

THE AMERICAN LEGION-POST 21
126 Atlantic Street NE — McMinnville — OR — 97128
General Membership Meeting Minutes
October 18, 2017

Commander Gale Sears opened the meeting at 1830 hours

ROLL CALL:

Commander – Gale Sears, _____ present	Chaplain – Thomas Clayton, _____ present
First Vice – Larry Brown, _____ present	Historian – Leroy Brown, _____ present
Second Vice – Terry Ward, _____ ABSENT	Sgt. At Arms – Jerry Perry, _____ present
Finance Officer – _____ VACANT	At Large – J. Smith, _____ present
Adjutant – Shirley Brown, _____ present	At Large – S. Farley, _____ present
Judge Advocate – Steve Randles, _____ present	At Large – J. Lillibridge, _____ present
Service Officer – Jeannie Clayton, _____ present	_____ <u>11</u> Officers are present being a Quorum
	_____ <u>17</u> Members in audience

COMMANDER Sears reported that the Sgt. At Arms has asked for a leave of absence and has asked Mr. Berweger if he would fill the position. Mr. Berweger agreed to fulfill the position in the absence of J. Perry.

MOTION by Steve Farley that Bob Berweger be appointed to the position of Sgt. At Arms, seconded by Jeanie Clayton – Passed.

MINUTES:

Not available at this time, will need to vote on both next month.

COMMANDER/FINANCE REPORT: Commander Sears stated that they are still working on the bookkeeping process since the bookkeeper left. At this point they are not able to produce a Profit & Loss statement but can they can report that there is approximately \$18,000 of working funds in the post account and once again stated that we are in desperate need of a FINANCE OFFICER. Commander Sears stated that the electrical issues in the RV Park have been corrected.

NEW BUSINESS:

Judge Advocate: Steve Farley vs. John Peterson:

Steve Randles explained to the general membership that a trial was scheduled tonight against a member who has been brought to task for past actions. Steve Farley has filed a Writ and Affidavit of Charges and it was delivered to the accused, by the Sgt. At Arms, Jerry R. Perry, Jr. The Affidavit of charges are Dishonesty, Neglect of Duty, Disloyalty and Demonstrating Conduct Unbecoming a Legion Member.

Steve Randles, Judge Advocate explained that Mr. Peterson was Indicted on June 30, 2016 in Yamhill County Circuit Court on the following charges with the victims as listed:

- Count 1: Theft in The First Degree – Class C Felony; Victim: AMVETS Department of Oregon
- Count 2: Theft in The First Degree – Class C Felony; Victim: AMVETS Department of Oregon
- Count 3: Theft in The First Degree – Class C Felony; Victim: AMVETS Department of Oregon
- Count 4: Theft in The First Degree – Class C Felony; Victim: AMVETS National District VI
- Count 5: Fraudulent use of a Credit Card – Class C Felony; Victim: AMVETS Department of Oregon
- Count 6: Fraudulent use of a Credit Card – Class C Felony; Victim: AMVETS Department of Oregon
- Count 7: Forgery in The First Degree – Class C Felony; Victim: AMVETS Department of Oregon
- Count 8: Identity Theft – Class C Felony; Victim: AMVETS Department of Oregon
- Count 9: Identity Theft – Class C Felony; Victim: American Legion
- Count 10: Theft in The First Degree – Class C Felony; Victim: American Legion
- Count 11: Theft in The Second Degree – Class A Misdemeanor; Victim: American Legion
- Count 12: Fraudulent use of a Credit Card – Class A Misdemeanor; Victim: AMVETS National District VI

On November 9, 2016 as part of a negotiated plea Mr. Peterson plead guilty to **Theft in the First Degree** (count 2); **Theft in The First Degree** (count 4) and **Theft in The Second Degree** (count 12).

On February 21, 2017 Mr. Peterson was sentenced by Judge John L. Collins in the Yamhill County Circuit Court as follows:
Count Two – **Theft in The First Degree** - incarceration at the Oregon Department of Corrections for a period of 18 months,

the Court subsequently suspended imposition of said sentence and sentenced Mr. Peterson to supervised probation for a period of 2 years; on Count Four - **Theft in the First Degree** - Mr. Peterson was again placed on supervised probation for a period of 2 years; on Count Twelve – Theft in the Second Degree – Mr. Peterson was sentenced to Supervised Probation for a period of 5 years and a term of confinement to the Yamhill County Sheriff for a period of 120 days.

Based upon the allegations Mr. Peterson has been accused of being Dishonest, Neglectful of Duty, Disloyalty, and Demonstrating Conduct Unbecoming a Legion member.

Mr. Randles explained that today he received an email from Mr. Peterson stating that he could not attend the trial. Mr. Randles then explained that Mr. Peterson had been previously been informed that if he could not attend the trial he could ask for a continuance, however he needed to ask for the continuance in advance and that failure to reply to the complaint against him and failure to appear will be considered an admission of guilt. The possible results could consist of nothing, suspension or even expulsion from the Legion.

Rich Pimm, legion member then spoke in defense of Mr. Peterson he said that Mr. Peterson is a good friend and he will always stand up for his friends, he stated that we do not have the authority to expel Mr. Peterson from the Legion, that Mr. Peterson is a good person he just got caught up in things. Mr. Peterson did not steal from this post and we shouldn't even be considering expelling or suspending him because the charges he was convicted of were not even against this post they were against the AMVETS. Mr. Pimm stated that we are railroading Mr. Peterson and condemning him, he is a Full Bird retired Major.

Steve Farley stated that Mr. Peterson was accused of stealing from the post but those charges were dropped as part of the plea bargain he stated that it makes no difference where the money came from, stealing is stealing. Mr. Peterson was an elected officer of the post and should be above reproach. When you steal money from veterans you are against what the American Legion stands for.

Angel Mendoza, Legion member stated that he believes in standing up for your friends and has done so himself in the past, however when it comes down a decision between Veterans and The Legion and friendship with someone who has stolen money from veterans you are going to lose. Friendship has no place when it comes to Friendship or The American Legion. Membership should support the Executive Board and this very difficult task that has come before them.

Joseph Lillibridge, member asked what was the past decision. Mr. Randles explained that Mr. Peterson was served with the same papers in August however at that time he claimed to have not received anything but the Writ and there were no charges. It was decided to serve Mr. Peterson again and reset the trial to a later date in order to make sure everything was done properly.

Mr. Randles explained that the decision of the jury is final and will be submitted to Mr. Peterson and will be forwarded to the Oregon Department of The American Legion. It is up to Mr. Peterson to file an appeal. That will be heard by Department and their decision will stand as well. This concludes the Trial portion.

OFFICER REPORTS:

Service Officer: Jeanie Clayton reported that volunteers have once again completed a project at Old Stone to help keep another Veteran in their home. The deck was rebuilt and is now much sturdier than ever before, the cost was just slightly over the projected \$350, but it is fixed and this veteran won't be evicted. Thank you to all who helped.

Member Rich Pimm: Rich Pimm asked to speak and was allowed to speak to the Board and the membership. Mr. Pimm apologized for his language and his outburst. He felt that he was just standing up for a friend and took it too personal.

Chaplain, Thomas Clayton: stated that Bill Skophammer has passed, Brad Shelburne is in rehab in Newberg but has been put on hospice care. Chuck Knapp has been admitted to Memory Care rehab and is on hospice care as well.

Historian: Leroy Brown stated the Photo Book for the Evans Memorial is almost completed and she be available either next month or the month after. Leroy further stated that he thinks it would be better if there were a book done for events throughout the year instead of a book for every event. After some discussion, it was decided that a motion was not necessary and Leroy could proceed with the photo books in the way he felt would be best for the Post.

Sons: Angel Mendoza stated that the Sons will be working during the Veterans Day dinner by bussing tables, washing dishes.

Riders: The Riders are currently without a Director, Chris Sieber stated that the Riders Participated in a current Honor Flight at Portland Airport for WW2 veterans returning from a trip to visit the WW2 Memorial in Washington D.C. The Riders will be participating in the Veterans Day Parade and Frosty will also be participating with the IWO Jima statue.

Honor Guard: Angel Mendoza said the Honor Guard is very grateful for all the Donations from member families for uniforms for Honor Guard Members. Former Honor Guard member Chuck Knapp has passed and the Honor Guard has offered to present the colors at his services. Angel further stated that it was an honor to present the colors at the First Annual Veterans Golf Tournament. There are numerous requests for presentation of the colors during Veterans week in November it looks to be a busy week.

House Committee: Angel Mendoza wanted to let everyone know that Rich Pimm has been singing the National Anthem and reciting the Pledge of Allegiance for three weeks every day at 10:00 am, wanted to thank Rich for doing and encouraged everyone that if you can to join him.

Activities (for Terry Ward): Many activities coming in the next few months. Octoberfest 10/28; Halloween Party 10/28; Veterans Day 11/11; Thanksgiving Dinner won't happen this year as we don't have enough volunteers. Auxiliary Bazar 12/12; Pearl Harbor Day 12/6; Pearl Harbor Breakfast 12/10.

GOOD OF THE ORDER: Angel Mendoza stated that the Veterans Day Parade will happen this year and there are quite a few people who have signed up already. Staging will begin at 9:00 at 3rd and Galloway. The Parade will start at 10:00 am and will go down third street to Cowls and end at OMI parking lot. Contact either Angel Mendoza or Gale Sears if you would like to participate in the Parade.

Motion from R. Pimm that there be two large Banners signifying The American Legion, seconded by Steve Farley – Passed.

UNFINISHED BUSINESS: Steve Farley stated that he would provide 4 dozen donuts for after the Veterans Day Parade.

Commander Sears stated that since there has not been much interest in having a Thanksgiving Dinner the Legion will be closed on Thanksgiving in order for our volunteers to spend time with their families.

Jim Connelly invited everyone to the community Center to hear a tribute to Veterans.

Amity Ag Teacher has invited all veterans to a Veterans Dinner on 11/3/17 @ 5:30.

Maintenance Budget is continuing to grow, if you feel something needs to be addressed or updated, please let the commander or a member of the Board know so we can put it in as we develop a budget for improvements.

Steve Farley presented the Post with a check for \$2,725 as proceeds from the First Annual Veterans Golf Tournament. Forty-six people participated in the tournament and the golf course is already talking about doing it again next year.

Rich Pimm requested that the flag in front of the Post be replaced as it is looking tattered and worn.

Becky Berweger donated a rocking horse motorcycle to be auctioned off to benefit the Maintenance Fund.

HAND SALUTE ADJOURNED: 19:55