

State of Minnesota

District Court

County of Hennepin

Judicial District: Fourth
Court File Number: 27-CV-09-2277
Case Type: Civil

E.B. Brown et al,
Plaintiffs /

and

Michael K. Browne, et al,
Defendant s/

SUBPOENA IN A CIVIL CASE
(OFFICE SUBPOENA)
Minn. R. Civ. Pro. 45

TO: Franklin Bank, 525 Washington Ave. N, Minneapolis, MN 55401

You are commanded to appear as a witness in the district court to give testimony at the place, date, and time specified below.

Form with fields: Place of Testimony, Courtroom, Date and Time

You are commanded to appear at the place, date and time specified below to testify at the taking of a deposition in the above case.

Form with fields: Place of Deposition, Date and Time

XX You are commanded to produce and permit inspection and copying of the listed documents or objects at the place, date and time specified below: All documents (including emails) received from those who purport to be the Officers of Jordan Area Community Council, their agents or representatives, which then caused Franklin Bank to switch signatories and release monies to the new signatories, and all record of deposits and withdrawals after that.

Form with fields: Place (Jill Clark, P.A., 2005 Golden Valley, MN 55427), Date and Time (Friday, February 13, 2009 By 4:00 p.m. (if more time needed, call))

You are commanded to permit inspection of the following premises at the date and time specified below.

Form with fields: Premises, Date and Time

NOTE: FAILURE TO OBEY A SUBPOENA WITHOUT BEING EXCUSED IS A CONTEMPT OF COURT.

Form with fields: Signature of Court Administrator / Plaintiff's Attorney / Defendant's Attorney (Circle), Date (2/12/09), Name, Address and Phone Number (if issued by Attorney as an Officer of the Court), SEAL (if issued by Court Administration)

Al Alexander

From: Benjamin Myers [benjamin@dejavongsa-myers.net]
Sent: Tuesday, January 20, 2009 6:07 PM
To: Al Alexander
Cc: jmoore@jordanmpls.org
Subject: RE: [Fwd: RE: JACC Information]

Al,

Please forward me the information in which these "people" are sending to you. Additionally, we have contacted the Attorney Generals office as a clear violation of Minn. Stat. §309.55.

Lastly, we do have general expenses that need to go through the account. What do you recommend that we do in order to allow for this to occur.

Benjamin E. Myers
Attorney at Law
Dejavongsa, Myers & Associates, LLC
2217 Nicollet Ave. S.
Suite 100
Minneapolis, MN 55404
612-246-4192 voice
612-246-4215 fax
www.dejavongsa-myers.net

Confidentiality Notice: The message and any attachments may contain legally privileged, and/or confidential information, and is only intended for use by the intended recipient. If you are not the intended recipient, you may NOT read, copy, distribute, retain or take any action in reliance on the contents of this message or any attachments to the message. If you received this email by mistake, please notify us immediately by telephone at 612-246-4192, by reply email, or by mail. Please immediately delete and destroy this message and any included attachments from your e-mail program and computer system. Thank you for your cooperation.

-----Original Message-----

From: jmoore@jordanmpls.org [mailto:jmoore@jordanmpls.org]
Sent: Tuesday, January 20, 2009 5:43 PM
To: Benjamin Myers
Subject: [Fwd: RE: JACC Information]

----- Original Message -----
Subject: RE: JACC Information
From: "Al Alexander" <al@franklinbankmpls.com>
Date: Tue, January 20, 2009 5:28 pm
To: jmoore@jordanmpls.org

Jerry,

I need to advise you that we have frozen the account on the advice of our attorney. The other group has presented documents that recognize them as the newly elected board. We are trying to validate those documents. The account will remain frozen until the information is either invalidated or confirmed.

Unfortunately we can not open the attachments in the email. I think we have an older version of software you are using. Our IT department will need to open it for us.

-----Original Message-----

From: jmoore@jordanmpls.org [mailto:jmoore@jordanmpls.org]
Sent: Tuesday, January 20, 2009 2:00 PM
To: Grace Leigh
Cc: Al Alexander; board@jordanmpls.org; benjamin@dejavongsa-myers.net;
shartfiel@mplspha.org
Subject: JACC Information

Ms. Leigh,

What a wonderful day this has been, I am sure that this day will go down in as one of the most historic events in America. I have attached the information Mr. Alexander requested. If you should have any further question please feel free to contact me vial email or voice 612.432.8848.

Thanks,

Jerry Moore
Executive Director
Jordan Area Community Council
2009 James Ave N
Minneapolis, MN 55411

Franklin Bank made the following annotations:

This e-mail, and any attachments, contains information that is, or may be, covered by electronic communications privacy laws, and is also confidential and proprietary in nature, intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of Franklin Bank. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Please reply to the sender that you have received this communication in error, and then immediately delete it.

Thank you for your cooperation

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Jerry Moore
Executive Director
Jordan Area Community Council
1922 25th Ave N
Minneapolis, MN 55411

Al Alexander

From: Benjamin Myers [benjamin@dejavongsa-myers.net]
Sent: Wednesday, January 21, 2009 7:46 AM
To: Al Alexander
Cc: jmoore@jordanmpls.org
Subject: RE: [Fwd: RE: JACC Information]

Attachments: JM_Employment_EB-Signed.pdf; JACC CEASE AND DESIST.pdf; Ltr_Stewart A
Unlock_Property.pdf; Urgent_Jan_15_09_EB_Signed.pdf



JM_Employment_EB JACC CEASE AND Ltr_Stewart A Urgent_Jan_15_09
-Signed.pdf (6... DESIST.pdf (86 ... Unlock_Property.... _EB_Signed.pdf...

Al,

Maybe the attached documents will assist you. Additionally, I have left a message with your attorney advising of the situation. Please forward the attached documents over to him.

I look forward to your response as it pertains to providing me with the documents that have been provided to you by, I am assuming Anne McCandles. At this time and after conferring with Jerry it has been brought to my attention that we need to pay our insurance, as it just came due this month. I need confirm that a check for this necessity will be honored.

Thanks again,

Benjamin E. Myers
Attorney at Law
Dejavongsa, Myers & Associates, LLC
2217 Nicollet Ave. S.
Suite 100
Minneapolis, MN 55404
612-246-4192 voice
612-246-4215 fax
www.dejavongsa-myers.net

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Executive Director
Jordan Area Community Council
2009 James Ave N
Minneapolis, MN 55411

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Jerry Moore
Executive Director
Jordan Area Community Council
1922 25th Ave N
Minneapolis, MN 55411

To Jerry L. Moore
1049 7th Ave. N.
Minneapolis, MN 55411

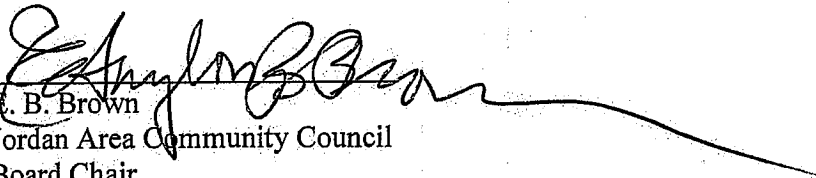
RE: Employment Status

I am writing in regards to recent confusion that may have arisen as to your employment status. It is my understanding that you received a letter from Mr. Michael Browne on or about January 14, 2009, advising you that you were being terminated for "misconduct". Please be advised that pursuant to your employment contract you are still an employee of this organization and are expected to comply with your agreement. You are advised to continue your employment as the Jordan Area Community Council Executive Director until otherwise advised by me.

As you may already know due to recently events we have been forced out of our office at 2009 James. As such you will be expected to acquire new office arrangements forthwith. Please notify me immediately when such arrangements have been completed.

If you have any questions please contact me directly.

Sincerely Yours,


E. B. Brown
Jordan Area Community Council
Board Chair

Cc: *JACC Board of Directors*
NRP
Robert Cooper CPED

1922 25th Ave. N
Minneapolis, MN 55411

January 17, 2009

To *Michael Browne*
PJ Hubbard
Robert Hudson
Anne McCandless

RE: JACC Executive Board Cease and Desist

This letter is to advise you that you are currently misleading this organization and the community-at-large by engaging in unlawful acts.

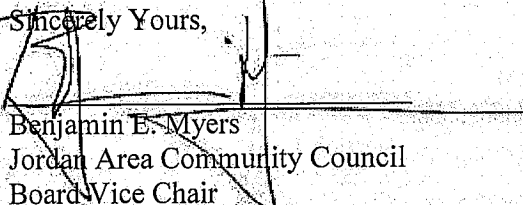
Said unlawful acts in which you engaged in occurred on or about January 14, 2009, in which you all engaged in a direct violation of this organization's By-Laws by "removing" the previously elected 2008 Executive Board. You were advised by me orally that your actions are unlawful and in direct violation of this organizations by-laws as well as Minn.Stat. §317A. The provision of our by-laws in which you all have violated is clearly set forth in Article VI Section 3 which makes reference to the proper procedure outlined in Article V Section 4. As a result of your unlawful behavior you have held yourselves out as being the Executive Committee, when in fact you are not. As an example of such behavior Ms. McCandles has mislead the Ackerberg Group in allowing the illegal changing of the office's locks at 2009 James Ave. N., Minneapolis, MN. You have impacted this organization greatly and have exposed all of us as an organization to potential civil liability.

At this time, as the current and duly elected Vice Chair, I am advising you all to cease and desist from any further misrepresentation to anyone. If you fail to comply with this demand, legal action may be taken against you.

Lastly, be advised that I am formally filing a grievance against all of you in accordance with my concerns outlined herein as well as the fact that you all have breached your fiduciary duty to this organization and as such is grounds for sanctions imposed by this organization.

You are instructed to direct all correspondence and responses to the chair Mrs. E.B. Brown.

Sincerely Yours,


Benjamin E. Myers
Jordan Area Community Council
Board Vice Chair

Cc: *E.B. Brown, Chair*
JACC Board of Directors
Jerry Moore, Executive Director

1922 25th Ave. N
Minneapolis, MN 55411



SENT VIA FAX AND EMAIL
Fax #: 612-924-6499
e-mail: info@ackerberg.com

January 15, 2009

Mr. Stuart Ackerberg
Ackerberg Group
3033 Excelsior Blvd., Suite 10
Minneapolis, Minnesota 55416

Dear Mr. Ackerberg,

It has come to my attention, someone other than myself or the current Jordan Area Executive Committee or staff has instructed you to change the locks on the doors at 2009 James Avenue North. Please be advised that whoever advised you to change the locks is not authorized to do so.

By changing the locks at the above referenced property you have illegally locked the Jordan Area Community Council, tenant herein, out of the above referenced premises without due process. Such unlawful act has not only civil liability but also criminal implications pursuant to Minn. Stat. §504B.225. Additionally, pursuant to Minn. Stat. §504B.271, subd (2), and §504B *et. seq.*, we hereby give immediate notice that we demand that the following representative be allowed back into the property in question within the next twenty-four (24)hours:

Jerry L. Moore, *Executive Director*
E.B. Brown, *JACC Board Chair*
Benjamin E. Myers, *JACC Vice Chair*
Shannon Hartfield, *JACC Secretary*

Also, please note that the lease that was signed does not reflect any of the individuals who we believe have approached you and ordered you to change the locks. The only name on the lease is that of the current Executive Director who continues to serve in that capacity which is in fact Mr. Jerry L. Moore. If you fail to comply we will be forced to take legal action against you and your organization.

Lastly, I have attempted to contact you prior to now in order to discuss rental arrangement, unfortunately to date I have yet to hear back from you. Please contact me as soon as possible to discuss all matters referenced at 612-306-6769.

Sincerely Yours,

EB Brown,
JACC Board Chair

1922 25th Ave. N
Minneapolis, MN 55411

Jordan
Area
Community
Council

1922 25th Ave. N
Minneapolis, MN 55411



SENT VIA FAX AND EMAIL
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e-mail: info@ackerberg.com

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Sincerely Yours,


EB Brown
JACC Board Chair

1922 25th Ave. N
Minneapolis, MN 55411



*get city
attorney name*

**Making Minneapolis Neighborhoods
Better Places to Live, Work, Learn and Play**

January 16, 2009 – via EMAIL

Anne McCandless
2814 Irving Avenue North
Minneapolis, MN 55411

Dear Anne:

You asked me to outline my involvement in the January 12th elections for the Jordan Area Community Council (JACC) Board and also to state whether, in my view, this was a legal election conducted in accordance with the JACC bylaws.

Prior to the January 12th elections I reviewed the JACC bylaws and kept abreast of the nominations process and plans for the elections. My role on January 12th was mainly to serve as teller / ballot counter as requested by the JACC Nominating Committee. Because the NRP invests a significant amount of public funds in Jordan, it is in our interest for the neighborhood association to have a board of directors that is both elected fairly and functions effectively.

I also attended for a second purpose: to answer any questions that might come up about the NRP and about JACC's involvement in the NRP.

In my view, the elections were run exceptionally well and in accordance with the JACC bylaws. At one point early in the meeting, a member of the organization suggested that nominations from the floor be accepted. The suggestion was respectfully received, but it was pointed out by an attendee and confirmed by a member of the Nominating Committee that the JACC bylaws call for candidates' eligibility for the board to be verified and for members to mailed a list of all candidates prior to the elections. Accepting nominations from the floor would have violated JACC's bylaws. There is no question in my mind that the Nominating Committee did its homework and was taking great care to operate in accordance with the organization's bylaws.

After ballots were cast, I counted the ballots along with Bob Cooper and with Jay Clark. We were observed by two individuals, one being the chair of the Nominating Committee. Results of the vote were not close.

I hope this satisfies your request. If you need additional information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Stacy L. Sorenson".

Stacy L. Sorenson
Neighborhood Specialist
Minneapolis Neighborhood Revitalization Program (NRP)



January 17, 2009

To Jerry L. Moore
1049 7th Ave. N.
Minneapolis, MN 55411

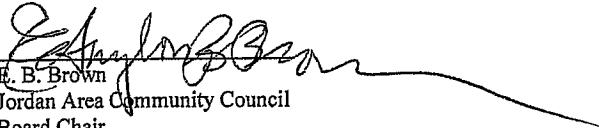
RE: Employment Status

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As you may already know due to recently events we have been forced out of our office at 2009 James. As such you will be expected to acquire new office arrangements forthwith. Please notify me immediately when such arrangements have been completed.

If you have any questions please contact me directly.

Sincerely Yours,


E. B. Brown
Jordan Area Community Council
Board Chair

Cc: *JACC Board of Directors*
NRP
Robert Cooper CPED

1922 25th Ave. N
Minneapolis, MN 55411

Yahoo! My Yahoo! Mail More

Make Y! My Homepage

Hi, Anne Sign Out Help



Search

WEB SEARCH

10 million people have turned to Proactiv® for clear skin

anne_mccandless · anne4514@comcast.net | Group Member - Edit Membership

Start a Group | My Groups

JACC · Jordan Area Community Council

Search for other groups...

Search

- Home
- Messages
- Post
- Files
- Photos
- Links
- Database
- Polls
- Members
- Calendar

Promote

Groups Labs (Beta) Applications

Yahoo! Groups Tips

Did you know... Show off your group to the world. Share a photo of your group with us.

Best of Y! Groups



Check them out and nominate your group.

Messages

Messages Help

Message # [] Go Search: [] Search Advanced

Start Topic

Board of Director Election Results from 1 12 09

Message List

Reply | Forward

Message #4962 of 4976 < Prev | Next >

Listed below and attached to this email is the official vote tallies of all candidates that were on the ballot for the Board of Directors election meeting on 1-12-09. The candidates receiving majority totals and elected as a director are in the box.

Thu Jan 15, 2009 6:05 pm

Show Message Option

Megan Goodmundson <goodponyz@...> goodponyz Offline Send Email

David Haddy 55	Todd Heintz 64
Tyrone Jaramillo 58	Robert Hodson 59
Anne McCandless 58	Vladimir Monroe 63
Ben Myers 20	Tiarah Milton 16

- Megan G
Nominations Committee

Attachment(not stored)
Election Results from 1.12.2009.pdf

Type:
application/pdf

JACC Board of Directors

January 12, 2009

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Email</u>	<u>Position & term</u>
Michael K Browne	1550 Hillside Ave N	612-588-8450 (H) 612-388-9878 ©	kibrowne@hotmail.com	Board Chair, 1/09-10/09 Board Member, 11/07-10/09
P.J. Hubbard	2112 25th Ave N	612-220-0110	njh_consulting@yahoo.com (underscore used)	Board Vice Chair, 1/09-10-09 Board Member, 11/07-10/09
Robert Hodson	2640 Sheridan Ave N	612-588-4259	rwhodson@msn.com	Board Treasurer, 1/09-10/09 Board Member, 1/09 - 10/10
Anne McCandless	2814 Irving Ave N	612-529-4974	anne514@comcast.net	Board Secretary, 1/09-10/09 Board Member, 1/09 - 10/10
Ben Myers	2615 Logan Ave N	612-246-4192	benjamin@delvancosa-myers.com	EX-OFFICIO MEMBER, 11/08-10/09
Robert Wilson	2645 Girard Ave N	612-522-6793 (H)	RL.Wilson2000@yahoo.com	Board Member, 11/07-10/09
Shannon Hartfel	2946 Morgan Ave N	612-344-2296 (W)	shartfel@mplspha.org	Board Member, 11/07-10/09
Daniel Rother	2640 Sheridan Ave N	612-588-4259 (H)	drother@msn.com	Board Member, 11/07-10/09
Kelth Reitman	2406 Penn Ave N	612-386-8118 ©	penbro@kelthdcs.com	Board Member, 11/07-10/09
Steve Jackson		612-964-1768	stevejackson@co.jamez.mn.us	Board Member, 11/07-10/09
Ethylon B. Brown	2025 James Ave N	612-529-6055	ethy@nbb@aapl.com	Board Member, 11/07-10/09
VACANT				
David Haddy	1545 Hillside Ave N	612-302-9066	arts@b@hotmail.com	Board Member, 1/09-10/10
Tyrone Jaramillo	3111 Sheridan Ave N	612-521-1130 (H) 612-227-9182 ©	tjaramillofam01@msn.com	Board Member, 1/09-10/10
Todd Helntz	2207 James Ave N	612-670-5727 ©	prod2live@jordan@yahoo.com	Board Member, 1/09-10/10
Vladimir Monroe	2931 Girard Ave N	651-592-1955	vladmonroe@yahoo.com	Board Member, 1/09-10/10

JACC BOARD OF DIRECTOR'S VOTING RECORD

Each committee or board member forwarding recommendations to the Board must complete the following form and submit with appropriate documents attached.

Date of Committee Meeting: _____

Committee Name and Chairpersons: _____

Name of Committee/board member: _____

Committee Chair: _____

Co-Chair: _____

Motion: *Remove all executive officers and reopen elections*

Additional Information

1. Does this motion require financial support?

If Yes, then:

1. Is there a budget? (please attach)

2. Has a funding source been identified?

a. Please explain: _____

Date of Board Meeting: *11/4/09*

MOTIONS BEFORE THE BOARD OF DIRECTORS

*By M. Browne
2nd by Mr. Monroe*

VOTE TALLY

BOARD MEMBER	M	TOV	COMMENTS
1. <i>EG BARNUM</i>	<i>N</i>		
2. <i>JOE HENRY</i>	<i>Y</i>		
3. <i>DAVID HADY</i>	<i>Y</i>		
4. <i>P.J. HUBBARD</i>	<i>Y</i>		
5. <i>Tyrone Simmons</i>	<i>Y</i>		
6. <i>Debra Moore</i>	<i>Y</i>		
7. <i>KEITH GOSTMAN</i>	<i>ABSTAIN</i>	<i>YES</i>	
8. <i>Wendie Monroe</i>	<i>YES</i>		
9. <i>Donna Moore</i>	<i>YES</i>		
10. <i>Dennis Rehr</i>	<i>YES</i>		
11. <i>Robert Wilson</i>	<i>NO</i>		
12. <i>Steve Jackson</i>	<i>NO</i>		
13. <i>Ben Myers</i>	<i>NO</i>		
14. <i>BOB SCOTT</i>	<i>A</i>		
15.			

Signed By: _____

Board Secretary

Date: _____

KEY:

Motion Number - M
Type of Vote - TOV - Yes=Y and No=N
Abstain = A Absent= AB

JACCB BOARD OF DIRECTORS VOTING RECORD

Each committee or board member forwarding recommendations to the Board must complete the following form and submit with appropriate documents attached.

Committee Name and Chairpersons: _____ Date of Committee Meeting: _____

Name of Committee/board member: _____
 Committee Chair: _____
 Co-Chair: _____

Motion: To Remove Dr. Mary Moore as

Additional Information Secretary Dr. of JACC.

1. Does this motion require financial support?
 If Yes, then:
 1. Is there a budget? (please attach)
 2. Has a funding source been identified?

Date of Board Meeting: 1. 14. 09

MOTIONS BEFORE THE BOARD OF DIRECTORS

To Remove Dr. Mary Moore
as Sec. Dr. of JACC effective
immediately.

VOICE TALLY

BOARD MEMBER	M	TOV	COMMENTS
1. Michael Brauns		Yes	Yes
2. Anne McLeodless		Yes	Yes
3. Steven Semmler	X		
4. P.J. Huisman		Yes	
5. David Hardy		Y	
6. Todd Henz		Abstain	
7. B. B. Braunt N			with explanation
8. Sherry Hartis/N			
9. Veronica Morine		Yes	
10. A. Weaver		Yes	
11. David Romler		Yes	
12. Robert Wilson		NO	
13. Steve Jackson		NO	
14. Ben Myers		NO	
15. Bob Scott		A	

Signed By: Sherry Hartis Date: 1/14/09
 Board Secretary

KEY:
 Motion Number - M
 Type of Vote - TOV - Yes=Y and No=N
 Abstain = A Absent= AB



**Jordan Area Community Council
Board Meeting
November 12, 2008
6:00 pm
Jordan New Life Church**

Attendees: Michael Browne, Keith Reitman, Dokora Dejvongsa, Robert Scott, Lynda Baker, Ben Myers, E.B. Brown, Robert Wilson, PJ Hubbard, Steven Jackson, Daniel Rother

Staff: Jerry Moore, Kimberly Spates

Community members: Dottie Titus, Anne McCandless, Megan Goodmenson, Valdimir Monroe, Don Samuels, Sherman Patterson, Patrice Champion,

Ben Myers called the meeting to order at 6:10 pm

Discussion began regarding the validity of three board members in attendance, Ben Myers, Lynda Baker and Dokora Dejvongsa. A suggestion was made to allow these members to remain on the board until the January elections are completed. According to the by-laws, the past board chair can serve as an ex-officio member for another year. Therefore Mr. Myers was allowed to participate and facilitate the meeting.

Keith Reitman motioned to extend terms of expired board members until the next board election-
Second-Steve Jackson

Discussion noted that the by-laws are vague in regards to expired board members terms without an election being held. It was noted that there was a quorum of the board and members have the right to call the question and vote on how to move forward.

Mr. Myers then called for a vote on the motion-motion passed six to three
Opposed- Mr. Brown, Mr. Rother, Mr. Hubbard
Abstained-Ms. Baker and Ms. Dejvongsa

Approval Minutes

Minutes were presented for approval from the October 29 special board meeting.
It was suggested that votes be recorded and noted in future minutes.

Questions were raised concerning the additional items on the agenda, mainly the office move. It was noted that the original purpose of the meeting was to address time sensitive Housing Committee items. The other items discussed on the agenda were not part of the notice for the special meeting and there was not an opportunity for fruitful discussion as all board members were not in attendance. Members stressed the lack of communication as to why the office move was being discussed.

Members who were in attendance at the special board meeting noted that there was a quorum at the start of the meeting and according to state statute, a quorum were satisfied. There was a vote on the office move and at the time of the vote, one board member left the office. The voting board members voted unanimously in favor of moving the JACC offices. A question was raised concerning the validity of the vote as two board members were on conference call during the meeting and there are no provisions in the by-laws concerning attendance via conference call.

Board chair called question to approve the minutes of the October 29 special board meeting. Approval of minutes.

Motion passed seven to three
Nays-Brown, Hubbard, Rother
Abstained-Reitman

Nominating Committee

Michael Browne provided his perspective on the election process. He did not feel comfortable moving forward with the elections as he did not see all candidate names prior to the election. Additionally, there were a number of debates with the Executive Director that hindered the process. He suggested his willingness to work with a reconstituted committee that would include an odd number of members with a composition that reflects differing points of view. He noted that having a facilitator was helpful and recommended that any board member running for office should not be a part of the committee and that staff take a neutral stance and provide support at the direction of the committee. It was important to know who would be on the committee and what their role would be and who would have the ability to vote.

The current Board members that were apart of the committee were EB Brown, Robert Scott, Shannon Hartfield

Mr. Scott suggested that the current nominating committee to stay, and appoint community members. He went on to mention that a number of things did not go well with the process.

Discussion continued that regarding the number of members and it was suggested that the nominating committee be composed of seven members-three board members and two community members with two advisors-Bob Cooper and Jay Clark and staff supporting the committee as necessary. Mr. Browne noted that the larger the number of members the more coordination is needed. He also raised the questions of who would be voting members.

The Executive Director noted that the committee cannot assume staff will handle everything. Because of the time constraints, committee members will need to do their part to ensure the committee moves forward. Staff will be available.

A number of comments were made regarding the nominating committees functions. The Board Chair noted that the committee will need to get moving as the holidays were approaching. A schedule of



meetings, a budget and plan should be in place to move the nominations and board elections forward for January.

Robert Scott motion-seven members-3 board members, two community and two advisors, second by Michael Brown

Friendly amendment-nominating committee made up of five people-three board members, two community members and two advisors. Three members constitute a quorum.

Passed unanimously
Mr. Rother-abstained

Committee members; EB Brown, Robert Scott, Michael Brown-chair, Megan Goodmanson, Dottie Titus, Robert Cooper, Jay Clark
No-Brown, Rother, Hubbard
Michael Voted no-had a comment that he was not acknowledge,
Abstained-Reitman

Mr. Rother noted Article 8 section three of the by-laws regarding appointments to committees. There should not be a numerical restriction to the committee. In response to Mr. Rother's comment, Board Chair Myers noted the by-laws for the nominating committee which requires a minimum of three board members.

Finance

2008-2009 Budget

The Finance Committee submitted the 2008-2009 proposed budget. In an effort to provide staff with an operating document, the draft budget was presented for approval. Ms. Gallos is the accountant/bookkeeper and is out due to family emergency. Once she returns requests for information will be completed and provided to those that requested information.

Mr. Rother raised a question of Ms. Gallos' title as the Executive Director referred to her as CFO. Mr. Rother noted if Ms. Gallos was the CFO, what were the duties? The Executive Director noted that he considers her the CFO and that the title is not an official title.

Questions were raised about the office move. The Executive Director noted that the rent has gone up from \$1300 to \$1400. The Executive Director also noted that the budget shows were JACC would like to be in 2008-2009 given the reductions or eliminating of governmental grants. Due to the revenue reductions there was a need to cut salaries, and employee benefits. The Executive Director commented that the cuts were made in the best interest of the organization and the board will need to focus on raising money to support the approved strategic plan. He noted that funding is not pouring in from government. Foundations are pushing back and are looking for JACC to provide services. The Executive



Director suggested that Board members talk to constituency and give feedback to the Finance committee on how to raise funding and cost cutting.

The discussion continued that a lease with Ackerberg is currently in place. The lease expires in 2009. Terms of the rent structured in the lease with a provision for an annual rent increase. Additionally utilities were projected to increase 15%.

A question was raised regarding the \$6,000 for employee benefits-medical insurance. The Executive Director noted that the budget is for medical reimbursement for full-time staff. Numbers are set as a pool-\$200 a person per month.

A question was raised regarding the \$1000 for the website. Mr. Rother questioned the completion and payment of the contract for the website. The Executive Director noted that the original contractor has completed the website and is working to complete staff training. He has not been paid the total amount of the contraction and the current line time for the website is for maintenance. Training will be provided. \$1000 is for maintenance as well as other things.

Mr. Scott encouraged board members and community members to attend finance committee meetings.

Mr. Reitman suggested JACC obtain in from the landlord in writing what the release from the lease will be. Mr. Browne also noted the importance of receiving a waiver for the landlord that he will not come back and ask for damages. Mr. Browne noted his disappointment that a report was not provided before a decision was made to move.

Mr. Browne noted his concern that all committees are not reporting. He raised the question of the public safety and block club meetings begin the same committee. Would like to have reports from all committees in the future.

Mr. Jackson noted with the resignation of Ms. McKey as the Youth committee chair, no one had stepped up to chair the committee. Mr. Jackson stated he would take over as chair of the committee.

Housing

Mr. Rother noted the housing committee had completed a revised motion to expand the exterior loan program. Due to time, the item was tabled and will be considered at the next board meeting. Mr. Rother also noted the next 26th Avenue Greenway meeting-November 17-St. Anne's at 6:00

Executive-no report

Staff was approached by Hennepin County to renew the lease at 2539 Irving. Staff will be seeking ways to have the County cover all of the expenses.

Commissioner McLaughlin-announced an inter-model alliance, representatives from Jordan and Harrison have been identified and will be meeting next week to discuss a facility to be built downtown.



Board Office Elections

Chair

EB Brown-7

Vice-Chair-

Ben Myers-7

Treasurer

Robert Scott-7

Secretary

To be determined

Community Forum

Vladimir Monroe-looking for more information on salaries and on other program expenses noting some expenses are in other line items.

Jerry Moore-full-time employee

Kimberly Spates-contractor

The Executive Director noted that budget reflects-2.5 FTE to more accurately reflect the needs of the organization with hopes of filling the remaining positions.

Mr. Hubbard noted that the budget should include a substantiation sheet and projections.

It was noted that all comments were valid and upon Ms. Gallos return more in-depth information would be provided.

Deb Wagner-raised concerns regarding the office move, she noted the new site was outside of the community. Ms. Wagner did not understand the change with the rents going up in the new locations. The Executive Director noted that the handout was confusing and that there were two sites-1800 Emerson and 1500 Golden Valley. At the Golden Valley location the rent would be approximately \$2,100 and would share by NRRC with the option of subletting space.

The Executive Director noted that he did discuss the move with NRP staff and was told it was not uncommon for community groups' offices to be located outside of the community. At this point NRP pays 50% of the rent right now.

Anne McCandless-talked to Stu Ackerberg, extremely embarrassed that the Executive Director sent an email, and then talked to Mr. Ackerberg two days later. Ms. McCandless stated Mr. Ackerberg told her that if the rent was too high that he would work with the group. Mr. Ackerberg noted he was not making money on the house. Ms. McCandless wanted people to know that Mr. Ackerberg is very hurt; he said he tried to talk to the Executive Director. She noted the lease runs until May 2010. Moved in

Jordan
Area
Community
Council

May 2007. Last thing Mr. Ackerberg wanted is to see JACC to move out as he does not plan to rent the property, but would like to sell. Ms. McCandless expressed her concern that JACC was walking out on a contractor that has done more in this community.

Ms. Champion voiced her dissatisfaction with the meeting noting the discussions centered around money. Ms. Champion noted she had not seen many of the people at the meeting in the neighborhood, but has seen the Executive Director in the community. She wanted to convey that it should be about the children and not focused on personal issues, but on the issues happening in the community.

Dottie Titus noted that only 6% of the budget going into programs. Most of it is administrative. NRP and CDBG funding should be used for programs.

Robert Scott-motined to adjourn.

Don-rethink the Cottage Park move

Jordan Area Community Council
Jordan New Life Church
1922 25th Avenue N. Mpls. 55411
December 10, 2008 Board Minutes

Attendees: EB Brown, Bob Scott, Ben Meyers, Dan Rother, Michael Browne, Steve Jackson, Keith Reitman, Shannon Hartfiel, Lynda Baker, Chris Christenson, and Jerry Moore
Absent: Robert Wilson, John Hubbard II and Dokor Dejvongsa

The meeting was called to order at 6:07 p.m. by Ms. EB Brown.
Ms. Brown welcomed everyone and introduced herself as the new Board Chair.
She then thanked Mr. Scott for hosting the sign in table.
Mr. Jackson noted Mr. Wilson had called and would not be in attendance due to work emergency.

Reflections

Mr. Chris Christenson gave reflections. He has been a resident of Jordan neighborhood for the last 26 years; longtime teacher at Edison, and a previous rental property owner. Currently, Mr. Christenson resides at 29th and Sheridan in Jordan and has for many years. At present he teaches English and Reading at Hennepin County Juvenile Detention Center through the Minneapolis School district. This has proven to be a tough go for some of the kids with 8 to 10 classrooms. As a result he is debating retirement.

Approval of the Agenda

Changes or Additions to the agenda

* Dan Rother asked to be added to the agenda to discuss his request for payment and indemnification from JACC. Consensus was to address this in a different forum.

* Motion to add the Nominating Committee report was passed.

Mr. Myers moved to approve agenda and Mr. Scott seconded and the motion passed unanimously

Approval of November Minutes

Mr. Rother noted grammatical errors to be corrected. He also noted there was no record of who was in attendance and who was absent. Suggestion was made to infuse roll call starting at the next board meeting. Mr. Rother also suggested that votes be recorded and noted in future board minutes. Mr. Reitman asked a question to Mr. Myers, in regards to special board meeting what is required when recording votes and the amount of detail included? Mr. Myers replied that to his knowledge there is no law or bylaw that requires any detail. Mr. Reitman suggested the board approve or disapprove attribution to who voted what way. Ms. Brown will wait until her time to report to share the tool that could assist.

Mr. Browne noted corrections needed to be made first, to correct the spelling of EB Brown and his name throughout the minutes. Second, on page three remove comma after comments. Lastly, on page four, fourth paragraph, sixth line to change the word he to contract. Mr. Browne requested once the changes were complete to e-mail them out to the board members.

Under nominating committee Mr. Rother referenced and should be added to the minutes JACC by-law article eight, section three, first two sentences; "Any member in good standing may become a member of any committee s/he desires. Attendance at a minimum of three meetings in a twelve month period is an expectation of an active committee member.

Under finance committee report Mr. Rother, asked if the website contract had been fulfilled? Jerry Moore stated the contract had not been fulfilled and the contractor had not been paid all the funding. He went on to say that time has run out on the contract and there was only one task that

has not been completed. JACC only paid for items he completed for a total of \$1,800. No additional funds will be paid.

Mr. Reitman referred to finance report and questioned the \$1,000 in 2008 and again listed in 2009 budget: Was the contract completed in 2008 prior to listing an additional \$1,000 line item in 2009? Yes.

Mr. Myers noted Ms. Dejvongsa name is spelled Dokor not Dokora.

Mr. Scott made a motion to approve the minutes and Mr. Jackson seconded.

Mr. Rother added a friendly amendment that the modified minutes be approved.

The motion was passed by all except Mr. Myers declined to vote.

Ms. Brown reviewed and clarified what meeting norms are to assist the board with moving ahead.

- Start and stop on time
- Attribution of votes/vote tally
- Considerate of everyone's time/opinion
- Guided by Robert's Rules of Order
- One person to talk at a time
- Have agenda items-be true to the time listed/time keeping device/Be true to allotted times on the agenda
- No screaming, no name calling, no yelling, no profanity, no verbal threats, no disrespectful language

The norms are quoted from Roberts Rules of order.

Mr. Jackson motioned to accept and approve norms and Mr. Myers seconded

Mr. Browne stated he appreciated the tone setting, but failed to see the need to focus on norms in order for us to move forward. Mr. Browne thought that each board member should attend board training that will include the Robert Rules of Order. He felt training could eliminated the need for norms since norms can be subjective.

Mr. Browne went on to say he would not have introduced norms in this form. It is difficult to vote in favor until we do some basic training on Robert's Rules of Order.

Mr. Reitman respected the way both Mr. Browne and Ms. Brown are approaching the norms. He suggested as part of the training the board ask staff, or someone on the board to volunteer to pick some examples on a weekly basis that are relevant to what has happened in the last year. Then take those examples and cross-reference them with Roberts Rules of Order to show how the rules prove to be beneficial. Mr. Reitman suggested Mr. Browne would be a good person to could cross reference examples. Mr. Browne replied, he was not willing to do that and felt it needed to have someone that is not on this board should conduct the training. He recommended the board move forward with Ms. Hartfiel suggestion.

Ms. Hartfiel had previously commented she may know a person who would be willing to facilitate training for JACC. She said she would not hesitate to ask Mr. Stuemme he would be willing to do the training for us.

Ms. Brown called for a vote on the motion to keep the norms.

Four board members voted yes: Mr. Jackson, Mr. Myers, Ms. Hartfiel, and Ms. Brown

Three board members voted no: Mr. Scott, Mr. Reitman, and Mr. Browne,

Two board members abstained: Mr. Rother and Ms. Baker

4th Precinct Report

Representative from the 4th Precinct was unable to attend this month. They will be at the January meeting.

Old Business

Appointing of Board Secretary

Ms. Hartfiel has served since 2007 as Board Secretary and is stepping down. If she leaves now we have no one to record December's meetings. Ms. Brown asked Ms. Hartfiel to stay on until January election. Ms. Hartfiel agreed to stay on until January election. Mr. Browne stated his disapproval because the board has not received copies of minutes from June or July. This is now four months of outstanding minutes. Ms. Brown explained that between now and the next board meeting there is no reason to appoint someone else since the election is next month.

Mr. Reitman suggested all board members stay on until January 2009 election.

Mr. Browne stated new board members are not allowed to take an executive position. The reply by several that we have done it in the past. We need someone in the position throughout the year. There are some important tasks that need to get done between now and January. If the office is changing and staff will be taking minutes, then there should be consideration given as to what the office does.

Mr. Reitman motioned to accept Ms. Hartfiel's appointment to board secretary. Mr. Myers explained that we don't need board approval. It is an interim assignment. Mr. Reitman withdrew his motion

Mr. Moore did not know the reason for the delay of the four outstanding meeting minutes. Mr. Reitman reiterated that everyone knows the concern and we're not losing sleep over it, we are going to get there.

Staff cannot fulfill the functions of secretary sitting on the executive committee. If they do it does change the position with someone else taking notes and all the secretary does is review them. This could make it more attractive to board members. To appoint someone for a 30-day interim or 45-day-interim is not effective.

JACC office move

Ms. Brown stated in November's board meeting we had a discussion about moving the office from 2009 James Avenue North. We have since had a conversation with Mr. Ackerberg and there is an open door of talking about our needs based on the budget. There will be more concrete information in the near future. Ms. Brown and Mr. Scott are speaking with Mr. Ackerberg and including in the conversation his duty to abide by the lease. No conclusion needs to be drawn at this time.

Mr. Rother stated that in his opinion something as important as signing a lease must be a full board decision. The decision should not be decided by staff, executive committee, or board chair.

Ms. Brown stated that a final decision will not be made without the board or the community being fully informed.

Mr. Rother stated the community has concern that staff or certain board members will make a decision without full board

Mr. Scott stated that Mr. Ackerberg understands JACC cannot make a decision without voting and we would have to come back to him with the decision.

Mr. Browne made the motion to suspend JACC's actual move from 2009 James Ave North until discussion have been completed with Mr. Ackerberg. If an agreement cannot be reached

they should bring it back to the JACC board for approval. With notice to Mr. Ackerberg of intended action.

Mr. Rother motioned to cease the intentions to move.

Mr. Myers said I don't understand the point of the motion to cease of intentions to move the JACC office. The conversation between Mr. Ackerberg and board chair is to decide if it's in JACC's best interest to stay at 2009 James Avenue North or move.

Mr. Rother requested he wanted some kind of acknowledgment to the community and Mr. Ackerberg that JACC is not leaving from 2009 James Avenue North.

Mr. Myers said if Mr. Ackerberg does not agree to the terms we would need to be able to stay awhile longer otherwise we would have to be out by Dec. 31.

Mr. Jackson suggested we make concurrent plans on the office move otherwise what happens if we have to move.

Mr. Browne said that is a good point to multi tasks. When we talk to Mr. Ackerberg let him know that we are not moving on December 31st. When we have all the issues laid out we can have a special board meeting

Mr. Scott called the question into motion

Seven board members voted yes; Ms. Brown, Mr. Scott, Mr. Browne, Mr. Rother, Ms. Hartfiel, Mr. Reitman and Mr. Jackson.

One board member voted no; Mr. Myers

One board member abstain; Ms. Baker

The motion was passed to instruct staff to relay to Mr. Ackerberg the final decision to suspend moving from 2009 James Avenue North until negotiations are completed. However; JACC will move if appropriate but we will not be moving out next week.

Mr. Browne motioned to accept a \$400 donation from NRP and authorize the nominating committee to spend up to \$600 for printing, mailing and processing of ballots and notifications. Mr. Rother seconded the motion. NRP gave a bid of \$837 with a \$20 one time set up for a total of \$857.

Mr. Scott asked where would the money come from?

Mr. Reitman called question into motion

Eight board members voted yes; Mr. Scott, Mr. Jackson, Ms. Hartfiel, Mr. Rother, Mr. Browne, Mr. Meyer, Ms. Brown and Mr. Reitman

One board member voted no; Ms. Baker

Mr. Scott stated we have a proposed budget that needs to be approved. We will need it for our CPA however; there will be changes.

Mr. Jackson motioned to approve budget Ms. Baker seconded the motion

Mr. Rother asked why some people did not receive meeting minutes from last month's board meeting? He stated meeting notices should be sent to the entire board and JACC list.

Mr. Browne asked is the government money a projection/proposal listing 2.5 FTEs with only 1.5 for most of the year will there be additional funds there.

Mr. Scott mentioned that we can move money from one place to another.

Seven board members voted yes; Mr. Scott, Ms. Baker, Mr. Reitman, Mr. Myers, Ms. Brown, Ms. Hartfiel and Mr. Jackson

Two board members voted no; Mr. Rother and Mr. Browne

Announcement

There is an opening of JACC books Friday, December 19 from 5-7pm board and community member to look at finances. You will be able to look but no copies can be made or taken. Mr. Cooper, Ms. Brown, Mr. Scott, Mr. Moore, and Judy our accountant will be available to answer questions. Our hope is that this will solve the problems at hand. We have gone way beyond what we have done in the past.

Mr. Rother stated account numbers can be blocked out. State law says copies can be made of accounting records. Mr. Reitman asked did you look it over thoroughly? Mr. Rother replied yes, it's workable.

Mr. Browne-moved to adjourn and Mr. Jackson second

Meeting was adjourned at 7:58 p.m.

UNIVERSITY OF MINNESOTA

Twin Cities Campus

*CURA
Center for Urban & Regional Affairs*

*330 HHHH Center
301 - 19th Avenue South
Minneapolis, MN 55455
Office: 612-625-1551
Fax: 612-626-0273
<http://www.cura.umn.edu/>
Email: cura@umn.edu*

January 16, 2009

Anne McCandless:

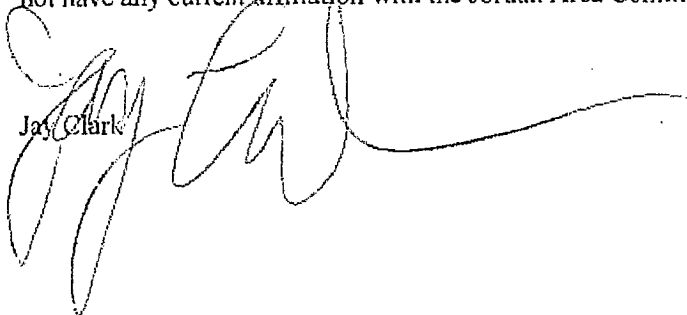
Thank you for your email. I will be glad to describe my participation in the JACC elections process.

At the January 12 elections, I served as a teller. I helped collect completed ballots, and I helped count the ballots.

I also observed most of the Nominating Committee meetings.

To the best of my ability and knowledge, the process carried out by the nominating committee as well as the elections were fair and consistent with the JACC bylaws.

I work at the University of Minnesota's Center for Urban and Regional Affairs, and do not have any current affiliation with the Jordan Area Community Council.

Jay Clark




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January 16, 2009

Dear Council Member Samuels, Council Member Johnson, and Mr. Browne:

You have asked me to confirm that NRP will recognize the Board of Directors of the Jordan Area Community Council (JACC) elected on January 12th and its officers elected at the January 14th JACC Board of Directors meeting.

I attended the JACC annual meeting on October 23rd. As you know, the JACC membership voted to postpone the board elections because significant issues were raised about the nomination and election procedures used prior to the election. The elections were rescheduled for January 12th.

In the weeks between October 23rd and January 12th, a Nominating Committee worked to recruit candidates for the board, verify candidates eligibility, notify JACC members about the rescheduled elections, and to encourage participation from all members of the community. The Nominating Committee was assisted by Bob Cooper from the City and by Jay Clark from the University of Minnesota. The Committee took great care to follow the steps for electing new directors prescribed in the JACC bylaws.

On January 12th, the rescheduled elections were held and six new directors were elected to the JACC Board. Bob Cooper, Jay Clark and I served as tellers. I observed no irregularities in the conduct of this election or in the tabulation of vote totals.

On January 14th, the new JACC Board was convened for the first time. After the new members were seated, a motion was made that a new election for officers be conducted to allow the full complement of board members to participate. The motion was adopted. Michael Browne was elected as Chair, John ("PJ") Hubbard was elected as Vice Chair, Anne McCandless was elected as Secretary and Robert Hodson was elected as Treasurer.

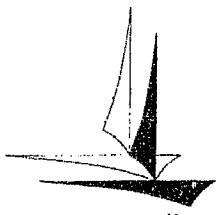
I reviewed this history with the Assistant City Attorney responsible for citizen participation earlier today and requested his advice on the legality of the officer election process. He advised me that the new board (as elected on January 12th) had the responsibility to elect its officers. I also reviewed my observations and the legal advice that I had received with NRP Director Bob Miller.

Based on these events and on the advice that we have received from the Assistant City Attorney on this issue, the NRP will recognize the JACC board with its full complement of members as elected on January 12th and with the officers elected on January 14th.

I look forward to continued work with JACC in the coming months. If I can provide further assistance, please don't hesitate to contact me.

Sincerely,

Stacy L. Sorenson
Neighborhood Specialist
Minneapolis Neighborhood Revitalization Program (NRP)



Minneapolis
City of Lakes

City Council

Don Samuels
Council Member, Fifth Ward

350 South 5th Street – Room 307
Minneapolis MN 55415-1383

Office 612 673-2205
Fax 612 673-3940
TTY 612 673-2157

don.samuels@ci.minneapolis.mn.us

January 16, 2009

Michael "Kip" Browne
Board Chair
Jordan Area Community Council (JACC)
2009 James Ave North
Minneapolis, MN 55411

Dear Chair Browne:

As City of Minneapolis Council Members representing the Jordan community, we would like to congratulate and officially recognize the newly elected board and officers of the Jordan Area Community Council (JACC).

Our offices recognize the following members of the JACC Board:

Michael Browne – Chair
P.J. Hubbard – Vice Chair
Robert Hodson – Treasurer
Anne McCandless – Secretary
Monroe Vladimar
Tyrone Jaramillo
Todd Heintz
Dave Haddy
Daniel Rother
Benjamin Myers – ex-officio member
Shannon Hartfiel
Keith Reitman
E.B. Brown
Steve Jackson
Robert Wilson

Congratulations, we look forward to working with the new JACC Board.

Sincerely,

Barbara Johnson
City of Minneapolis Council President
Fourth Ward

Don Samuels
City of Minneapolis City Council
Fifth Ward



January 18, 2009,

TO WHOM IT MAY CONCERN:

On January 12, 2009, an election was held for new directors to the Jordan Area Community Council Board of Directors bringing the number of directors to fifteen elected and one ex-officio members. On January 14th, the new board held its first board meeting. A new board executive committee was elected by a majority of the directors. This replaced the old leadership, a core group of four elected directors and the outgoing board chair. The board also voted to terminate the employment of the executive director, Mr. Jerry Moore, immediately.

Since this occurred, some or all of these six individuals have gained access to our office at 2009 James Ave N, Minneapolis, MN 55411, and removed all the records and checkbooks, along with computers and other property. They have moved into a church at 1922 25th Ave N. They are now trying to present themselves as the 'legal' Jordan Area Community Council.

Copies of statements from the City of Minneapolis and the Neighborhood Revitalization Program supporting the majority of the JACC board as the rightful Jordan Area Community Council are attached. Letters have been given to the apparent leaders of this group, Jerry Moore, the former executive director and Ben Myers, the former chair to cease these claims immediately and return the property taken from the JACC office.

In the meantime, until these issues are resolved, we are asking that you continue to contact us at our office which is still located at 2009 James Ave N, Minneapolis, MN 55411. The phone number is still 612- 886-3202. It is the aim of this organization to focus on serving the Jordan neighborhood despite the inconveniences caused by this small group of people. On behalf of the board, I thank you for your assistance and understanding.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anne E. McCandless', written over a horizontal line.

Anne E. McCandless, Secretary
Jordan Area Community Council

2009 James Ave N
Minneapolis, MN 55411
612-886-3202



January 14, 2009

Mr. Jerry Moore
1049 7th Street N
Minneapolis, MN 55411

Dear Mr. Moore:

This letter is to inform you that, based on a majority vote of the Jordan Area Community Council (JACC) Board of Directors at a regularly scheduled board meeting on this date, your employment is hereby terminated because of your misconduct following the JACC election meeting on January 12, 2009.

You are no longer allowed access to the office located at 2009 James Avenue North. Any property that you have in your possession that belongs to JACC (including keys to the office, computers, cell phones, JACC debit cards, credit cards, PIN numbers, passwords, paperwork or receipts for expenses) must be turned in immediately. You can contact Michael Browne at 612-388-9878 to arrange a time for you to return these items and retrieve any personal effects you have at the office.

Your final paycheck will be issued on the next regular JACC payroll following your return of the above property.

ON BEHALF OF THE JORDAN AREA COMMUNITY COUNCIL BOARD OF DIRECTORS:

A handwritten signature in black ink, appearing to read 'Michael K. Browne', written over a horizontal line.

Michael K. Browne
Chair

A handwritten signature in black ink, appearing to read 'Anne McCandless', written over a horizontal line.

Anne McCandless
Secretary

A handwritten signature in black ink, appearing to read 'Robert Hodson', written over a horizontal line.

Robert Hodson
Treasurer



January 17, 2009

Mr. Jerry Moore
1049 7th St N
Minneapolis, MN 55411

Dear Mr. Moore,

This letter is to inform you to immediately cease and desist the following actions:

- Representing yourself as the executive director and/or an employee of the Jordan Area Community Council (JACC)
- Taking any actions on behalf of JACC with vendors, donors, businesses or the community
- Return all property belonging to JACC to include equipment, documents, records, supplies, check books and anything else removed from the JACC office at 2009 James Avenue North that is in your possession or that you are aware of at any location other than the JACC office at 2009 James Ave N.
- Sending any communications indicating that the JACC office has moved from 2009 James Ave N.

Failure to abide immediately by this request will result in further action being taken.

ON BEHALF OF THE JORDAN AREA COMMUNITY COUNCIL BOARD OF DIRECTORS

A handwritten signature in black ink, appearing to read 'Michael K. Browne', written over a horizontal line.

Michael K. Browne
Board Chairman
Jordan Area community Council



January 17, 2009

Mr. Benjamin Myers
2615 Logan Ave N
Minneapolis, MN 55411

Dear Mr. Myers,

This letter is to inform you to immediately cease and desist the following actions:

- Representing yourself as the vice chair of the Jordan Area Community Council
- Taking any actions on behalf of JACC with vendors, donors, businesses or the community
- Return all property belonging to JACC to include equipment, documents, records, supplies, check books and anything else removed from the JACC office at 2009 James Avenue North that is in your possession or that you are aware of at any location other than the JACC office at 2009 James Ave N.
- Sending any communications indicating that the JACC office has moved from 2009 James Ave N.

Failure to abide immediately by this request will result in further action being taken.

ON BEHALF OF THE JORDAN AREA COMMUNITY COUNCIL BOARD OF
DIRECTORS

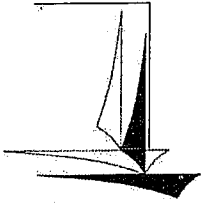
Michael K. Browne
Board Chairman
Jordan Area community Council

Al Alexander

From: Anne McCandless [anne4514@comcast.net]
Sent: Friday, January 16, 2009 1:45 PM
To: Al Alexander
Subject: JACC Board
Attachments: JACC board recognition 20091016.pdf

I hope that the attached document will fulfill the banks needs as to who are the duly elected board members and officers currently serving on the Jordan Area Community Council. Please let me know what else is needed. Thanks you for your assistance.

Anne McCandless, Secretary
Jordan Area Community Council
Home: 612-529-4974
Cell: 612-702-6019



Minneapolis
City of Lakes

City Council

Don Samuels
Council Member, Fifth Ward

350 South 5th Street - Room 307
Minneapolis MN 55415-1383

Office 612 673-2205
Fax 612 673-3940
TTY 612 673-2157

don.samuels@ci.minneapolis.mn.us

January 16, 2009

Michael "Kip" Browne
Board Chair
Jordan Area Community Council (JACC)
2009 James Ave North
Minneapolis, MN 55411

Dear Chair Browne:

As City of Minneapolis Council Members representing the Jordan community, we would like to congratulate and officially recognize the newly elected board and officers of the Jordan Area Community Council (JACC).

Our offices recognize the following members of the JACC Board:

Michael Browne – Chair
P.J. Hubbard – Vice Chair
Robert Hodson – Treasurer
Anne McCandless – Secretary
Monroe Vladimar
Tyrone Jaramillo
Todd Heintz
Dave Haddy
Daniel Rother
Benjamin Myers – ex-officio member
Shannon Hartfiel
Keith Reitman
E.B. Brown
Steve Jackson
Robert Wilson

Congratulations, we look forward to working with the new JACC Board.

Sincerely,

Barbara Johnson
City of Minneapolis Council President
Fourth Ward

Don Samuels
City of Minneapolis City Council
Fifth Ward

Al Alexander

From: jmoore@jordanmpls.org
Sent: Tuesday, January 20, 2009 6:04 PM
To: Al Alexander
Subject: RE: JACC Information

Attachments: december JACC board meeting.doc; november08boardmeeting.doc; Ltr_Franklin_JACC.doc



december JACC board meeting.doc...
november08boardmeeting.doc (88...
Ltr_Franklin_JACC.doc (58 KB)

Al,

I will try again and added teh attachments. I will alert the Leadership.

Thanks,

Jerry Moore

> Jerry,
> I need to advise you that we have frozen the account on the advice of
> our attorney. The other group has presented documents that recognize
> them as the newly elected board. We are trying to validate those
> documents. The account will remain frozen until the information is
> either invalidated or confirmed.
>
> Unfortunately we can not open the attachments in the email. I think we
> have an older version of software you are using. Our IT department
> will need to open it for us.
>
> -----Original Message-----
> From: jmoore@jordanmpls.org [mailto:jmoore@jordanmpls.org]
> Sent: Tuesday, January 20, 2009 2:00 PM
> To: Grace Leigh
> Cc: Al Alexander; board@jordanmpls.org; benjamin@dejevongsa-myers.net;
> shartfiel@mplspha.org
> Subject: JACC Information
>
> Ms. Leigh,
>
> What a wonderful day this has been, I am sure that this day will go
> down in as one of the most historic events in America. I have attached
> the information Mr. Alexander requested. If you should have any
> further question please feel free to contact me vial email or voice
> 612.432.8848.
>
> Thanks,
>
> Jerry Moore
> Executive Director
> Jordan Area Community Council
> 2009 James Ave N
> Minneapolis, MN 55411
>
> Franklin Bank made the following annotations:
>
> This e-mail, and any attachments, contains information that is, or may
> be, covered by electronic communications privacy laws, and is also
> confidential and proprietary in nature, intended solely for the use of
> the individual to whom it is addressed. Any views or opinions

> expressed are solely those of the author and do not necessarily
> represent those of Franklin Bank. If you are not the intended
> recipient, please be advised that you are legally prohibited from
> retaining, using, copying, distributing, or otherwise disclosing this information in any
manner.
> Please reply to the sender that you have received this communication
> in error, and then immediately delete it.
>
> Thank you for your cooperation
>
> SECURITY NOTICE: Franklin Bank will never ask you to send non-public
> private information through e-mail, such as your PIN, Social Security
> numbers, or account numbers. Please do not respond to any e-mail
> requesting this type of information.
>
>
>

Jerry Moore
Executive Director
Jordan Area Community Council
1922 25th Ave N
Minneapolis, MN 55411

Jordan Area Community Council
Jordan New Life Church
1922 25th Avenue N. Mpls. 55411
December 10, 2008 Board Minutes

Attendees: EB Brown, Bob Scott, Ben Meyers, Dan Rother, Michael Browne, Steve Jackson, Keith Reitman, Shannon Hartfiel, Lynda Baker, Chris Christenson, and Jerry Moore

Absent: Robert Wilson, John Hubbard II and Dokor Dejvongsa

The meeting was called to order at 6:07 p.m. by Ms. EB Brown.

Ms. Brown welcomed everyone and introduced herself as the new Board Chair.

She then thanked Mr. Scott for hosting the sign in table.

Mr. Jackson noted Mr. Wilson had called and would not be in attendance due to work emergency.

Reflections

Mr. Chris Christenson gave reflections. He has been a resident of Jordan neighborhood for the last 26 years; longtime teacher at Edison, and a previous rental property owner.

Currently, Mr. Christenson resides at 29th and Sheridan in Jordan and has for many years. At present he teaches English and Reading at Hennepin County Juvenile Detention Center through the Minneapolis School district. This has proven to be a tough go for some of the kids with 8 to 10 classrooms. As a result he is debating retirement.

Approval of the Agenda

Changes or Additions to the agenda

* Dan Rother asked to be added to the agenda to discuss his request for payment and indemnification from JACC. Consensus was to address this in a different forum.

* Motion to add the Nominating Committee report was passed.

Mr. Myers moved to approve agenda and Mr. Scott seconded and the motion passed unanimously

Approval of November Minutes

Mr. Rother noted grammatical errors to be corrected. He also noted there was no record of who was in attendance and who was absent. Suggestion was made to infuse roll call starting at the next board meeting. Mr. Rother also suggested that votes be recorded and noted in future board minutes. Mr. Reitman asked a question to Mr. Myers, in regards to special board meeting what is required when recording votes and the amount of detail included? Mr. Myers replied that to his knowledge there is no law or bylaw that requires any detail. Mr. Reitman suggested the board approve or disapprove attribution to who voted what way. Ms. Brown will wait until her time to report to share the tool that could assist.

Mr. Browne noted corrections needed to be made first, to correct the spelling of EB Brown and his name throughout the minutes. Second, on page three remove comma after comments. Lastly, on page four, fourth paragraph, sixth line to change the word he to contract. Mr. Browne requested once the changes were complete to e-mail them out to the board members.

Under nominating committee Mr. Rother referenced and should be added to the minutes JACC by-law article eight, section three, first two sentences; "Any member in good standing may become a member of any committee s/he desires. Attendance at a minimum of three meetings in a twelve month period is an expectation of an active committee member.

Under finance committee report Mr. Rother, asked if the website contract had been fulfilled? Jerry Moore stated the contract had not been fulfilled and the contractor had not been paid all the funding. He went on to say that time has run out on the contract and there was only one task that

has not been completed. JACC only paid for items he completed for a total of \$1,800. No additional funds will be paid.

Mr. Reitman referred to finance report and questioned the \$1,000 in 2008 and again listed in 2009 budget. Was the contract completed in 2008 prior to listing an additional \$1,000 line item in 2009? Yes.

Mr. Myers noted Ms. Dejvongsa name is spelled Dokor not Dokora.

Mr. Scott made a motion to approve the minutes and Mr. Jackson seconded.

Mr. Rother added a friendly amendment that the modified minutes be approved.

The motion was passed by all except Mr. Myers declined to vote.

Ms. Brown reviewed and clarified what meeting norms are to assist the board with moving ahead.

- Start and stop on time
- Attribution of votes/vote tally
- Considerate of everyone's time/opinion
- Guided by Robert's Rules of Order
- One person to talk at a time
- Have agenda items-be true to the time listed/time keeping device/Be true to allotted times on the agenda
- No screaming, no name calling, no yelling, no profanity, no verbal threats, no disrespectful language

The norms are quoted from Roberts Rules of order.

Mr. Jackson motioned to accept and approve norms and Mr. Myers seconded

Mr. Browne stated he appreciated the tone setting, but failed to see the need to focus on norms in order for us to move forward. Mr. Browne thought that each board member should attend board training that will include the Robert Rules of Order. He felt training could eliminated the need for norms since norms can be subjective.

Mr. Browne went on to say he would not have introduced norms in this form. It is difficult to vote in favor until we do some basic training on Robert's Rules of Order.

Mr. Reitman respected the way both Mr. Browne and Ms. Brown are approaching the norms. He suggested as part of the training the board ask staff, or someone on the board to volunteer to pick some examples on a weekly basis that are relevant to what has happened in the last year. Then take those examples and cross-reference them with Roberts Rules of Order to show how the rules prove to be beneficial. Mr. Reitman suggested Mr. Browne would be a good person to could cross reference examples. Mr. Browne replied, he was not willing to do that and felt it needed to have someone that is not on this board should conduct the training. He recommended the board move forward with Ms. Hartfiel suggestion.

Ms. Hartfiel had previously commented she may know a person who would be willing to facilitate training for JACC. She said she would not hesitate to ask Mr. Stuemme he would be willing to do the training for us.

Ms. Brown called for a vote on the motion to keep the norms.

Four board members voted yes: Mr. Jackson, Mr. Myers, Ms. Hartfiel, and Ms. Brown

Three board members voted no: Mr. Scott, Mr. Reitman, and Mr. Browne,

Two board members abstained: Mr. Rother and Ms. Baker

4th Precinct Report

Representative from the 4th Precinct was unable to attend this month. They will be at the January meeting.

Old Business

Appointing of Board Secretary

Ms. Hartfiel has served since 2007 as Board Secretary and is stepping down. If she leaves now we have no one to record December's meetings. Ms. Brown asked Ms. Hartfiel to stay on until January election. Ms. Hartfiel agreed to stay on until January election. Mr. Browne stated his disapproval because the board has not received copies of minutes from June or July. This is now four months of outstanding minutes. Ms. Brown explained that between now and the next board meeting there is no reason to appoint someone else since the election is next month.

Mr. Reitman suggested all board members stay on until January 2009 election.

Mr. Browne stated new board members are not allowed to take an executive position. The reply by several that we have done it in the past. We need someone in the position throughout the year. There are some important tasks that need to get done between now and January. If the office is changing and staff will be taking minutes, then there should be consideration given as to what the office does.

Mr. Reitman motioned to accept Ms. Hartfiel's appointment to board secretary. Mr. Myers explained that we don't need board approval. It is an interim assignment. Mr. Reitman withdrew his motion

Mr. Moore did not know the reason for the delay of the four outstanding meeting minutes. Mr. Reitman reiterated that everyone knows the concern and we're not losing sleep over it, we are going to get there.

Staff cannot fulfill the functions of secretary sitting on the executive committee. If they do it does change the position with someone else taking notes and all the secretary does is review them. This could make it more attractive to board members. To appoint someone for a 30-day interim or 45-day-interim is not effective.

JACC office move

Ms. Brown stated in November's board meeting we had a discussion about moving the office from 2009 James Avenue North. We have since had a conversation with Mr. Ackerberg and there is an open door of talking about our needs based on the budget. There will be more concrete information in the near future. Ms. Brown and Mr. Scott are speaking with Mr. Ackerberg and including in the conversation his duty to abide by the lease. No conclusion needs to be drawn at this time.

Mr. Rother stated that in his opinion something as important as signing a lease must be a full board decision. The decision should not be decided by staff, executive committee, or board chair.

Ms. Brown stated that a final decision will not be made without the board or the community being fully informed.

Mr. Rother stated the community has concern that staff or certain board members will make a decision without full board

Mr. Scott stated that Mr. Ackerberg understands JACC cannot make a decision without voting and we would have to come back to him with the decision.

Mr. Browne made the motion to suspend JACC's actual move from 2009 James Ave North until discussion have been completed with Mr. Ackerberg. If an agreement cannot be reached

they should bring it back to the JACC board for approval. With notice to Mr. Ackerberg of intended action.

Mr. Rother motioned to cease the intentions to move.

Mr. Myers said I don't understand the point of the motion to cease of intentions to move the JACC office. The conversation between Mr. Ackerberg and board chair is to decide if it's in JACC's best interest to stay at 2009 James Avenue North or move.

Mr. Rother requested he wanted some kind of acknowledgment to the community and Mr. Ackerberg that JACC is not leaving from 2009 James Avenue North.

Mr. Myers said if Mr. Ackerberg does not agree to the terms we would need to be able to stay awhile longer otherwise we would have to be out by Dec. 31.

Mr. Jackson suggested we make concurrent plans on the office move otherwise what happens if we have to move.

Mr. Browne said that is a good point to multi tasks. When we talk to Mr. Ackerberg let him know that we are not moving on December 31st. When we have all the issues laid out we can have a special board meeting

Mr. Scott called the question into motion

Seven board members voted yes; Ms. Brown, Mr. Scott, Mr. Browne, Mr. Rother, Ms. Hartfiel, Mr. Reitman and Mr. Jackson.

One board member voted no; Mr. Myers

One board member abstain; Ms. Baker

The motion was passed to instruct staff to relay to Mr. Ackerberg the final decision to suspend moving from 2009 James Avenue North until negotiations are completed. However; JACC will move if appropriate but we will not be moving out next week.

Mr. Browne motioned to accept a \$400 donation from NRP and authorize the nominating committee to spend up to \$600 for printing, mailing and processing of ballots and notifications. Mr. Rother seconded the motion. NRP gave a bid of \$837 with a \$20 one time set up for a total of \$857.

Mr. Scott asked where would the money come from?

Mr. Reitman called question into motion

Eight board members voted yes; Mr. Scott, Mr. Jackson, Ms. Hartfiel, Mr. Rother, Mr. Browne, Mr. Meyer, Ms. Brown and Mr. Reitman

One board member voted no; Ms. Baker

Mr. Scott stated we have a proposed budget that needs to be approved. We will need it for our CPA however; there will be changes.

Mr. Jackson motioned to approve budget Ms. Baker seconded the motion

Mr. Rother asked why some people did not receive meeting minutes from last month's board meeting? He stated meeting notices should be sent to the entire board and JACC list.

Mr. Browne asked is the government money a projection/proposal listing 2.5 FTEs with only 1.5 for most of the year will there be additional funds there.

Mr. Scott mentioned that we can move money from one place to another.

Seven board members voted yes; Mr. Scott, Ms. Baker, Mr. Reitman, Mr. Myers, Ms. Brown, Ms. Hartfiel and Mr. Jackson

Two board members voted no; Mr. Rother and Mr. Browne

Announcement

There is an opening of JACC books Friday, December 19 from 5-7pm board and community member to look at finances. You will be able to look but no copies can be made or taken. Mr. Cooper, Ms. Brown, Mr. Scott, Mr. Moore, and Judy our accountant will be available to answer questions. Our hope is that this will solve the problems at hand. We have gone way beyond what we have done in the past.

Mr. Rother stated account numbers can be blocked out. State law says copies can be made of accounting records. Mr. Reitman asked did you look it over thoroughly? Mr. Rother replied yes, it's workable.

Mr. Browne-moved to adjourn and Mr. Jackson second

Meeting was adjourned at 7:58 p.m.



January 19, 2009

Grace Leigh
Franklin Bank
525 Washington Ave N
Minneapolis, MN 55401

Ms. Leigh,

Please find attached a current list of board members for the Jordan Area Community Council

E.B. Brown-Chair
Ben Myers-Vice Chair
Shannon Hartfiel-Secretary
Robert Scott-Treasurer
Kip Browne
David Haddy
PJ Hubbard
Robert Hudson
Steve Jackson
Anne McCandless
Vladimir Monroe
Keith Rietman
Dan Rother
Robert Wilson

If you should have any further questions you can reach me at 612.432.8848

Thanks,

Jerry Moore
Executive Director

Al Alexander

From: Anne McCandless [anne4514@comcast.net]
Sent: Tuesday, January 20, 2009 5:12 PM
To: Joshua D. Christensen
Cc: Robert Hodson; P.J. Hubbard; Michael Browne; Al Alexander
Subject: Re: Franklin/JACC

It appears that it would be most efficient if the four board members went to the bank together and got this filled out and signed. That probably won't be possible until Saturday morning due to Mr. Browne's schedule. Are the accounts frozen now and can we be assured they will remain frozen for the next couple of days? Thank you for your help in resolving this problem.

Anne McCandless

----- Original Message -----

From: Joshua D. Christensen
To: Anne McCandless
Sent: Tuesday, January 20, 2009 4:51 PM
Subject: RE: Franklin/JACC

Sorry!

JOSHUA D. CHRISTENSEN
 Attorney at Law

ANASTASI & ASSOCIATES, P.A.

14985 60th Street North
 Stillwater, MN 55082

Phone - Direct: (651) 332-8314 General: (651) 439-2951
Fax - Direct: (651) 332-8315 General: (651) 439-1417
Josh@AnaLawFirm.com www.AnaLawFirm.com

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From: Anne McCandless [mailto:anne4514@comcast.net]
Sent: Tuesday, January 20, 2009 4:50 PM
To: Joshua D. Christensen
Subject: Re: Franklin/JACC

There is no attachment to your email
 Anne McC

----- Original Message -----

From: Joshua D. Christensen
To: Anne McCandless
Cc: Al Alexander
Sent: Tuesday, January 20, 2009 4:38 PM
Subject: Franklin/JACC

Ms. McCandless:

Attached you will find the previous Resolution. This form would have to be re-executed and the original provided to the bank with the new account signatories.

JOSHUA D. CHRISTENSEN
Attorney at Law

ANASTASI & ASSOCIATES, P.A.

14985 60th Street North
Stillwater, MN 55082

Phone - Direct: (651) 332-8314

Fax - Direct: (651) 332-8315

Josh@AnaLawFirm.com

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