

**Las Cruces Association of REALTORS®, Inc.**  
**Board of Directors Meeting**  
**October 28, 2009**

**MINUTES**

The monthly meeting of the LCAR Board of Directors, held at 150 E. Idaho, Las Cruces, NM was called to order by President Chuck Olson at 1:20 pm. Present were:

**OFFICERS**

Sharon DeBaal, President elect  
Tim Henderson, Immediate Past President  
Dolores DeMers, Treasurer  
Michelle Martin, MLIS President  
John Mitchener, MLIS President elect  
Elaine Johnson, MLIS Immediate Past President

**DIRECTORS**

John Bacon  
Teresa Camacho  
Chris Harrison  
Shannon Sells-Gutierrez  
Terianne Everhart  
Karen Stull

**Consent Agenda:** *A motion was made and seconded to accept the consent agenda. Motion was approved unanimously.*

**GAD Report**

Isaac made the following points in his report:

- ) As of this afternoon it looks as though the 1<sup>st</sup> time homebuyer's bill will pass.
- ) Gave an update on a survey regarding driving and texting. The members supported no texting.
- ) RPAC ended for 2009 with 232% of goal. The goal set by NAR will most likely increase for next year. We have more \$100 donors than any other Association in the State.
- ) Isaac sent a synopsis of Vision 2040 to the Board.
- ) Next Tuesday, November 3 is city council elections. LCAR Bod voted to endorse 3 candidates; however Dolores Archuletta declined the endorsement. NAR has sent out a mailing for the candidates with a value of about \$15,000.
- ) At the Las Vegas conference, Isaac had an opportunity to meet and speak with Vicki Cox Golder, the incoming 2010 NAR President. She expressed a desire to attend one of our functions next year. Also at the conference, FHA announced all loan originators will have to be licensed. Short sales and REO's were also a topic and revamping the way the loans were made was discussed. New RESPA rules are coming out.

- ) David Watts of NAR is using Las Cruces as an example of small communities raising money. About 75% of all Associations get involved in endorsing candidates.
- ) Isaac has applied for three grants; Smart Growth and Diversity, \$5000 each and a Foreclosure grant of \$5600.00. Dona Ana County is also offering a grant and Isaac will apply for this.

Chuck wants to survey the membership to see what they like and don't like. Isaac thinks there are examples on the NAR database.

There were no member comments.

### **Treasurers Report**

Dolores reported there was nothing to add to the previous discussion. Terianne Everhart asked about the 990 report.

There was a request to do the financial statements earlier.

There will be a financial meeting on November 9 @ 9:00 am.

### **Executive Officers Report**

**Community Service Requests:** The committee asked for approval of donations for \$250 each for Salvation Army Dress the Child, Special Olympics and Habitat for Humanity and \$200 for American SW Theatre Co. *A motion was made and seconded to approve the requests. Motion passed unanimously.*

### **Old Business**

There was a question about the minutes being on the website. They have been placed there as soon as they are approved by the Board.

### **Policy Manual Changes**

The following written motions were proposed by John Bacon:

#### **Section 3.3 to be revised to read:**

The Board of Directors is the entity charged with maintaining executive authority over the Executive Director and is also the entity charged with establishing policies to ensure that LCAR continues to operate in a manner to further its interest. Accordingly the Board of Directors may task the Executive Director to provide certain information to assist in the development of policies. The Executive Director shall provide the Board of Directors and/or any committee duly formed by the Board of Directors the requested information within a timely manner. *A motion was made and seconded to pass the revision. The motion passed 7 yes, 5 no.*

The verbiage for this revision was drafted by Blaine Mynatt and approved by Meg Meister.

A Director asked if these revisions had been seen by the Board attorney, Meg Meister. President Olson said he did have an opinion from her but not in writing. Director Tim Henderson commented that if we were going to make changes to the Policy manual we should have documentation from the Board attorney. Olson said the purpose for the

revision was that he had requested information from the Executive Officer but had not received it. The Executive Officer stated she had not refused any requested information.

**Section 3.7 to be revised to read:**

The Executive Director serves at the pleasure of the Board of Directors and may be terminated at will. *A motion was made and seconded and passed 8 yes, 4 no.*

President Olson stated the revision will have no impact on the current Executive Officer.

The question was asked about who wrote the language for the revision. President Olson stated it was written by his personal attorney Blaine Mynatt and previewed by Meg Meister.

Tim Henderson stated again that revisions need to have the Board attorney's written opinion.

*A written motion was made by John Bacon that LCAR authorize a request for proposal for an audit to ensure consistency of verbiage and intent between the LCAR Policy Manual, Bylaws and Personnel Manual. The motion passed 7 yes, 4 no, 1 abstention.*

MLIS President Michelle Martin asked why this motion was John Bacon's decision. Tim Henderson asked if had been pre-discussed outside of the Board and President Olson said he and John Bacon had discussed it. Director Henderson said the LCAR Policy Manual should follow NAR policy.

**Section 5.7 proposed by John Bacon to be revised to read:**

Authorized signatories for all general fund accounts must include two of the following: the President of the Board, the Treasurer of the Board, the President-Elect of the Board or the Past President. This issue was tabled pending required notice.

**Section 5.10 proposed by John Bacon to be revised to read:**

The Executive Director may approve service agreements and contracts that cost less than \$2500.00 annually or over the contract life. The Executive Director may only approve agreements which continue the same service level and are under \$2500.00 in cost from a prior contract. These agreements must be done within the approved budget line item spending limits. All other contracts must be approved by the Board of Directors. New contracts which cost more than \$10,000 annually or over the contract life shall require an attorney review and opinion to assure the agreement is legally sound and that LCAR interest is protected. This issued was tabled pending required notice. .

John Bacon presented a written motion to employ the firm of Everett & Boetticher PC to perform bookkeeping services to include recording journals, post general ledger, post accounts receivable, reconcile bank statements and post earning records and do financial statements on a monthly basis, prepare payroll tax returns quarterly and prepare W-2's, Federal and State Income taxes and state franchise report annually for a fee of \$500.00 per month. LCAR management will continue to send annual billings to membership and pay payroll expenses. *A motion was made and seconded 7 yes, 2 no and 4 abstentions.*

There was no New Business.

The meeting adjourned at 2:25 pm.