like him. He bullied someone so much that they left. He’s abusive, not just not fun to be around.

Paul: He was not under contract at the time we evicted him. He hadn’t signed a contract in months. The membership review was filed with the proper notice required, did give him 30 days notice to vacate. Textbook harassment, the definition of bullying. Definitely problematic behavior.

Russ: Many people at the membership review wanted to go for a behavioral contract. What happened was that Chris interfered with the process by announcing he was going to move. He declared his intention to move before La Reunion voted. Takes behavioral contract off the table. That confirmed idea that he was interfering with processes.

Paul: Longstanding resistance to people seeking housing with our co op.

**Gatlin moves: Move to deny Chris Baker’s appeal, seconded by Trip.**

Denying appeal: 3

Opposed to denying appeal: 1 (Joshua Sabik)

Abstaining: 0

**Josh moves to table the rest of the agenda with understanding we will go into new business and set up next meeting, Gatlin seconds.**

In favor: 4

Opposed: 0

Abstaining: 0

**New Business:**

Josh went through sex offender registry and saw someone at La Reunion is in the database (Bernard). Daniel Miller advises seeking counsel. Suggesting that we follow Daniel’s advice and seek counsel.

Corey: doing low income housing is a risk and a liability. You get people who have been through all walks of life.

Richard: has been here during discussion on whether house should do criminal offender registry or sex offender registry. House did not support doing either.

Josh: Daniel’s recommendation is that we do get universal background checks because it would be a legal liability if someone re-offended. We don’t have to act on information, but we would have the information.

Corey: Good to be informed.

Paul: He did come in as a referral. Housing organization that did know about his background worked to place him at La Reunion.

Trip: Question of background checks or income checks have been rejected at Sasona. Address behaviors as they occur.

**Natalie’s Staff Report in Full for October 24th, 2017:**

The action items that are important for tonight's meeting are highlighted in blue.

* ROC USA
  + Still not a lot of movement. Daniel is done traveling, so I emailed him, Mary, and Andy to set up another call. Daniel and I are having a one-on-one call on Thursday, presumably about the ROC project, and hopefully we’re able to set up an all-hands-on-deck call to hash out what NASCO/CHEA collaboration looks like soon after that.
  + The Meadows grant project description can be found [at the link here](https://docs.google.com/document/u/1/d/1rBxwbGb_q_4a_xvmfWAbvxv28MJfkGc1Mf42Rt1pN5w/edit?usp=sharing). Any edits or revisions are highly appreciated.
  + Matt Dieterich from Sasona has gotten involved with BASTA through his social work classes, and he also reached out to Braden from CM Casar’s office to talk about ARNL. Matt said that Braden has up to $15,000 funds he can kick our way, but only if we can come up with the rest of the money (through a grant, most likely). Braden did not bring up this possibility when he spoke with me, Andy, and Hannah, so I’m not sure how reliable the funding would be. I asked Matt to get some more information on applying for that funding, when the time comes.
* UT CDC
  + Trip and Gatlin were the only people who volunteered for the bylaws/corporate governance committee when I emailed, but I know a few other Board members had expressed interest. Please email me if you want to be on the committee! Lewis and Stephanie should be contacting the committee soon.
  + Next steps for Board: Review house policy recommendations [(found here)](https://docs.google.com/a/sasona.org/document/d/1d3eDwZHWr-WjjnWuKMcCx98l-9fcrJnQk58Meq2C8c8/edit?usp=sharing) at the meeting tonight, decide which ones we want to implement, and begin discussing plan for implementing the policy changes.
* Chris situation
  + I’ve been keeping up with the emails between house members and the Board. Let me know if there’s anything I need to do with this.
  + NASCO rep election should happen within the next couple of weeks to replace Chris. I emailed last week about putting a nominations sign-up sheet in each of the houses’ commons, but I didn’t hear back. Once we have nominations open for a week (?), I can make paper ballots and deliver them to each of the houses. Next step for Board: Designate a person from each house to set out a nominations sheet and communicate with the house that NP Rep nominations are open.
* NASCO Institute:
  + Next steps for Board: Decide who is going to NASCO Institute, book travel, and register (or let me know, and I can register for you). We have $1,100 in scholarship funds from NASCO to cover travel and registration.
* Staff evaluation training:
  + Next steps for Board: Contact Daniel Miller to schedule webinar
* Kim Ehardt and new co-op project:
  + Kim can’t make it to this meeting. I asked her to send a statement but she hasn’t so far. I’ll let y’all know if I hear from her.
* Etc.
  + Natasha is setting up a meeting with me and Thomas Visco of Glasshouse Policy to talk about tenant ownership
  + Continuing to work on bookkeeping stuff. Will set up a call with Andi about QB training later this week.

Meeting on Wednesday November 1st via telecom at 7pm to discuss NASCO Institute and NASCO rep elections.

The next general Board meeting will take place at 7pm at Sasona on Wednesday the 8th of November.

Agenda for Next Time:

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Approve Minutes from Last Time

Staff Evaluation

Review housing policy suggestions from UT CDC

Harassment and Grievance Policy Recap

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