

Advisory Board Minutes - June 2010

LINKS TO MINUTES June 2010 Session	<p>June 2010 Session Opened</p> <p>Minutes</p> <p>Motion 2009/10-27 Removal of List Moderators That Serve on the Grievance Committee</p> <p>Motion 2009/10-29 Table the Agenda Item</p> <p>Motion 2009/10-30 - Suspension of Hearings</p> <p>Announcements: Amendments on the Ballot</p> <p>Announcements: USGenWeb National Election Nomination period -reminder</p> <p>Announcements: Disciplinary Hearing Convened - Diane Siniard</p> <p>Announcements: Disciplinary Hearing Resolution - Fran Smith and Dennis Gries</p> <p>Adjournment:</p>
SESSION OPEN	<p>2 June 2010 By the NC</p> <p>As a reminder, the working agenda is at http://usgenweb.org/agenda2.php/</p>
Approval of Minutes	<p>June 19</p> <p>The May 2010 minutes have been posted for review at http://usgenweb.org/business/AB-05-2010.shtml. If there is no objection, they will stand as approved on 22 June 2010 at 4:30 pm.</p> <p>June 28</p> <p>Having heard no objections, the May 2010 Advisory Board minutes stand approved.</p> <p>Sherri Bradley National Coordinator USGenWeb Project</p> <p>Information about the USGenWeb Project at http://usgenweb.org</p>

<p>MOTION 2009/10-27 Removal of List Moderators That Serve on the Grievance Committee</p>	<p>June 2</p> <p>Moved by W. David Samuelsen and seconded by Linda Lewis, motion 2009/10-27 reads:</p> <p>"I move all moderators of any usgenweb lists including usgenweb-discuss be dismissed from such positions if they are currently serving in the Grievance Committee as member or as mediator or arbitrator effectively immediately.</p> <p>That this rule be incorporated into the standing rules for the GC."</p> <p>Discussion is open. If you have no discussion, please reply with "No discussion".</p> <p>Sherri Bradley National Coordinator</p> <p>June 4</p> <p>I hereby withdraw the motion for clarifying the motion itself.</p> <p>With reservations it be returned to the floor without delay upon completion of another motion dealing with the uproar over Guidelines.</p> <p>W. David Samuelsen</p>
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<p>MOTION 2009/10-29 Postponement of the Guidelines</p>	<p>June 5</p> <p>Presented by Les Shockey and seconded by Ann Allen Geoghegan and dated 5 June 2010, the motion reads "I move we postpone the Guidelines</p>

**Document
Discussion**

Document
temporarily."

Discussion is now open. If you have no discussion, please indicate with
"no
discussion".

June 8

Having heard no further discussion on motion 2009/10-29, the
discussion is
declared closed.

Please vote on motion 2009/10-29. If you agree with postponement of
the
Guidelines Document discussion temporarily, please respond with "yes"
or
"yea". If you disagree with the postponement of the Guidelines
Document
discussion, please respond with "no" or "nay".

The voting will continue until 9 pm EDT on 11 June 2010 unless
completed
earlier.

Sherri Bradley

June 11

Motion 2009/10-29, postponement of the Guidelines document
discussion is
declared passed.

Those voting yes: Alice Allen; Ann Allen Geoghegan; Bill Oliver; Colleen
Pustola; Cyndie Enfinger; Dale Grimm; Denise Wells; Larry Flesher; Les
Shockey; Linda Lewis; Pauli Smith; Tina Vickery and W. David
Samuelsen.

	<p>Those voting no: none</p> <p>Those not voting: Jeff Kemp</p>
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<p>MOTION 2009/10-30 - Suspension of Hearings</p>	<p>June 17 Presented by W. David Samuelsen and seconded by Colleen Pustola and dated 6/16/10, the motion reads: "I move we suspend all disciplinary hearings effective immediately until after the current elections soon to be underway are over. move we suspend all disciplinary hearings effective immediately until after the current elections soon to be underway are over." Discussion is now open. If you have no discussion, please respond with "no discussion". Sherri Bradley National Coordinator</p> <p>June 19 Is there any further discussion on this motion? Sherri Bradley National Coordinator</p> <p>June 19 Having heard no additional discussion on motion 2009/10-30, discussion is declared closed.</p>

	<p>Please vote on motion 2009/10-30. If you agree with suspension of the currently announced disciplinary hearing, please respond with "yes" or "yea". If you disagree with the suspension of the currently announced disciplinary hearing, please respond with "no" or "nay".</p> <p>Voting will continue until 9:00 pm EDT on 21 June 2010 unless completed earlier.</p> <p>June 21</p> <p>Motion 2009/10-30, Suspension of the Hearings is declared failed.</p> <p>Those voting yes: Alice Allen, Colleen Pustola and W. David Samuelson</p> <p>Those voting no: Ann Allen Geoghegan, Bill Oliver, Cyndie Enfinger, Dale Grimm, Denise Wells, Jeff Kemp, Larry Flesher, Les Shockey, Linda Lewis, Pauli Smith, Tina Vickery</p> <p>Those not voting: none Sherri Bradley National Coordinator</p>
<p>Announcement: Amendments on the Ballot</p>	<p>June 3</p> <p>In response to several comments posted on several mail lists, and in an effort to make sure that the same information gets to all of the mail lists, please forward to all Project mail lists.</p> <p>In order for an amendment to be placed on the ballot for an upcoming election, the proposed amendment must be presented to one of the AB members and posted on the national USGenWeb Project site for at least 30 days</p>

prior to the annual election period of 1-31 July. That means the amendment would have to have been composed and posted on the national site by 1 June 2010.

If there is an amendment that is posted prior to 1 June but does not have the required number of co-sponsors by 1 June, additional co-sponsors may be added until 15 June by notifying one of the AB representatives so that they can also be added as co-sponsors. The 15 June date is the same date that the nomination period ends for the National election. The Election Committee, at my request, has verified with Larry Stephens, who handles the election, that an amendment can be added to the ballot as long as he is notified of the additions to the ballot by that time.

For this election, the amendment proposed by WVGenWeb will be on the ballot because the required co-sponsors have been identified. The amendment proposed by DEGenWeb was posted on the national site before 1 June, but as of this date it has not gained the required co-sponsorships. If the required co-sponsors are identified by 15 June, that amendment will also be on this year's ballot. If the co-sponsors are not identified by 15 June, that amendment will not be on the ballot.

I hope this helps.

Sherri Bradley

	National Coordinator
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<p>Announcement: USGenWeb National Election Nomination period -reminder</p>	<p>June 12</p> <p>This is a reminder - The USGenWeb Election Committee are now accepting nominations for:</p> <p>National Coordinator</p> <p>NorthEast/North Central County Coordinator Representative</p> <p>NorthEast/North Central County Coordinator Representative</p> <p>NorthWest/Plains State Coordinator Representative</p> <p>NorthWest/Plains County Coordinator Representative</p> <p>South East/Mid-Atlantic State Coordinator Representative</p> <p>South East/Mid-Atlantic County Coordinator Representative</p> <p>SouthWest/South Central State Coordinator Representative</p> <p>SouthWest/South Central County Coordinator Representative</p> <p>The nominations will close midnight June 15th.</p> <p>As a reminder to all registered, please make sure that your SPAM filter is set to accept: Registrar@usgwelections.org so you can receive your password to vote.</p> <p>The nomination form may be found here: http://www.usgwelections.org/USGenWeb/NationalNomination.cfm</p> <p>Please visit and bookmark the EC National 2010 Election Pages: http://usgenweb.org/usgwelections/national-2010/index-2010.htm</p> <p>for more information, and for the latest status on nominees and candidates throughout the nomination period.</p>

	<p>If you have a question, please take a few moments to read the Election FAQ. http://usgenweb.org/usgwelections/national-2010/faq.htm</p> <p>Voting will take place from July 1 through July 31.</p> <p>Thank you, The USGenWeb Election Committee</p>
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<p>Announcement: Disciplinary Hearing Convened - Diane Siniard</p>	<p>June 15</p> <p>For the record, a disciplinary hearing is being convened to hear the following charges:</p> <p>The Advisory Board has been requested to conduct a disciplinary hearing for Diane Siniard, member of COGenWeb and MOGenWeb, for the charge of breaching the confidentiality of Grievance 2009-08-15 for which Ms. Siniard served as the Chair of the Grievance Committee.</p> <p>This is evidenced by:</p> <p>1) the sharing of private GC communications with parties involved in Grievance 2009-08-15 as demonstrated within the evidence submitted to the AB for the resulting disciplinary hearing against two FLGenWeb, Inc. members.</p> <p>2) the posting of private GC communications to the archived SWSC list that included the name of a party to Grievance 2009-08-15. See http://archiver.rootsweb.ancestry.com/th/read/USGENWEB-SW/2010-05/1273937350</p>
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This breach of confidentiality is in direct violation of Section A, Subsection Qualifications, Paragraph 3 of the Grievance Committee Procedures voted into effect by the membership <http://gc.usgenweb.org/procedures.html>

"Because grievances are considered personnel matters, all volunteers must state that they are willing to abide by strict confidentiality requirements.

Volunteers must also state that they understand that violation of this confidentiality agreement will mean immediate expulsion from the Grievance Committee, and could result in determination of Member Not in Good Standing by the Advisory Board."

Ms. Siniard maintains the following USGenWeb member sites:

- COGenWeb: La Plata Co <http://cogenweb.com/laplata/>
- COGenWeb: San Miguel <http://cogenweb.com/sanmiguel/>
- MOGenWeb: MO in the Civil War <http://www.mogenweb.org/mocivwar/>

Sherri Bradley
National Coordinator
For the Advisory Board

June 15

A bit of additional information - the hearing will be chaired by Cyndie Enfinger at my request. There is a separate email list that has been set up that I will subscribe all members of the AB and Diane to so that they

	<p>can participate if they choose to do so. Anyone that chooses not to participate and/or refuses to agree to follow the requirements that are set by the chair will be unsubscribed from the list. Cyndie will be sending out additional information to all involved, I'm sure.</p> <p>Sherri Bradley</p>
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<p>Announcement: Disciplinary Hearing Resolution - Fran Smith and Dennis Gries</p>	<p>June 19</p> <p>The resolution of the disciplinary hearing against Fran Smith.</p> <p>This resolution is hereby adopted, effective Wednesday, 16 June 2010.</p> <p>The USGenWeb Advisory Board issues this finding in response to the charges brought against Ms. Smith relevant to Grievance 2009-08-15.</p> <p>Charge: Refusal to participate in good faith in the mediation and arbitration phases of grievance 2009-08-15, filed by Ms. Laverne Tornow against six individual FLGenWeb board members, as demonstrated by attempts to introduce issues outside of the scope of the mediation and arbitration portions of the grievance, raising repeated objections to questions posed by both the mediator and the arbitrators and refusing to answer specific questions posed by the grievance committee team and the insistence that the USGenWeb Project's Grievance Process was not the proper venue to handle a grievance, that all grievances must be filed in a court of law in the state of Florida.</p> <p>Finding: We find that the Grievance Committee reviewed concerns brought to the Committee by Ms. Smith and the Grievance Committee not only responded to each concern, but consulted the National Coordinator for clarification of procedures which state: "It shall be the</p>
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responsibility of the parties to the dispute to raise the issue of bias or conflict by a member of the team. This shall be done privately to the mediator, or the committee member if the conflict is alleged against the mediator. All claims of bias or conflict must be raised prior to the beginning of the mediation process. If an objection should be raised to a team member, that member shall be dismissed and a new team member appointed without the necessity for any proof of bias or prejudice. The identity of the party raising the objection shall not be revealed to any team member. Once the team is seated and the process initiated, no further objection may be raised as to partiality, bias, or conflict, and a team mem!

ber may only be removed on his or her own request."

Evidence presented clearly demonstrated that Ms. Smith continued to make assertions that had previously been addressed within the confines of the above stated procedure and it was clearly demonstrated by presented evidence her actions to continue to dispute after the team began their work.

Charge: Repeated breaches of the confidentiality of the grievance, despite repeated warnings during both the mediation and arbitration phases of the grievance process by contacting those outside of the mediator, the arbitrators and the GC representative handling the grievance.

Finding: It is the Advisory Board's finding that multiple breaches occurred by multiple individuals party to this grievance and those breaches will be addressed by the Advisory Board separately.

Regardless of others' breaches of confidentiality, the evidence has clearly demonstrated that Ms. Smith mindfully and purposefully engaged in and originated confidentiality breaches and that her breaches were prohibited within the process and procedures where she was a named participant. In doing so, the process was compromised for all parties involved with the grievance.

Charge: Failure to reinstate Ms. Laverne Tornow to all previous positions as County Coordinator for the counties of Alachua, Baker, Bradford, Citrus, Hamilton, LaFayette, Marion, Pasco, Pinellas, Seminole and Union counties that she held immediately prior to her removal from the project as directed in the final report of the Grievance Committee's final decision. The USGenWeb Project bylaws and the Grievance Committee Procedures clearly state that the decision of the Grievance Committee is binding upon all members of the USGenWeb Project, therefore Ms. Smith is not in compliance with the bylaws as Ms. Tornow has not been reinstated.

Finding: The AB was forced to take the action of delinking FLGenWeb in order to uphold the bylaws of the USGenWeb Project, Section VI, Subsection E which states:

"The Advisory Board shall also have the responsibility to remove links from the national website, as appropriate, to websites which fail to meet the established guidelines/standards for The USGenWeb Project or to websites which display inappropriate content. Coordinators of any websites found to be in non-compliance shall be notified of such and shall be given a period of two (2) weeks in which to bring their website into compliance. The two-week time limit shall be flexible based on justifiable reasons presented by the website coordinator."

Therefore, the USGenWeb Advisory Board, in a closed-session hearing of charges against Fran Smith, has found Ms. Smith to be responsible for each of the charges against her. It is the decision of the Advisory Board that

Beginning retroactive to May 12, 2010 the date of the FLGenWeb Resolution of Grievance <http://www.usgenweb.org/business/AB-05-2010.shtml#a73> , Ms. Smith will be considered "on probation" within the USGenWeb Project for a period of 5 years. She may not run for, serve, hold, or be appointed to any position higher than the Local Coordinator

level in any state or special project, or the national project.

AB Members voting "Accept":

Ann Allen Geoghegan, Cyndie Enfinger, Dale Grimm, Denise Wells, Jeff Kemp, Larry Flesher, Les Shockey, Linda Lewis, Tina Vickery, Pauli Smith

AB Members voting "Reject":

Alice Allen, Colleen Pustola

AB Members abstaining from the vote:

Bill Oliver?

AB Members not present at the hearing:

W. David Samuelson?

June 19

The resolution of the disciplinary hearing against Dennis Gries.

This resolution is hereby adopted, effective Wednesday, 16 June 2010.

The USGenWeb Advisory Board issues this finding in response to the charges brought against Mr. Gries relevant to Grievance 2009-08-15.

Charge: Refusal to participate in good faith in the mediation and arbitration phases of grievance 2009-08-15, filed by Ms. Laverne Tornow against six individual FLGenWeb board members, as demonstrated by attempts to introduce issues outside of the scope of the mediation and arbitration portions of the grievance, raising repeated objections to questions posed by both the mediator and the arbitrators and refusing to answer specific questions posed by the grievance committee team and the insistence that the USGenWeb Project's Grievance Process was not the proper venue to handle a grievance, that all grievances must be filed in a court of law in the state of Florida.

Finding: We find that the Grievance Committee reviewed concerns brought to the Committee by Mr. Gries and the Grievance Committee not only responded to each concern, but consulted the National Coordinator for clarification of procedures which state: "It shall be the responsibility of the parties to the dispute to raise the issue of bias or conflict by a member of the team. This shall be done privately to the mediator, or the committee member if the conflict is alleged against the mediator. All claims of bias or conflict must be raised prior to the beginning of the mediation process. If an objection should be raised to a team member, that member shall be dismissed and a new team member appointed without the necessity for any proof of bias or prejudice. The identity of the party raising the objection shall not be revealed to any team member. Once the team is seated and the process initiated, no further objection may be raised as to partiality, bias, or conflict, and a team member may only be removed on his or her own request."

Evidence presented clearly demonstrated that Mr. Gries stated that he would continue to reject any and all mediators that were assigned and once these hurdles appeared addressed Mr. Gries continued to make assertions that had previously been addressed within the confines of the above stated procedure and it was clearly demonstrated by presented evidence his actions to continue to dispute after the team began their work.

Charge: Repeated breaches of the confidentiality of the grievance, despite repeated warnings during both the mediation and arbitration phases of the grievance process by contacting those outside of the mediator, the arbitrators and the GC representative handling the grievance.

Finding: It is the Advisory Board's finding that multiple breaches occurred by multiple individuals party to this grievance and those breaches will be addressed by the Advisory Board separately.

Regardless of others' breaches of confidentiality, the evidence has clearly demonstrated that Mr. Gries mindfully and purposefully engaged in and originated confidentiality breaches and that his breaches were prohibited within the process and procedures where he was a named participant. In doing so, the process was compromised for all parties involved with the grievance.

Charge: Mr. Gries' insistence during the grievance process that he was not a member of the USGenWeb Project, despite being a member of the FLGenWeb Project, and as such, the USGenWeb Project's bylaws did not apply to him, and that the grievance process was an illegal attempt to circumvent the FL Corporate laws.

Finding: The Grievance procedures are a member approved USGenWeb Process in adherence with its bylaws. As FLGenWeb had no local procedure for grievances and was a member of the USGenWeb project as evidenced by their being linked to from the USGenWeb National site and their use of the USGenWeb logo, they are bound to the rules which that membership implies. Those rules allow for grievances by a USGenWeb Project member against another USGenWeb Project member located within the same State or Special Project when there is no local Grievance Procedure to follow in that State or Special Project. Furthermore, a grievant can file a grievance against one or more persons. There is no requirement that it be filed against an entity in the case of incorporation. The evidence presented indicated that Mr. Gries withdrew his statement that he/FLGenWeb was/were not a part of the USGenWeb Project as the grievance proceeded. He did not, however, drop the contention that the grievance must be handled in a court of law according to FL corporate law.

Therefore, The USGenWeb Advisory Board, in a closed-session hearing of charges against Dennis Gries, has found Mr. Gries to be responsible for each of the charges against him. It is the decision of the Advisory Board that he is hereby:

	<p>Beginning retroactive to May 12, 2010 the date of the FLGenWeb Resolution of Grievance http://www.usgenweb.org/business/AB-05-2010.shtml#a73 , Mr. Gries will be considered "on probation" within the USGenWeb Project for a period of 5 years. He may not run for, serve, hold, or be appointed to any position higher than the Local Coordinator level in any state or special project, or the national project.</p> <p>AB Members voting "Accept":</p> <p>Ann Allen Geoghegan, Cyndie Enfinger, Dale Grimm, Denise Wells, Jeff Kemp, Larry Flesher, Les Shockey, Linda Lewis, Tina Vickery, Pauli Smith</p> <p>AB Members voting "Reject":</p> <p>Alice Allen, Colleen Pustola</p> <p>AB Members abstaining from the vote:</p> <p>Bill Oliver?</p> <p>AB Members not present at the hearing:</p> <p>W. David Samuelson?</p> <p>Sincerely,</p> <p>Tina Vickery, Representative at Large - Chair of Disciplinary Hearing USGenWeb Advisory Board Agenda: http://usgenweb.org/agenda2.shtml</p>
ADJOURNMENT	Sherri Bradley adjourned the June meeting on July 2, 2010.

The full text of all BOARD-L messages can be viewed in the [threaded list archives](http://archiver.rootsweb.com/th/index/BOARD/) for this list, located at <http://archiver.rootsweb.com/th/index/BOARD/>

Please remember that minutes are a record of actions proposed and taken at the meeting, NOT all the detail about what was said by members or guests. If you have any questions or comments about the minutes, please write to **Suzanne Shephard**, Secretary.