

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

Subject: [pac_elections05] PNB EC draft minutes 2-19-06

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From: proaudio <mailto:proaudio@proaudio1.com><proaudio@proaudio1.com>

Reply-To: <mailto:pac_elections05@yahoogroups.com>pac_elections05@yahoogroups.com

To: Carolyn Birden <mailto:cmcb007@earthlink.net><cmcb007@earthlink.net>, <mailto:pac_elections05@yahoogroups.com>pac_elections05@yahoogroups.com

DRAFT MINUTES

PNB EC Teleconference Meeting

Sunday February 19, 2006

8:00 PM EST

Submitted by Mary Berg, secretary

8:15m: CALL TO ORDER

ATTENDANCE (including technical advisory committee):

Present for all or part of the meeting: Mary Berg (MB), Carolyn Birden (CB), Terry Goodman (TG), Patty Heffley (PH), Melinda Iley-Dohn (MID), Richard Phelps (RP), Wendy Schroell (WS), Ted Weisgal (TW), Don White (DW), LaVarn Williams (LW). John Stasney and Jack Van Aken, t.a.c.
Absent: Cerene Roberts (?), Teresa Allen, Zarinah Shakir, Carol Wolfe.

CB notes that we have no official list of new members yet.

8:20pm: APPROVAL OF THE AGENDA:

PH adds motion on the WPFB election of PNB Directors, as time-sensitive.

TW adds four motions to "New Business".

Agenda approved as amended.

NEXT MEETING DATE will be March 12, 2006, at 8:00pm ET. Approved without objection.

REPORTS:

CHAIR: We are very behind, need to finish NES job description in coming week. Also, behind with the election manuals. Need people to work on this (she never heard back from any of the people she contacted). DW cites a 35-page draft by Jack Van Aken which we can ask for.

8:25pm: WORK GROUPS

1. EC Listservs Terry Goodman: He has created 3 new listserves (Yahoo, RiseUp, and Google), so that the working group- or anyone else who chooses- can become familiar with them and decide which will best

serve our needs.

2. Technical advisory committee: Jack VanAken is not present, so the t.a.c. report is postponed.

3. Audit Parameters Les Radke is not present; item is postponed.

4. Staff Teleconference: Terry Goodman has a revised list of names, is waiting to hear back from Cerene. Hoping it can take place in early or mid March, in time to bring to PNB meeting in LA.

NEW BUSINESS:

8:45pm: MOTION re Collection of Unpaid Staff and Listener Volunteer Data:

RESOLVED, That the PNB Elections Committee recommends the following general guidelines to the Executive Director with respect to the forms, reports, and procedures needed for implementation of PNB Resolution 387, approved on 11/28/05.

I. CONTACT FORMS

Contact information should be maintained for each volunteer worker whose labor contribution may qualify them as an unpaid staff member of the Foundation. Contact information should also be maintained for each listener volunteer whose labor contribution is intended to qualify them as a listener-sponsor member of the Foundation.

1. Information collected should include full name, postal address, email address(es), telephone numbers, and such additional emergency contact and medical insurance information as may be recommended by the Pacifica Human Resources Director.

2. Each volunteer worker whose labor contribution may qualify them as an unpaid staff member of the Foundation should be assigned a unique identification code for use in reports. This may be the record number in an associated computer database.

3. The contact form or worker database should include a field indicating when the information was entered and/or most recently updated or verified.

4. Contact information maintained for volunteer workers, both unpaid staff and listener volunteers, should be treated with confidentiality equivalent to that afforded employee records, but shall be available to elections supervisors for use in verifying voter rolls.

II. UNPAID STAFF LABOR RECORDS

Unpaid labor records are records documenting hours worked, including but not limited to monthly or weekly timesheets, individual expense reports, and copies of sign-in/sign-out logs from various work locations. All such records should include the following information:

1. Worker name and identification code
2. Dates worked and hours per date
3. Work type or description
4. Program or department categorization
5. Worker signature (or email header)
6. Verification

Verification of labor records shall be by a department head or General Manager or his or her designee, and should be dated. Labor records shall be available to elections supervisors for use in auditing voter rolls.

III. BYLAWS CRITERIA MONTHLY ROSTER

The Bylaws Criteria Monthly Roster is simply a list maintained by management that assembles the data submitted in labor records. The roster should include two sections, each alphabetized by workers' last names.

1. The first section of the Bylaws Criteria Monthly Roster should list individuals who have documented supervised work for the station of at least 30 hours in the preceding 3 months, exclusive of fundraising marathon telephone room volunteer time or volunteer work on committees of a Local Station Board.
2. The second section of the Bylaws Criteria Monthly Roster should list individuals who do not meet the criteria of the first section but have documented labor contributions within the previous three months, exclusive of fundraising marathon telephone room volunteer time and volunteer work on committees of a Local Station Board.
3. Current Pacifica radio station and Foundation paid employees shall be excluded from this roster, but former employees who have donated supervised labor in the previous three months shall be included, along with their uncompensated labor totals.
4. Each line of the monthly roster should include the following information:
 - a. Worker last name and first name
 - b. Qualifying work hours in each of the three previous months
 - c. 3-month total qualifying work hours
5. Subject to PNB, LSB, Executive Director, and HOUR Department

limitations, the Bylaws Criteria Monthly Roster should be available to all individuals with a legitimate interest, including but not limited to Pacifica Elections Supervisors, Pacifica governance committees, and each individual who has contributed supervised work in the previous three months.

Discussion of language to distinguish unpaid staff from phone room and other listener volunteers.

9:15pm: Motion as amended passed without objection.

9:20pm: MOTION: Interim Elections Supervisor:

The Elections Committee strongly recommends that, prior to hiring a National Elections Supervisor in May of this year as required by Article 4 of Section 4 of the Bylaws, the PNB shall direct the Executive Director to contract for an Interim National Elections Supervisor to serve during March and April of this year to oversee the requisite steps preliminary to a smoothly functioning election. This position shall be an interim, part-time position, with a salary not to exceed five thousand dollars (\$5000) for the two-month period. Duties and powers shall be negotiated with the Executive Director, and shall include but not be limited to developing guidelines for local station elections, preparing the databases for use in the elections, and participating in the selection of a company to administer the elections, if such is deemed advisable. This position shall be separate and distinct from that of a full-time National Elections Supervisor to begin work, according to the mandate in the Bylaws, in May of this year.

9:40pm: Motion as amended passed without objection.

9:45pm: MOTION: Regularizing membership status.

9:56pm: After some discussion, TG moved to table this motion until next meeting. Passed without objection. [Note: The full text of the motion is attached at the end of these minutes.]

9:57pm: PH motions on WPFW election of PNB Director (2/19/06): [Note: The background for this motion is attached at the end of these minutes.]

Internal Motion: That the PNB Elections Committee establish a working group including but not limited to Patty Heffley, Terry Goodman, Don White, Mary Berg and Richard Phelps to ascertain facts surrounding the WPFW-Delegates' election for listener-sponsor representative directors and, if warranted, to develop a proposal for PNB action on this matter to be presented to the PNB at the next special or regular meeting in March.

Motion to be Submitted to the PNB: In support of the minority position

of the WPFW LSB/Delegates and due to elections irregularities that violate Roberts Rules including illegal disqualification of votes and insecure ballot handling procedures, the PNB Elections committee strongly recommends that the PNB requires the WPFW delegates to conduct a new election for the listener-sponsor representative directors within 15 days.

11:35pm: Both motions as amended passed without objection.
Meeting Adjourned. All remaining agenda items will be included on next month's agenda.

Four Motions Submitted by TW 2/19/06:

1. Transparency of reports

I move that the report of the 2003-2004 election as drafted by Terry Bouricious be made public.

2. Access of lists

I move that member lists be made accessible to all members in as transparent a manner as is the case of voter registration records in the same jurisdiction (New York City for WBAI, Houston for KPFT, etc.)

3. Scope and duties of Local Election Committee

I move that each LSB create an election committee that shall work with the election supervisor to hold at least two candidate forums and that said forums shall develop its format with the advice and consent of the applicable LSB. The determination of said format should be determined prior to the beginning of filing for office. Alternatively, said format shall be developed by the PNB prior to the filing period and be uniform throughout the foundation. NOTE: Examples of previous forums and their pros and cons should be considered before the adoption of any format.

4. Transparency of Meetings

I move that all national committee meetings be posted on the websites of each station as early as practical and in as transparent a way as possible.

(Submitted by Ted Weisgal 2/19/06)

Appendix 1: MOTION re Collection of Unpaid Staff and Listener Volunteer Data: Whereas Pacifica is a membership organization whose members have voting rights to vote for representatives at each of the five stations, and

Whereas every member of the Foundation must be assigned to one of the five stations for purposes of validating membership and voting for directors at that station, and

Whereas a large number of members have joined Pacifica who live outside of any signal area, and

Whereas some people have been registered as members by other people ("gift subscriptions"), contrary to the requirements of a membership organization which requires evidence of voluntary association, be it resolved

That the Elections Committee shall survey each station and the national office to assess the scope, status, and location of these unaffiliated and involuntary memberships, and

That the Committee shall recommend measures to apportion unaffiliated members to stations for purposes of information and balloting, and

That the Committee shall recommend measures to ensure that recipients of "gift" memberships are required to validate their memberships before becoming legal members of the Foundation; and

That the Committee shall publish an interim progress report by April 1 , 2006 and send recommendations as developed to the National Elections Supervisor or in his absence to the Executive Director by May 2006.

Appendix 2: Background for the Heffley motions on WPFW PNB director elections.

Background:

- At the January PNB meeting, public allegations were made of election irregularities including illegal disqualification of votes and insecure ballot handling procedures.
- At the February 8, 2006 regular LSB meeting, a "motion to rescind" acceptance of the PNB election results was defeated. By this act, the LSB has stated its intention to accept the results.
- It is therefore incumbent upon the PNB to deliberate upon the question of whether the alleged violations are true and of sufficient weight to warrant intervention.

Arguments presented in support of the Motion to Rescind (per Jane Gatewood):

1. Roberts Rules of Order (10th edition, page 402, line 16) states that "If the meaning of one or more ballots is doubtful, they can be treated

as illegal if it is impossible for them to affect the result; but if they may affect the result, the tellers should report them to the chair, who will immediately submit to the assembly the question of how these ballots should be recorded."

This rule was not followed. Two ballots were disqualified without referring them to the assembly for decision.

2. The designated independent observer present for the PNB ballot entry during the January 4th election meeting has joined with numerous other community members in asking that the results of the election be thrown out because of unresolvable concerns about the chain of custody of ballots, in addition to the issue of disqualified votes.