

From: [Kattie Riggs](#)
To: [Laura Terway](#)
Cc: [Tony Konkol](#); [Katie Durfee](#)
Subject: FW: The Formal Grievance hand delivered to you
Date: Thursday, October 15, 2015 3:44:07 PM
Attachments: [Formal Grievance Filed.pdf](#)

Laura,

Attached is the formal grievance that was hand delivered to the City on October 13, 2015. Please review the e-mail below.

Thanks,
Kattie



Kattie Riggs
City Recorder
kriggs@orc.org
City of Oregon City
PO Box 3040
625 Center Street
Oregon City, Oregon 97045
503-496-1505 Direct phone
503-657-0891 City phone
503-657-7026 fax

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PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Kattie Riggs
Sent: Wednesday, October 14, 2015 9:49 AM
To: pauloedgar@q.com; Howard Post - Canemah <howardpost@msn.com>
Cc: Tony Konkol <tkonkol@ci.oregon-city.or.us>
Subject: RE: The Formal Grievance hand delivered to you

Thank you Paul.

Yes, the City is in receipt of the hand delivered formal grievance submitted yesterday.

Thank you,
Kattie

Kattie Riggs
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kriggs@orc.org
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-----Original Message-----

From: Paul Edgar [<mailto:pauloedgar@q.com>]

Sent: Wednesday, October 14, 2015 9:35 AM

To: Kattie Riggs <kriggs@ci.oregon-city.or.us>; Howard Post - Canemah <howardpost@msn.com>

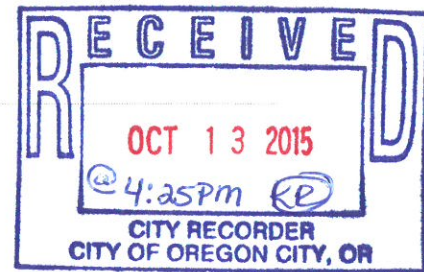
Subject: The Formal Grievance hand delivered to you

This email is to confirm your receipt of this Formal Grievance, where I was a messenger hand delivering the documents. Howard Post will be in the future, your primary contact with this Formal Grievance.

This Grievance equally involves the State of Oregon and their Goal One requirement for effective and legitimate Neighborhood Associations, with that of the compliance or lack compliance with the adopted - Canemah Neighborhood Association (CNA) By-Laws that are currently in effect. A resolution was also passed by the City, that approved these 2004 CNA By-Laws and made them effective.

The CNA is small geographic in size, but is very complex, with all of its local needs, including that of having the critical need for representation and stewardship oversight for the Canemah National Register Historic District and that of having some of the greatest environmental needs in comparison to other neighborhoods, with so much of its land within its boundaries with NROD designation.

Paul Edgar



Formal Grievance

Against the Canemah Neighborhood Association Leadership

Dated 10/05/2015

The following Citizens of Oregon City and who are members of the Canemah Neighborhood Association (CNA), file a Formal Grievance against the Leadership team of the Neighborhood Association, that is represented by Linda Baysinger - Chairperson, Dennis Anderson - Vice Chairperson, Ken Baysinger - Treasure, Alan Shull - By-Laws Committee; for violation of the Canemah Neighborhood Association By-Laws, that are currently in effect that were- Adopted at an Official General Meeting of the Canemah Neighborhood Association held, April 15, 2004, in the presence of City Officials.

Many of those signing this "Formal Grievance" were present at a formal CNA General meeting on 09/17/2015, where many of the provisions of the CNA By-Laws were violated, with the intent to advance fraudulent statements and understandings.

In the 09/17/2015 CNA Meeting, a presentation made that reflected, that the current Adopted CNA By-Laws were not ratified or complete. They headed a presentation document (EXISTING NON-RATIFIED BYLAWS) in what appears to have been an attempt to misrepresent the CNA Adopted By-Laws as not having Legally Adopted Status.

Additionally the CNA Leadership Team headed by Linda Baysinger participated in allowing and condoning conduct of a By-Laws Committee Member/Presenter - Alan Shull, which is in direct violation of (Article II, Section 4 a.) in making derogator and libelous - personal statements, in an Ad Hominem Attack, which directly humiliated Paul Edgar an upstanding member of the CNA.

This Formal Grievance is allowed for under Article III, Section 1 & Section 2 of the CNA By-Laws. It is being taken to the City of Oregon City, the City Commission, the Land Conservation and Development Commission (LCDC) for reviewed the by this commission of the State of Oregon which requires Neighborhood Associations.

Additionally the CNA By-Laws were violated under Article III, Section 1, and Article VII, Section 6, which allows for a request to be made, whereby it can be included into our General Meetings as information pertinent to process and events. This was effectively prevented:

A Petition was prepared and presented 2-weeks in advance of the 09/17/2015 General Meeting, with signatures of 19-members of the CNA, requesting a detailed comparison of the proposed total rewrite of the CNA By-Laws, with that of a revised and updated version of the current adopted 2004 By-Laws, where they are set side by side and reviewed and justified for content of why words should or should not be in the By-Laws. A copy of the latest version for review was presented to multiple members of the By-Laws and the Chairperson - Linda Baysinger. Enclosed you will find a copy of that Petition.

In the Petition a request was made for a detailed review/comparison and that was never allowed. An effort was made to supersede something completely different. Efforts were made by the CNA Leadership Team to never allow any opportunity to presented and discuss the updated version of the 2004 By-Laws despite multiple "Point of Order" requests. This prevented all members from being allowed to make critical comparison of both sets of By-Laws, as authorized under Roberts Rules of Order. See article XII, Section 1.

The following additional sections of the CNA By-Laws were violated:

Article II, Section 4. b.): To attend meetings and to speak from the floor on any issue which is being considered by the CNA;

Article VI. Committees, Section 2: Special committees may be created by the Steering Committee, or by vote of the membership, as needed to expedite the work of the CNA. Members of the standing committees shall elect their own committee Chairman and Vice Chairman. **Any members of the CNA may serve on standing or special committees.** Members of the standing committees shall appointed by the Steering Committee.

Additionally a request was made by a CNA member to be part of the By-Laws Committee activities/process and this was not allowed by a member of the CNA By-

Laws Committee. This resulted in a CNA member from not being allowed to attend and audit an official meeting of the Special By-Laws Committee.

Article VII, Meetings, Section 4. The Chairperson shall prepare the agenda for general and special meetings of the membership, subject to the approval of the Steering Committee. **Any person may request to add an item to the CNA Meeting agenda by submitting the request in writing to the Chairman at least seven (7) days in advance of the Membership Meeting. Any member of the CNA may make a motion to add an item to the Steering, General or Special Meeting agendas.**

This was prevented from being allowed, violating the trust and integrity of the process and the Adopted current 2004 By-Laws.

Article XII. Parliamentary Authority and Amendments

Section 1. The most current and accepted edition of the Scott Foresman – Robert’s Rules of Order, Newly Revised, shall govern the procedures of the Association when the procedure is not otherwise covered by these By-Laws.

What is being asked for with this Formal Grievance is to reverse any and all actions taken at the 09/17/2015 General Meeting and to temporarily remove all of the CNA Leadership Team from guiding and participating in any and all of the future activities of the CNA, until all hearing can be held and ruling made, adjudicating the probable cause and effects of these violations. There is more than adequate reason to believe that as a result of the violations of the CNA By-Laws. The process and results of the last CNA Meeting was adversely effected, preventing reasonable deliberation.

We are asking to have the City attorney to reach out to independent counsel to review all of the documentation and video taken by the CNA Leadership of the 09/17/2015 General Membership Meeting.

We are asking the City Attorney or the attorney that he appoints to help in preparing reports to the Oregon City - City Commission and the State of Oregon LCDC, where the truthfulness of this grievance can be presented much like a District Attorney. If this is not possible then it is asked that it get referred to an independent 3rd Party attorney.

The following attachments are being provided: The Petition to Linda Baysinger, Current adopted CNA By-Laws from 2004, CNA By-Laws with proposed new revisions including a CNA Boundaries Map and a new totally rewritten By-Laws version dated 09/17/2015.

This Proposed Total re-write of the CNA By-Laws was presented 09/17/2015, but it had never published and/or seen as required, 30-day in advance of a CNA Meeting for By-Laws consideration. Reasonable disclosure is the intent of Article XII, Section 2 which needs to include a readable copy of what is to be considered in a CNA meeting.

Name	Date
<u>Deborah Post</u>	<u>10/10/15</u>
<u>Burns with</u>	<u>10-12-15</u>
<u>Jessica Smith</u>	<u>10.12.15</u>
<u>Mr. M</u>	<u>10.12.15</u>
<u>Vicki Abbott</u>	<u>10/12/15</u>
<u>Sheila Decker</u>	<u>10/12/15</u>
<u>Laine Decker</u>	<u>12 Oct 15</u>
<u>Patt. Webb</u>	<u>10-12-15</u>
<u>Don Dale</u>	<u>10-12-15</u>
<u>Cassidy Rothschild</u>	<u>10-12-15</u>
<u>Kathleen Springer</u>	<u>10-12-15</u>
<u>Shirley Michaelis</u> —	<u>10/12/15</u>
<u>Liz Gilford</u>	<u>10/12/15</u>
<u>Mary Gilbert</u>	<u>10/12/15</u>

Canemah Neighborhood Association (CNA) update of It's By-Laws

The following is an effort to create a pragmatic comparison between the current - CNA By-Laws adopted in 2004, with new revisions and updates 8/27/2015 and that of a total re-write of the CNA By-Laws which is being advanced by a select By-Laws committee.

Previously discussed as major concerns:

1. Get the Neighborhood Boundaries updated and corrected.
2. Address concerns of the Purpose Statements within the By-Laws.
3. Address - Land Use implications as they apply to environmental and development considerations within the CNA boundaries.
4. Represent the Canemah National Register Historic District, protecting its National Register Historic Places Status.
5. Membership Qualification.
6. Steering Committee, what, why and how it can be made to work, balancing all interests, with fairness.
7. Quorums
8. Conflicts of Interest.

Detail Description of comparison points from CNA 2004 By-Laws Revised 8/27/2015

1. Boundaries of the CNA area are identified with the enclosed Oregon City GIS Map, created 8/27/2015. This is a smaller section of a Map of all of the Oregon City Neighborhood Associations, where a reduce window was created with a Legend which identifies the current CNA Boundaries. An approximate legal type description is provided within the appendices.
2. The purpose of the CNA will be exclusively social and civic; to promote, coordinate and implement all aspects of the community planning through neighborhood participation and advice to the City Commission, the Planning Commission and other planning and advisory bodies; to provide a vehicle for maximum citizen participation in promoting the livability and environment of the neighborhood; to participate together in their mutual interest and to promote

and coordinate communication among its member and between Neighborhood and City Government, all of in not for profit.

The Association shall be nonpartisan and will assist in the dissemination of information on all matters affecting the growth and development of the above described neighborhood.

The CNA shall comply with all applicable Federal, State and local laws and regulations, which shall be referenced in the Appendix to this document.

3. The Land Use Chair will be a member of the Steering Committee and will be voted in by the general membership and independently appoint its members.
4. To promote, support and sustain the core reasons for the Canemah National Register Historic District existing, within the boundaries the Canemah Neighborhood Association.

5. Membership Qualification

- a.) All persons who reside, own property, or operate a business in the area (boundaries) described in the Boundaries Section of the CNA By-Laws shall be eligible for membership.
- b.) To be an Elected Officer, you must be a resident, within the CNA boundary.
- c.) No two (2) officers from the same household shall have a position or seat on the Steering Committee, thus eliminating any possible conflict that might otherwise be considered a factor, within decision making and votes.

6. Steering Committee

- a.) There shall be a Steering Committee, composed of the Association ***Chairperson*** and Vice ***Chairperson*** and the immediate Past ***Chairperson*** of the CNA.
- b.) The Steering Committee shall have four (4) additional members who are elected at large, ***with a minimum of two (2) who live in historically designated and contributing houses, within the Canemah National Register Historic District boundaries that is within the CNA boundaries. One of these additional members will serve as the Land Use Chairperson.***

- c.) Any member of the Steering Committee who misses three consecutive meetings shall be deemed to have vacated his or her position. Any Steering Committee member, who misses five meetings in one year, will be contacted to determine his or her continuing interest to serve.
- d.) When a vacancy occurs, the Steering Committee ***shall*** notify the general membership of ***vacancies*** at the next CNA general meeting and attempt to fill the position with a nomination and vote by the membership.
- e.) The duties of the Steering Committee shall be to:
 - a.) Assist in all activities of the Association by acting as one of its spokespersons through review, discussion and by referring issues for a vote by the membership.
 - b.) Members of the Steering Committee shall make regular reports to the membership of its activities at General Meeting and utilize electronic media, like emails.
 - c.) Investigate thoroughly and keep the membership informed about issues of concern to the Association, Canemah National Register Historic District and Neighborhood.
 - d.) Recruit members to serve on standing committees.
 - e.) Facilitate the above purposes by each member-at-large of the Steering Committee each acting as the chairman for one or more of the following standing committees (once the committees) become activated:
 - a. Transportation, Automobile, Bicycle, Trails and Traffic.
 - b. Government, budgets, ballot measures and elections issues, candidate fairs or forums (representing all sides of issues).
 - c. Comprehensive Planning - Land Use ***and all issues that support the retention of the Canemah National Register Historic District and Historic Places - Status.***
 - d. Crime Prevention/Safety (Neighborhood Watch, Block Homes, CERT and Street Lighting).
 - e. Energy Conservation and Resource Efficiency.
 - f. Neighborhood History.
 - g. Housing and Care Facilities.
 - h. Membership and Neighborhood Activities.
 - i. Newsletter and Publicity.
 - j. Pedestrian and Handicapped Access and Barriers.
 - k. Parks and Recreation, Landscape and Trees.
 - l. Neighborhood Assets; individuals, social organizations, churches, schools.
 - m. Programs and Speakers.

7. The quorum is the number of those members present at any regularly scheduled meeting of the Steering Committee. Decisions shall be made by a majority vote.

8. Conflict of Interest

- a.) A conflict of interest exists for a member whenever the member holds a personal – financial interest, which will be affected by the action or in-action by the CNA on a proposal before the Membership or Steering Committee. A personal – financial interest shall include a financial interest held by the member and/or by members of their immediate family. (Examples of personal – financial interest could include: ownership of property, the use or control of property which is being considered by the CNA, plans to purchase the subject property, ***the use or control of property which is being representing i.e. as a Realtor or Agent of any of the discussions on the subject property***, which is under discussion by the CNA, etc.)
- b.) Whenever a general member or Steering Committee member determines that he or she has a ***potential*** conflict of interest relating to any item under discussion, he or she ***will be then precluded from the vote***. ***Additionally, the full extent of the potential conflict of the interest should be declared and explained to the body (Membership and/or Steering Committee) prior to hearing any proposal, where a conflict of interest might exist. See *Appendix***
- c.) Failure by a member to first notify afore-mentioned bodies of potential conflicts of interest, as described above, may serve as a cause to render retroactively null and void any vote, decision, or plan of action concluded by the bodies. Such actions will not preclude further consideration of said items, issues and/or proposals at a later date or dates.
- d.) In an effort to eliminate any possible Conflicts of Interest, the Nominating Committee and its outreach for those who would like to serve as an Officer of the CNA or on the Steering Committee or one of any of the afore mentioned committees, must be independent of the CNA Officers and Leadership Team. There should be a request made that is open to all members of the CNA to be part of the Nominating Committee and its process. The Nominating Committee Chairperson needs to be independent and separated from the existing officers of the CNA, however and an existing officer or steering member can be on the Nominating Committee.

From: [Paul Edgar](#)
To: [Tony Konkol](#)
Cc: [Howard Post - Canemah](#); [Kattie Riggs](#); [Dan Holladay](#)
Subject: Mary Palmer, Oregon City Neighborhood Association Coordinator (I want to send this to Kattie Riiggs)
Date: Tuesday, October 20, 2015 3:28:09 PM

Tony, when Mary Palmer was the Oregon City coordinator/outreach person for all of the Neighborhood Association's and she attended virtually all of the neighborhood meetings, including Canemah's.

She was at the General Membership Meeting of the Canemah Neighborhood Association at the Museum of the Oregon Territory when we adopted - ratified our CNA By-Laws on April 15, 2004 that are currently in effect.

Additional validation of the CNA By-Laws and their approval/acceptance, also comes from the Special CNA Neighborhood Meeting at the Canemah Children's Park in 2014, where we as members of the neighborhood voted unanimously to follow these same 2004 CNA By-Laws that are in effect.

These 2004 CNA By-Laws are a revision to the By-Laws that had been on record and associated with Oregon City Resolution 98-07, that confirmed Canemah as a official Oregon City Neighborhood Association.

Mary Palmer initiated this 2004 revision of the CNA By-Laws, to incorporate areas of the City that had been previously part of the Fallsview Neighborhood Association, when it ceased to exist.

Records associated with Mary Palmer, that validate this and her activities, should be reference-able by the City Recorder and provide adequate validation of how and why the CNA By-Laws are on the City Web Site, as adopted, minus you not having found minutes of this CNA meeting.

I just got through a meeting yesterday with Denyse McGriff, where we talked about the City process and the requirements for the CNA By-Laws and also I got a photo copy of the Oregon City Resolution 98-07.

All of this is to put aside any question of validity of the adopted 2004 CNA By-laws that are on the Oregon City Web Site.

Tony, the miss-representations have been and are being made about the CNA By-Laws, it just has to stop. All parties to miss-representation have resulted in turning our Canemah Neighborhood into a circus and the Leadership team of the CNA have been the circus masters and they need to step back. I have stepped back and will not be part of any new leadership, as we need new faces. Basic compliance with State of Oregon - LCDC "Goal One" is at stake.

A Special CNA Meeting is scheduled for this Thursday, where many of us forecast a continuation of: not following our CNA By-Laws, lack of due process, lack of recognizing valid Petitions, not following or understanding Roberts Rules of Order and now not understanding that a Formal Grievance - Filed against them and not recognizing it. It is time for the City to stepping-in.

Paul Edgar, Concerned Citizen