

Minutes – Tuesday October 7, 2014

Approved November 18, 2014

A Special Meeting was convened by Steve Moese at the request of the Board to respond to a pending disciplinary complaint made by Adrienne and Vince Netherwood to the District 11 Disciplinary Board.

Present were Susan Wisner, John Meinking, AJ Stephani, Tom Mess, Ron Manne, Mike Purcell, Steve Moese, Barb Levinson (Phone). Absent: Sonya Wilson (injury).

We look forward to a mediated solution by Terrell Holt this Friday. The nature of the complaint impugns the character and the intent of the Unit 124 Board to such an extent that we find the complaint caustic and improper. We find it necessary to protect our members rights and privileges by lodging a counter complaint. We discussed the basis in ACBL regulation by which we will ask the complaint against this Board (hence our membership) be dropped.

Tom Mess will summarize key points supporting our basis for dismissal of the complaint, and communicate with Terrell Holt in advance of Friday's meeting.

Tom Mess has agreed to take all the Boards input and fashion a focused correct counter complaint against the Netherwoods which we intend to file Thursday before the mediation hearing.

Separately, the Board transferred ownership of the Tuesday Morning Sanction from the CBA (Potter Orr, Agent) to Potter Orr, outright Club Manager. The vote was 7-0-1 (AJ abstaining, Sonya Absent with cause). Potter has accepted this offer to run the sanction. This completes the transition of all three Comer sanctions according to our stated intentions in May of 2014.

Minutes –Tuesday October 14, 2014

Approved November 18, 2014

A Special Meeting was convened by Steve Moese to update the entire Board about the mediation hearing on October 10, 2014 conducted by Terrell Holt, President District 11 at the CBC. Vincent and Adrienne Netherwood, Terrell Holt, Steve Moese, AJ Stephani, Tom Mess, Susan Wisner, and John Meinking participated (John replacing Susan after 2 hours) in the mediation meeting. Mike Purcell Barb Levinson and Ron Manne also attended (Sonya was absent with cause) but were asked to leave by the mediator, Mr. Holt.

We debriefed the 5.5 hour deliberations with the Board. AJ Stephani, Tom Mess, Steve Moese, Susan Wisner, and John Meinking shared their experience.

We discussed and minimally amended the minutes of the mediation meeting. Steve Moese will make the edits and send to Terrell and the Board post haste. We agreed the three actions required of this Board in these minutes was for this Board to write an apology letter to the Comers, to co-author a letter of satisfactory solution with the Netherwoods, and for this Board to establish a policy for distributing sanctions to interested qualified people if the Unit acquires sanctions in the future. We would complete these steps in due course.

We agreed the minutes as amended and made them a requirement for the Board to agree to any settlement by a 7-0 vote (1 Abstention, 1 Absent).

We discussed the side bar settlement begun among the Netherwoods and Mr Stephani. We agreed the Board has no role nor standing on the arrangements for the Tuesday or Thursday sanctions because we hold no ownership of those sanctions. We have no issues about leasing space because we are not aware of any material changes to sanction ownership. We encouraged a successful conclusion of these side bar negotiations, and stipulated that signed minutes from the mediation must be part of the final settlement agreement. We also stipulated that final Board agreement would be based in part on what the "Joint letter to the membership from the Board and the Netherwoods" states exactly.

The Board voted 7-0 (one abstention, one absent) to not engage in the side bar settlement alone – we require the signed minutes for this process to end.

We discussed how to preserve our rights to a counter claim. To that end the Board decided that Tom Mess would complete the counter claim now that we know the substance of the original complaint from the October 10 mediation hearing, and Steve would submit them to Terrell by the end of October 15, 2014 with the following provision:

The Board wants to protect its right to file a counter complaint within the 15 day period (on or before Oct 16 – we received the Netherwoods complaint on Oct 1). However the Board would prefer that the current mediation process and side bar negotiation lead to an acceptable solution for both parties. If a solution is possible in 2-7 days this cross complaint is moot. If a mutually agreeable solution is not possible, then we will proceed to the District Disciplinary Committee to litigate our cross complaint and to defend our Board against the Netherwood's complaint.

The Board voted 7-0 (1 abstaining, 1 absent) to file the cross complaint on time to preserve our rights, while making a good faith effort to resolve this issue through the existing mediation process.

Steve Moese
October 17, 2014