

California Grand Jurors' Association
Board of Directors Regular Meeting – January 22, 2008
MINUTES

Call to Order & Roll Call:

The roll was taken at 7:01 and the meeting was called to order at 7:03 P.M.

Present: Avera, Bardell, Chesny, Colbie, Heal, Hoffman-R, Hofmann-W, Landi, Lazenby, Lewi, Masini, McKown, Noce, Sitton, Thomas
Absent: Hern, Hoffman-D(ex), Johnston, Wylie(ex)

There was brief discussion about activities planned by Chapters and Associations to promote February as Grand Juror Awareness Month. The President said that no official word has been received from Sacramento as to when/if they will issue a proclamation.

Agenda Approval:

Director Heal asked that C-1 be moved to the Action Agenda. Director Landi confirmed that everyone had received the 2 recent additions to the Action Agenda: D-1a Change name of Nominations Committee; and D-7 Approve one month extension to Ad Hoc Publications Committee to formulate recommendation to Board. A motion was made by Director Colbie to approve the agenda as amended. The motion was seconded by Director Chesny and passed unanimously by voice vote.

Member Comment(s):

None

Consent Items

C-2 Errata Sheet to reflect Bylaws Amendment, page 5: Landi
C-3 Errata Sheet to reflect changed policy regarding subcommittees: Landi

A motion was made by Director McKown, seconded by Director Hofmann and unanimously passed by voice vote to approve the Consent Items.

Action Agenda

C-1 Approval of minutes of December 18, 2007: Landi
Director Heal said that Director Thomas' reference to the Conference **workgroup** not having to be members of the standing committee (D-8) is contrary to our rules (3.001). He said that the minutes are accurate but asked if a note could be inserted indicating that this is an erroneous statement. Director Lewi expressed his opinion that use of the term workgroup doesn't change the action taken. Director Thomas said he may have misspoke using the term workgroup which is simply an error on his part.

A motion was made by Director Chesny, seconded by Director Colbie and passed by voice vote to approve item C-1; Director Hofmann abstained.

D-1 Unfinished Business from prior meetings
Director Wylie
Amend Bylaws Article 5(c) to more adequately reflect election practices. This item was carried over from the 12/18/07 meeting (D-6) to allow 30 days for review.
Recommended Action: Amend Article 5(c) of the CGJA Bylaws from:

(c) The President will appoint three tellers who will, at the annual meeting, open the ballots and report the results of the election.

to

(c) The President will appoint three tellers who will, at the annual meeting, verify results of the election if warranted, and report the results of the election.

Director Colbie seconded the motion. The motion was unanimously passed by voice vote.

D-1a Director Wylie

Recommended Action: Change the name of the Nominations Committee to the Nominations-Election Committee in order to accurately reflect its responsibilities. Make all necessary changes in Bylaws and Policies to reflect this change.

Director Chesny seconded the motion which was unanimously passed by voice vote.

D-2 Ratify President's appointments to Nominations-Elections Committee

President Lazenby

Recommended Action: Ratify the following appointees to the Nominations-Elections Committee: Director Ivor Thomas, Northern Region; Director Catherine McKown to be the Chair, Central Region; and Director Mary Johnston, Southern Region. The appointed members at large are: to be determined, Northern Region; Owen Haxton, Central Region; and John Mainland, Southern Region.

The President said that she was going to add Director Wylie as the member-at-large for the Northern Region. There was some discussion regarding the appropriateness of having a sitting Director serve in the member-at-large slot. Following the discussion the President did not amend her motion which was approved by unanimous voice vote as submitted.

D-3 Ratify appointment of AC Chair and Committee members

President Lazenby

Recommended Action: Approve Director Tony Noce as Chair of the Annual Conference Committee and the following as co-chairs and/or the executive resource members of that Committee: Leone Harrison (President Kern County Chapter), Larry Walker, Director Joann Landi and John Mainland (Committee service will commence after July 1, 2008). The balance of the Committee members will be approximately 80 local Kern County volunteers.

The President said that she had received an objection from Director Heal that this item is in conflict with policy. The President agrees that Operations has been assigned the responsibility for planning, budgeting and executing the annual conference. But this is for oversight only and historically Operations has always delegated this project to a group that is independent and ad hoc in nature. She added that similar items appeared in the February, 2007 Board packet, were on the consent agenda and there were no objections at that time. The only difference was that the items were submitted by the Chair of the Conference Committee. Based on the above, the President finds that there is no valid objection and she exercises her authority as Chair of the body to rule that this item as well as D-4 is appropriately before the body for action. This ruling can be overridden by a vote of the body. Director Heal reiterated that he believes this action is out of order. Director Bardell commented that there appears to be a conflict with the President making such a ruling. Former Parliamentarian Hofmann said that (1) he has reviewed the submittal and Director Heal's objection and comments; (2) it is appropriate for the President to make such a ruling; and (3) if there is objection, the proper thing is for someone to make a motion to appeal the President's ruling. Director Heal made a motion appealing the ruling of the President. The motion was seconded by Director Bardell. Director Heal quoted from policies, past and present relative to this issue. He believes that under either policy the Operations Committee is responsible. The President said that based on history, the conference committee has been an independent group, not a sub committee. The December,

2007 Operations minutes indicate that Director Noce will attend their meetings for the purpose of updating the committee on conference planning. Director Lewi expressed his opinion that time is of the essence and we should move on promptly. Director Thomas said that this is another example of some ambiguity in our policies which needs clarification. While the Conference Committee may have been referred to as a subcommittee, there has been no official action designating it as such. Director Heal may wish to submit such an action. Director Heal withdrew his motion to overrule with the exception that the Conference Chair's responsibility is still through the Operations Committee. The President pointed out that for there are some matters, such as financial, that cannot be approved at a committee level. Director Heal believes the Conference Chair would go through the Operations Committee and the Ops Committee would present to the Board. The President asked Director Heal to submit that as an agenda item for consideration by the Board. Director Bardell read a definition of the Operations Committee as set forth in the 2005 Director Handbook. The recommended action as stated above was approved by voice vote; Director Bardell abstained.

D-4 Approve 2008 AC Budget

Treasurer Thomas & Director Noce

Recommended Action: Approve 2008 Annual Conference budget (\$9,450.00) as submitted.

Director Lewi said that the retreat costs should be kept separate. The responsibility for planning the retreat lies with the Board. Director Thomas amended his motion to remove \$450 for the retreat from the conference budget and move it to the administration budget. The Conference Committee can coordinate with the Board relative to the retreat. Director Lewi suggested to Directors Thomas and Noce that it would be excellent if they analyzed the fixed vs. variable costs. The motion as amended by the maker – conference budget \$9,000/retreat budget \$450 – passed by voice vote; Director Bardell abstained.

D-5 Approve addition of two events on Master Calendar of Critical Dates in October/November and in April

Director Noce

Recommended Action: Dates and time frames (Annual Conference-last week in October or first two weeks in November; and Annual Conference site and date announced in April) should be noted in the Calendar to alert Directors when these two items need to be done. Both dates have been in the P&P since 1995. The April date would allow negotiations with a possible host hotel to proceed without automatically being in a penalty date at the signing of the contract. Some major hotels start their penalty dates one year before the event. By selecting the host city in September and announcing the host city at the Annual Conference in October, it is near impossible to finalize contract before the CGJA is in a penalty clause. The April date is also important as it would allow the next host city more time to organize the next Annual Conference.

Director Colbie seconded the motion. Director Noce sees these as critical dates that should be on the calendar to keep everyone aware of the deadlines. He explained that often penalty clauses which kick in when you are within 12 months of the event. Director Bardell feels that the April deadline puts too much pressure on a committee. The motion was passed by voice vote; Director Bardell voted no.

D-6 Proposed number system for governing documents

Rules Review Subcommittee

Recommended Action: The Board approve the numeric-decimal format as the standard for the CGJA Polices and Procedures.

The motion was seconded by Director Bardell. Director Heal and the Committee believe there is more room for growth and continuity between procedures and policies using the numeric-decimal system. Director Lewi said that the Rules Review Committee's responsibility is

to codify decisions made by other groups and he believes the Executive Committee has the overall purview of the Policies activity. He amended the motion to refer this matter to the Executive Committee for review. The amendment to the motion was seconded by Director Hofmann. The President explained that the Executive Committee handles issues that deal with more than one committee and consists of the officers and standing committee chairs.

Director Heal said that the Rules Review Subcommittee approved by the Board is not writing rules; simply establishing a uniform format.

The amended motion to refer this matter to the Executive Committee passed unanimously by voice vote.

D-7 Request a one-month extension to allow the committee to complete its recommendations to the Board.

Director Masini, Chair of the Publications Ad Hoc Committee

Recommended Action: Allow the Committee's time to be extended by one month thus allowing a meeting of the Committee to approve suggested recommendation.

The motion was seconded by Director Lewi and unanimously passed by voice vote.

New Business:

Director Lewi reminded all that Journal content re Grand Jury Awareness Month is due tomorrow.

Director Thomas said that he will be sending a letter to Chapters and Associations regarding the new IRS filing requirements for 501(c)(3)'s.

Committee Reports submitted directly by Committee Chairs

- E-1 Finance Committee minutes:
- E-2 Legal Affairs Committee minutes:
- E-3 Membership Committee minutes: 12/10/07 (in 12/18/07 packet)
- E-4 Operations Committee minute: 12/10/07
- E-5 Training Committee minutes: 12/17/07
- E-6 Public Relations Committee minutes: Aug., Sept., Oct. & Dec./07
- E-7 Nominations-Elections Committee minutes:
- E-8 Kern County AC Committee status report
- E-9 Ad Hoc Publications-Merchandise Study Committee:

Information Items Submitted Directly by Sponsor

- H-1 Question from Napa juror (attorney) on continuing education credits (MCLE) for attending Training Seminars and Foreperson Workshop: Wylie
- H-2 Committee Roster, new format, January, 2008: Thomas
- H-3 Board Roster, new format: Thomas
- H-4 Acknowledgment of Monterey County Training: Avera/Chesny

Adjournment

A motion was made by Director Hofmann and seconded by Director Chesny to adjourn the meeting at 8:24 P.M. The next meeting is February 26, 2008.

Submitted by
Joann Landi