

NCBC Board Meeting Minutes
June 26, 2008

The meeting was held via teleconference and was called to order by President Ken Gardner at 12:08 p.m. CST

Officers: Ken Gardner, President
Mark Hatcher, President Elect
John Ginocchetti, Treasurer
Trisha Harrington, Secretary
Barry Lander, Past President

Governors present: Jerry Truitt
Linda Spaight
Monica Menier
Milton Aguila
Kathy Grzybowski

Other Attendees: Celia Strickler, Business Manager
Sandy Smith - IMPACT Editor
Mary Lynn Wilson, Historian
George Prentice (Clerk of Court Texas Western - San Antonio - Host Court 2008 NCBC Conference) (**absent**)
Patty De La Garza (Host Court 2008 NCBC Conference)

President Ken Gardner

****A Motion is made by Linda Spaight to approve the minutes with changes as noted from the June 5, 2008 board meeting. Milton Aguila seconds.**

The Motion is approved by the board with no objections.

****A Motion is made by Monica Menier to approve the May Treasurer's Report. Kathy Grzybowski seconds.**

The Motion is approved by the board with no objections.

MSU Graduation 2009

Ken indicated that he would like to invite the MSU President to the graduation in Florida. The conference will start on Tuesday instead of Wednesday next year due to the 4th of July holiday. Ken asked the board for suggestions on when the MSU graduation should be held. Mary Lynn suggested that it be its own session. Ken asked about holding it at the opening plenary. Linda

suggested it would be a good idea to work with the host court and their conference agenda so that we can be sure and schedule it when it would work best with their schedule for the conference. Linda indicated that she felt the graduation deserved its own time and attendance. Linda suggested that there be a liaison appointed to work with MSU and coordinating the graduation for the conference. Ken indicated that there should be a time determined as soon as possible so that the MSU President can be invited to attend.

Barry suggested that the board commit to a day and time and then work with the host court to fit it in that day. This would allow us to give the President of MSU a day when the graduation will be held when we invite her to attend. Linda suggested letting LeeAnn know what day is determined. Ken indicated that he would let LeeAnn know. It is determined that the graduation should be held on Tuesday June 30, 2009. Mark asked how many will be graduating. Ken indicated that he wasn't completely sure, that it would be determined by how many people had paid at that time.

Committee Reports

Awards - Linda indicated that the committee received a lot of nominations. Linda will issue a final call on Monday June 30th for nominations. Linda has given Celia numbers for the membership award. Ken asked if anyone had been nominated for the Ralph H. Kelley award. Linda indicated that no one had. Barry indicated that the Ralph H. Kelley nomination is made by the board. Linda will send out the criteria for the Ralph H. Kelley award to the board members so that a recipient might be chosen for this year. Ken indicated that he could think of two people he would consider nominating. Linda asked Ken to write up his nomination and send it into her. Mary Lynn indicated that she worked with Judge Kelley and felt that either one of those nominees would be well deserving of this award.

By-laws - Jerry indicated that the updated By-laws will be emailed to the board for final approval. Once there is final board approval, the By-laws will be posted in the Impact so the membership can review them for approval at the conference. Sandy indicated that it might be helpful to also post a description of some of the changes made to the By-laws so that there is a background of the changes made for the membership to review.

NCBC Nominations - The ballots have been sent via regular mail to the membership. Ballots can be returned by email, fax, or regular mail by July 18, 2008.

Benefits - Kathy indicated that she has been working with Gallagher on marketing the life insurance program. Kathy indicated that Gallagher is working on putting together information that will give the membership an idea of the difference between the Federal First program and FEGLI. Kathy indicated that she will submit something to Sandy for publication in the Impact. Kathy indicated that there are 106 people signed up for the benefits class at the conference and 178 for the retirement class. There will be a benefits committee member at each of the classes to observe the class and get feedback from the participants. Kathy indicated that she is waiting for a quarterly report from Gallagher regarding the long term disability coverage.

Mark asked if Kathy had a time set up to meet with John Evans at the conference. Mark indicated that he'd like to attend if Kathy would let him know when that has been set up. Ken indicated that he would like to attend as well.

San Antonio Conference Update

Patty indicated that there are now 565 people registered for the conference. Registration closed 6/16 but there are still some late comers registering. Friday 6/27 will be the absolute last day to register. Patty indicated that the budget is doing well. If there is a commitment made from BAE the conference should definitely be in the black. Patty indicated that the total registered for Thursday night's dinner is 553. Patty recommended that the additional \$700.00 be paid to the City of San Antonio for use of the Maverick Plaza as we are now well above the 499 limit for the initial payment of \$700.00. Ken indicated that TXWB court would need to make that decision and work that into their budget. Celia asked whether or not we might be able to be refunded the \$700.00 if we don't have over 500 people attend. Patty indicated that the City had been great to work with and maybe they won't ask for the additional \$700.00. Patty will check and if they are going to charge the additional \$700.00 will request a check from Celia. Patty indicated to Kathy that the benefits information can also be included in the final version of the Texas Tattler to get the word out about the new life insurance information. The next Tattler will go out in mid-July.

Kathy indicated that she is working on internet access for the Tech Trail. One suggestion is that exhibitors needing internet access bring their own broadband cards. Right now there are 14 exhibits using 12 tables. Kathy indicated that this was the first year she didn't have to actively solicit courts to participate. Patty asked Mark if Seattle had to pay for additional electricity for the plenary sessions. Mark indicated that he didn't remember having to do that, the court brought in their own extension cords but that was about it.

Patty indicated that the final room assignments for the board would be made next week. Patty indicated that there are six parking spaces and was wondering if anyone on the board would need to use them or if they might be distributed among the San Antonio staff. Ken indicated that if any of the board members needed to use a parking space they should let Patty know. Otherwise they can be distributed to the San Antonio staff.

Patty asked if she and George could be first on the agenda at the conference board meeting to be held on Tuesday 8/5 so that they can leave to prepare for the President's Reception. Patty indicated that George would like to introduce all of the staff who will be helping out at the conference to the board at the meeting.

Work Measurement Follow Up

Ken indicated that he didn't get a chance to talk to Glen Palman until the Monday after the last board meeting so he wasn't able to send out a letter, but he did relay the board's three recommendations to Glen. Ken indicated that the JRC was a done deal and they weren't going to

have much of an impact at that point. There is still a distribution of the pie going out. The issue is regarding fairness of that distribution and that no court should be reduced by more than 10%. Ken indicated that he will draft a letter that we could approve at the August meeting. Bankruptcy will be receiving a 26% increase over the old formula, the question is in the allocation of that increase. Since bankruptcy filings are up it would be nice if that could be done with as little impact to current resources as possible.

Ken asked if he should write a letter to the Judicial Conference Executive Committee regarding NCBC's concern about the possibility of losing a lot of bankruptcy resources at a time when filings are increasing. Barry indicated that he didn't feel that the executive committee was where we wanted to be with this letter. Linda asked if it would be the correct forum to bring up the concern of the lack of small court representation. Ken indicated that he talked with Glen about that in great detail and Glen indicated that he isn't going to increase the representation. Glen indicated that there are other entities that are affected and they're not represented either. Glen indicated to Ken that he would like NCBC to look at all the data and make a recommendation to the BCAG.

Cedar Rapids Update - Ken spoke with Sean McAvoy, the clerk of Iowa Northern and let him know that NCBC would be willing to offer any support that their court might need after the recent flooding. Sean indicated he would let Ken know if there was anything that NCBC could do. It appears that the court there is up and running and that some people are able to telework from home.

Request for Job Announcements in IMPACT

Fred Humphries has asked if NCBC would be willing to post international job positions available in the Impact. Celia indicated that it could be a form of advertising which NCBC had been looking at anyway. Mark indicated that it could be a revenue screen for NCBC but that we would have to scrutinize who we let advertise. Barry indicated that FCCA advertises in their newsletter and that he will send out the FCCA ad rates.

Mark indicated that various companies have come into question for their collection practices with some debtors. Mark indicated that some judges haven't responded favorably to those types of groups. Linda suggested that NCBC establish some sort of protocol of what types of advertising NCBC would allow. Ken suggested that a committee be formed to gather some ideas on what NCBC might be looking at for rates for advertising. Monica volunteered to chair the committee, Milton, Jerry and Sandy will serve on the committee as well. Ken suggested that the committee might also take a look at additional revenue streams for NCBC. The committee will consist of Monica as chair, Milton, Jerry and Sandy. Mark will respond to Fred Humphries request and let him know we are looking into the possibility of allowing this type of information to be presented in the Impact.

Court of Appeals Decision - Andreini

Ken referenced the Court of Appeals decision that was recently made regarding Gallagher v. James De La Torre and Andreini. The Court of Appeals has lifted the injunction against the other 9 agencies but the injunction still stands against NCBC. NCBC is the charter for these programs. FCCA wasn't named because those revenues come through NCBC. Ken will contact Dave and John with Gallagher and get their thoughts on this decision.

Business Manager Stipend

Ken indicated that Celia has submitted a request to receive a stipend in lieu of her duties as business manager for NCBC. Celia indicated that the business manager duties have basically doubled since she originally took on the position. Celia submitted a mini work measurement formula as regards her duties, the following is a breakdown of the time she estimates she spends on her various duties:

100 hours a year	Membership
26 hours a year	Banking
10 - 20 hours a year	Purchase Orders
10 - 15 hours a year	Invoices
15 hours a year	General Mail
Processing Checks from Conference - 3 minutes a piece for 300 - 500 checks	

In addition to these duties, Celia spends time working with Eric Harder on website information. There is also time spent purchasing, paying bills, answering inquiries, maintaining and updating the mailing lists for the Impact, paying taxes, insurance, providing credit information, and reconciling Paypal. Celia indicated that she would be willing to keep track of her hours and participate in a bi-annual audit of her hours as well. Sandy asked if there are any tax dilemmas in paying her a stipend being that we are a non-profit agency. Ken indicated that there is no reason we can't hire staff. Mark asked if the job maybe has become too much for one person. Celia indicated that she didn't feel it was beyond one person who is retired. Ken asked if there are any duties that might be delegated to other board members. Celia indicated that she and John had discussed that possibility and that most of the duties are very intertwined. Celia said she and John had tried to figure some parts of the position that could be taken apart and couldn't come up with any without creating some duplication of duties. Milton asked if it is correct to assume that anyone in the position would have the same challenge. John indicated what NCBC's revenue has been for the last few years, in 2006 it was \$47,000, in 2007 it was \$39,000, for the first six months of 2008 we're at \$58,000, we had a loss of \$8240 in 2007. John indicated we can afford \$800 a month right now but it's hard to predict the future.

John indicated that what Celia does takes a lot of time, someone who works full time probably wouldn't be able to do it. Ken indicated that the current stipend to the business manager is that NCBC pays all expenses for the business manager to attend the mid-year board meeting and the

annual conference. Mark indicated that he and Ken were approached by a person from FCCA who was able to streamline their membership, that may reduce some of the business manager's time spent on that area. Kathy indicated that if NCBC has grown so much maybe we should take a look at what the business manager does and streamline some of those duties. Kathy suggested taking a look at how similar agencies handle these types of duties and maybe forming a committee to gather information as to the outline of the duties of the business manager. Mark, John, Barry, Ken, and Linda will form the committee. The committee will gather information and present it at the board meeting in August at the conference. Raymond Marbury may be able to demonstrate the membership program for us at the conference as well. Linda indicated that paying a stipend to the business manager would require an amendment to the By-Laws as it's currently outlined as a non-compensated position. Ken indicated he will contact Celia and let her know what the process will be to make this determination.

Jerry asked if everyone can review the By-Laws and get any comments back to him by 7/2 so that they can be published in the next edition of the Impact for the membership prior to the conference.

****A Motion is made by Jerry Truitt to adjourn the meeting. Monica Menier seconds.**

The Motion is approved by the board with no objections.

Meeting adjourned at 2:27 CST.

Due to scheduling conflicts, the next meeting will be held on Friday, July 25th at 12:00 CST.

Respectfully Submitted

Trisha A. Harrington, Secretary