

LNC Executive Committee Meeting

**Teleconference
20 June 2001**

DRAFT

Present: Jim Lark
Deryl Martin
Joe Dehn
Michael Gilson de Lemos

Also Present: Mike Dixon
Richard Schwarz

Staff: Steve Dasbach, National Director
Bill Hall, General Counsel

Lark called the meeting to order at 8:40pm EDT.

Item: Setting of Agenda

Dasbach said that he had a proposal for adjusting the budget but that it could be handled as part of his report.

The proposed agenda was adopted without objection.

Item: Approval of Minutes

Gilson moved that the minutes of the 13 March meeting be approved as revised. Martin seconded. The minutes were approved without objection.

Gilson moved that the minutes of the 23 May meeting be approved as revised. Martin seconded. The minutes were approved without objection.

Gilson moved that the minutes of the 30 May meeting be approved as revised. Martin seconded. The minutes were approved without objection.

Item: Chair's Remarks

Lark thanked EC members for participating in the meeting. He thanked SPT members for their time and hard work and Givot for acting as facilitator. He thanked outgoing affiliate chairs Carol Moore of DC and Adam Mayer of OR for their service.

Item: National Director's Report

Dasbach said that a budget adjustment was needed because both the number of SPT meetings and the the number of participants was greater than had been originally expected. He said it looked like an additional \$10K would be needed for travel, \$16K for lodging and meals, and \$1K for catering and meeting room rental. He suggested that these budget items be increased accordingly and the contingency item be decreased by the same amount.

Martin said he agreed with this.

Lark noted that the contingency item was budgeted at \$33K and asked about expectations for its use. Dasbach said it was there for situations where something had not been budgeted or turned out to cost more than expected.

Gilson asked if there was an alternative.

Dasbach said that the remaining SPT meetings could be cancelled, or that something else in the budget could be cut to replenish the contingency line.

Martin suggested SPT members could help by paying their own expenses.

Gilson suggested that money could have been saved by having one four-day meeting instead of two two-day meetings, but that it was too late to plan for that. Dasbach said that people get tired after two days and that some people would have trouble attending on weekdays. Martin said he thought such a schedule would lead people to drop out.

Martin moved to make the budget adjustments suggested by Dasbach. The motion passed by a vote of 3 to 0, with Lark abstaining.

Dasbach reported that the monthly budgeting was done and would be reflected in the next spreadsheet.

Dasbach said that no national money had yet been provided to Ohio for their ballot drive, but that they were proceeding with their own funds.

Dasbach said that additional signatures were being collected in North Carolina. He said that there was about \$740 that we had overpaid to the hotel for the Durham

meeting and was going to be refunded, and he suggested that the NC party be allowed to keep this. He said that an adjustment would be made to the accounts to show this as a ballot access expense rather than for the meeting.

Gilson said he was in favor of doing this.

Lark said there seemed to be sentiment in favor of this and Dasbach should go ahead and do it.

Lark asked about the search for a 2004 convention site.

Dasbach said the people in Atlanta were still trying to find something satisfactory and that he was also working on getting information about other possibilities. He said that in some cities the costs vary considerably depending on the date. He said that if nothing can be found in Atlanta in the next few months it will be necessary to widen the search. He said that our convention is an awkward size for planning -- too big to fit into smaller facilities, and too small for the large facilities to be eager to commit far in advance.

Gilson asked about the membership "plateau" and its relation to lack of direct mail prospecting.

Dasbach said that renewal rates are about what was expected but that at our current size the number of non-renewals exceeds the number of new members that can be expected from inquiries. He said that this had been the case now for several years, but in previous years there was enough direct mail prospecting to result in a net increase. He said so far this year the only direct mail prospecting was the "annual report" mailing. He said we need to do some prospecting to the proven lists.

Gilson asked about the claim that all the growth had come from Project Archimedes.

Dasbach reiterated that what he had meant by this was that during that period the new memberships from other sources had been about balanced by attrition, so that the net growth had been about what was brought in by Archimedes. He said that at our current increased size we have to do some kind of active recruiting just to stay even, but it doesn't necessarily have to be direct mail.

Gilson asked if there was any indication that attrition was being caused by dissatisfaction with "internal events". Dasbach said there was nothing like that showing up in the survey being done as part of the telephone renewal efforts.

Dehn asked whether a report on this survey was available. Dasbach said the information was being compiled and that more information was being collected as more calls are made.

Item: McDaniels Lawsuit

Lark reported that the McDaniels case appeared to be coming to a close. He said that McDaniels had asked for the suit to be dismissed without prejudice and with both sides paying their own costs, and that our attorney David Bergland had recommended we accept this offer rather than try to press for something more favorable to us. He said that it seemed unlikely that McDaniels would try to sue again.

Martin asked how much this had cost us. Dasbach said it was a few thousand dollars. Hall said it was unlikely we could recover this even if we won the case.

Item: Investigation Regarding the Willis Matter

Lark said that he did not think it would be necessary to go into executive session for this discussion. Hall said that there should be no problem if the discussion dealt with just factual issues, but that if we wanted to consult with him on legal issues that should be done in executive session.

Dasbach said that the LP News article would be provided online to LNC members as soon as it could be converted from PageMaker.

Dehn asked if the wording had been finalized. Dasbach said that it had been.

Martin asked if we could review it and asked if Hall had had a chance to review it. Dasbach said that it had already gone to the printer but that he could fax a copy to Hall.

Dehn noted that changes were still being made as of Monday and asked whether Lark had been given a chance to see the final version. Lark said that he had not seen the final version but he had discussed his proposed changes with Winter and understood that they would be made.

Gilson said that he had understood that EC members were going to have a chance to review it and noted that he had not had a chance to do so. Lark said that some EC members had reviewed it during the last weekend's SPT meeting and apologized for not having had a chance to show it to Gilson.

Dehn asked that the article be faxed to EC members and Hall. Dasbach said he would have Winter do so in the morning.

Lark reported that he had sent e-mail requesting information to Willis, Browne, Bergland and Ayres, Reges, Dean, Cloud, and Famularo. He said the message to Cloud bounced and he would try to find a new address or send a paper letter. He said that he had asked Willis to provide financial records of Optopia and the Browne 2000 campaign. He said that Bill Redpath was reviewing the Browne 1996 records.

Dasbach outlined the materials that Redpath had taken for review.

Lark noted that before it was clear that Redpath would be able to work on this he had talked to Dave Walter and Dean Ahmad but that they were both unavailable for this work.

Lark said that he had received a response from Famularo asking for clarification but that he had not yet replied.

Dasbach said that Famularo had been asked in 1997 to return anything belonging to the party.

Lark noted that Hall had provided some material relating to legal questions and said that if we wanted to discuss that it should be in executive session.

Lark said that there are still many people to be asked about this matter, but that he was trying to be careful about how he approached them.

Lark's telephone connection was disrupted by an electrical storm.

Dasbach suggested that EC members review the materials from Hall before having a discussion of them. Dehn said it would be best to avoid going into executive session to discuss these questions unless this was actually necessary to resolve something.

There was agreement that the scheduling of the next meeting should be discussed by e-mail.

Dasbach thanked Dixon for coming to DC to help with development issues.

There was discussion of how long to wait for Lark to reconnect and whether it would be better to try to schedule another meeting.

Lark was able to re-establish his telephone connection.

Dasbach said that he was awaiting questions from Lark to be asked of the staff.

Lark said that he had spoken with Browne shortly before this meeting and that Browne said he would not cooperate with the investigation. He reported that Browne said this process set a bad precedent which would allow anybody with a grievance to tie up the party, that Browne said he had questions about what is supposed to happen once the evidence is collected, and that Browne said he considered this a waste of resources that could be put to better use. He said that Browne said he would not do anything to prolong the investigation and that he wished us well but that he would not cooperate.

Gilson said "wow".

Dehn asked if there had been any discussion of the possibility that Browne could help avoid a prolonged investigation by cooperating. Lark said that he did not offer rejoinders to Browne's comments.

Gilson said that many members will consider this very serious and suggested that we should consult with our constituents to see what they think.

Martin asked whether the conversation was as brief as Lark's report suggested. Lark said that they exchanged pleasantries, that Browne expressed his respect for Lark, and that Browne said he did not envy Lark's position. He said that Browne then offered his comments and that it became clear that he had said his piece. He said that in the letter he had sent to Browne he had suggested that it would be appropriate for Browne to provide information to and to provide a public statement. He said that given what Browne said there didn't seem to be any point in trying to continue the conversation.

Dehn started to ask a question but Lark's connection was again disrupted.

Gilson asked if Browne was a state member in Tennessee.

Dasbach noted that his Compuserve account is going away and asked everyone to stop using that address.

Dixon asked about the most recent membership report.

Dasbach noted that the new Region 3 representative and alternate had been added to the LNC discussion list.

Gilson asked whether the LP News article should be updated to mention what Browne had said. Dehn said although the article was already at the printer it should have said

that Browne had made no statement as of the time of writing. Dasbach confirmed this by reading the relevant sentence.

Dixon asked Dehn what he was going to ask before Lark was disconnected. Dehn said that he wanted to know if Browne had said anything specifically about why he was not going to make a public statement or about why he had changed his mind about that.

Dixon left the meeting.

Martin said that he expected the Region 7 vacancy situation to be resolved shortly.

Gilson moved to adjourn.

The meeting was adjourned at 10:04pm EDT.