

California Grand Jurors' Association
Board of Directors Regular Meeting – April 22, 2008
M I N U T E S

Call to Order & Roll Call:

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

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

Our Parliamentarian is unable to attend this meeting; Directors Hofmann and Lewi will provide assistance if necessary.

Member Comment(s):

No member contacted the President or Secretary requesting to be heard.

Agenda Approval:

The President asked if there were any additions to the agenda. She also asked that Directors have their Director's Handbook handy. Under Tab 6 are the Meeting Rules which are considered policy. The Meeting Rules allow for additions or deletions to the circulated agenda. Director Wylie has submitted a request to add an item to the Consent Agenda; Director Lewi would like it moved to the action agenda. Director Hern said the Board needs to consider more than simply moving it to the action agenda. The matter can't be dealt with under the action agenda unless it is moved into an executive session. Director Wylie said she would like this matter to be placed on the consent agenda but is willing to submit the item for the May meeting. She expressed her concern that we need to respond to Ms. Grimm. In response to a question, Director Wylie said she was requested to act as liaison to the Board by the Special Committee. Director Wylie made a motion to place the Grimm letter on the Consent Agenda. It was affirmed that issuing the proposed letter would be the culmination of the Committee's work and they are dissolved. Director Hern explained that the Committee believes it has fulfilled its charge and whether or not the Board accepts the proposed response letter, they have completed their function. Director Landi said that there seems to be enough interest in this item that it should be added to the agenda. Director Hern cautioned that if this item is placed on the Action Agenda, the discussion must be protected. Director Hern seconded Director Wylie's motion. Director Hofmann amended the motion that the item be put on the May Consent Agenda; Director Lewi seconded the amendment to the motion. The amendment to the motion failed by the following roll call vote:

Ayes: Avera, Bardell, Colbie, R. Hoffman, W. Hofmann, Lewi, Masini
Noes: Chesny, Hern, Johnston, Landi, McKown, Noce, Sitton, Wylie

The motion to place on tonight's Consent Agenda as C-3 passed by voice vote. Director Lewi requested that C-3 be moved to the Action Agenda. Director Lewi said he has no expectation of a detailed discussion on the matter; simply wants the Board to decide whether to take action now or later. A motion was made by Director Bardell, seconded by Director Wylie and passed by voice to approve the agenda as amended.

Consent Items

- C-1 Approval of Minutes of March 25, 2008 Board Meeting: Landi
- C-2 Errata Sheet to include approved language in Bylaws Article 6: Landi

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

Action Agenda

- C-3 Grimm letter
CGJA Board response – Director allegations
Director Wylie

Director Wylie made a motion to approve the Committee's response. The motion was seconded by Director McKown. Director Wylie believes that we should send letter; the committee has done their work. Director Hern agrees that the letter be sent and added that the Committee has spent countless hours, Ms. Grimm has been waiting for a response so it is appropriate to take action tonight. Director Sitton is comfortable that the Committee has fulfilled their responsibility; we should move forward and accept the Committee's recommendation. Director Hofmann is in favor of the motion and is convinced that the Committee has carried out their charge. Director Wylie amended her motion to add that the Committee (as an ad hoc committee) be discharged; Director Hern seconded this amendment. Director Bardell said she is accustomed to minutes, explanation and far more detail to make an intelligent decision. The President said this is a very sensitive issue and that is why a special committee was tasked with investigating and making a recommendation to the Board. The Chair of the Committee said the Committee has a record of their investigation. Director Hern said the Committee understood its charge to be to conduct a very in-depth, thorough, comprehensive, exhaustive investigation and she confirms on behalf of the Committee that is what was done. She stated further that the Committee understood that it was to come to a conclusion relative to a response to Ms. Grimm. The Committee looked at all the issues and spoke to participating parties. They wrote their own internal report and summarized it for the Board's consideration—which is what is before the Board tonight. Director Sitton moved the question (end the discussion); Director Chesny seconded. The motion was passed by a voice vote. The main motion as amended, accept response of the Committee, send letter to Grimm and dissolve the Committee was passed by the following roll call vote:

Ayes: Avera, Chesny, Colbie, Hern, R. Hoffman, W. Hofmann, Johnston, Landi, Lewi, Masini, McKown, Noce, Sitton, Wylie
Noes: Bardell

Director McKown thanked the Special Committee.

- D-1 Unfinished Business from prior meetings
Proposal to change name of Legal Affairs Committee to Legislative Affairs Committee
Director Wylie, Chair Legal Affairs Committee

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

Director Wylie said that all the work this Committee does is legislative not legal; therefore, the name Legal Committee is a misnomer. Director Landi checked and there is no reference to the Legal Committee in the Bylaws. Director Wylie amended her motion to add

that the name be changed in the P&P 2nd Edition appendices. The motion to change the name from Legal Committee to Legislative Affairs Committee passed unanimously by voice vote.

D-2 Proposals to correct Bylaws provision Article 6 to include method for implementing reduction of Directors

Secretary Landi

Recommended Action: Insert language in Article 6, Section 1, to clarify the method to be used to reduce the number of Directors from 24 in 2007 to 12 after the 2009 election

Director Landi said she suggested language to clarify the reduction in the number of Directors to get the discussion going. There have been two other suggested changes and either of those two would resolve the matter. The proposed amendment would not require a vote by the members who have already approved reducing the Board to 12; it explains the mechanism for accomplishing the reduction. The maker amended her motion to approve proposed change #2 which reads: "Effective after the 2009 election of directors, there shall be not more than twelve (12) directors, not fewer than five (5) directors, and collectively they shall be known as the Board of Directors. The reduction from 24 directors in 2007 to 12 directors shall be accomplished by eliminating two director positions in each of the three (3) regions in the 2008 and 2009 elections. Therefore, as a result of the 2008 election, the maximum number of directors shall be not more than 18 and with the 2009 election, the maximum number of 12 shall be achieved. Notwithstanding the foregoing, up to three (3) additional members may be appointed by the President with ratification of the Board of Directors for one year from the date of the appointment to serve the interests of the Corporation." The motion to amend Article 6, Section 1 was approved unanimously by voice vote.

D-3 Receive and file Chapter Formation Documents to replace Appendices in P&P 2nd Edition

President Lazenby

Recommended Action: Include these Chapter Formation Documents as new policies under Tab #2 of the Directors' Handbook as new Policy for MRC, especially Chapter formation

In January, Directors were sent the Appendices which should have been part of the P&P 2nd Edition distributed at the October Board Retreat. Under Tab 12 of the Director's Manual was the "old Red Book", P&P 2nd Edition. At the time, the appendices which are also policies, were not included. This was an effort to provide Directors the appendices regarding forming chapters. The Chapter Formation appendices were voted on in September, 2007 as new policy. The new documents replace appendices E, F & G behind Tab 12. Directors were encouraged to read the documents. The President briefly reviewed the changes/corrections that were made to the formation documents last year; such as removing the dual membership requirement. There is no template for a membership governed chapter; needs to be done. It is hoped that by the May face-to-face meeting, we will be able to distribute the new policies (Tab 2).

Committee Reports submitted directly by Committee Chairs

- E-1 Finance Committee minutes: 3/3/08
- E-2 Legal Affairs Committee minutes:
- E-3 Membership Committee minutes: 3/3/08
- E-4 Operations Committee minute: 3/6/08
- E-5 Training Committee minutes: 3/17/08
- E-6 Public Relations Committee minutes: 2/27/08
- E-7 Nominations-Elections Committee minutes: 3/11/08
- E-8 Kern County AC Committee status report: 3/31/08
- E-9 Publications Workgroup

Information Items Submitted Directly by Sponsor

- H-1 Juror asks about DA in jury meetings
- H-2 Grand Juries' conflict of interest policies
- H-3 Question regarding Grand Jury report format
- H-4 Napa newspaper article on Importance of Grand Jury

A round of applause to the PR Committee for a great Journal issue. Discussed hotel reservations for the May face-to-face meeting. There will be a \$20 fee for the meeting which covers use of the meeting room and lunch; send payment to the Treasurer.

Adjournment

Motion and second to adjourn the meeting at 8:40 P.M. The next meeting is May 17, 2008 at the Residence Inn by Marriott in Sacramento.

Submitted by Joann Landi