

January 15, 2009

Board of Director Minutes
Wilmington Regional Association of REALTORS®
1444 S. 17th Street

Attending	R. J. Alexoudis	Melanie Bertrand	Buddy Blake	Tom Gale
	Ashley Garner	Bob Jamieson	Dan Kibler	Susan Lacy
	Sharon Laney	Mary Martin	April McDavid	Dennis Musser
	Karen Parkin	Louise Voelker	Jody Wainio	

Absent:

Staff: Jerry Panz

President April McDavid called the meeting to order at 11:28 AM. All members of the Board of Directors received notice of the meeting.

By Consent the following was approved:

- 1) The Consent Agenda (attached)
- 2) Creating a new Policy for the Legislative Committee as follows:
 - There shall be a ten-member Legislative Committee appointed as follows:
 - i) 5 RCA members appointed by the RCASENC Board of Directors and
 - ii) 5 WRAR member appointed by the WRAR Board of Directors
 - iii) The Legislative Committee shall advise the Governmental Affairs staff and shall make reports to the Directors for action.
- 3) Approved a waiver for REALTOR® John Nedley
- 4) The minutes of this meeting

There being no further business the meeting adjourned at 12:25 PM.



Jerry S. Panz, CAE, e-PRO, RCE
Secretary

Consent Agenda

January 15, 2009

Approval of:

1. Minutes from the December 18, 2008 meeting were approved by email
2. Ginny Tyndall as Chair of the Recruiting/Certifying Committee:
3. Bylaw Change recommended by attorney: Article, X, **Section 3. Dues Payable**
 - a) Dues for all Members who join prior to December 31, 2008 shall be payable annually in advance of the first day of November. If dues are not received in the Association office before January 1, the non-paying member is automatically terminated from membership effective December 31. (Amended 12-03-08)
 - b) Dues for all Members who join on or after January 1, 2009, shall be computed from the date of application and granting of provisional membership as determined by the Board of Directors. Dues shall be billed in accordance with the Policy Manual. Members who join prior to December 31, 2008, may opt-in to this billing arrangement as provided in the Policy Manual. **If dues are not received in the Association office within forty-five (45) days after the due date, the membership of the nonpaying Member may be terminated at the discretion of the Board of Directors. Sixty (60) days after the due date, membership of the nonpaying Member shall automatically terminate unless within that time the amount due is paid.** (Amended 12-03-08)

Termination In the event the REALTOR[®] membership of a sales licensee, a licensed or certified appraiser or Registered Trainee is terminated for nonpayment of Association dues, and the individual remains with the designated REALTOR[®]'s firm, the dues obligation of the "Designated" REALTOR[®] (as set forth in Article X, Section 2 (a)) will be increased to reflect the addition of a non-member licensee. Dues shall be calculated from the first day of the current fiscal year and are payable within 30 days of the notice of termination.

Reinstatement In the event a REALTOR[®]'s membership is terminated for non-payment of dues, and the individual wishes to reinstate their membership within twelve months of the date on which they were terminated, the individual may do so by paying all amounts owed to the Association, its Multiple Listing Service and/or any other of its divisions or subsidiaries, plus non pro rata local dues, NCAR and NAR dues, plus a reinstatement fee as provided in the policy and procedures manual.

Section 4. Nonpayment of Financial Obligations If ~~dues invoiced under section 3 (b) above,~~ charges, fees, fines, or other assessments including amounts owed to the Association, the Association's Multiple Listing Service or any other of its divisions or subsidiaries are not paid

within one (1) month after the due date, the nonpaying Member is subject to suspension at the discretion of the Board of Directors. Forty-five (45) days after the due date, the membership of the nonpaying Member may be terminated at the discretion of the Board of Directors. Sixty (60) days after the due date, membership of the nonpaying Member shall automatically terminate unless within that time the amount due is paid; ~~however, termination for nonpayment of NCAR and NAR dues and/or assessment must be received no later than December 31.~~ However, no action shall be taken to suspend or expel a Member for nonpayment of disputed amounts until the accuracy of the amount owed has been confirmed by the Board of Directors. A former Member who has had his membership terminated for nonpayment of charges, fees, fines, or other assessments duly levied in accordance with the provisions of these Bylaws or the provisions of the MLS and/or RCA-SENC/MLS Rules and Regulations may reinstate by paying a reinstatement fee and making payment in full of all accounts due as of the date of termination if application is made within sixty (60) days of termination; after sixty (60) days all other who apply for reinstatement must do so in a manner prescribed for new applicants for membership, after making payment in full of all accounts due as of the date of termination.

Acknowledgement of:

1. Committee Reports
 - a. Member Services
 - b. Property Management Council
2. Membership Report (new, transfers, etc.)
3. Recruiting/Certifying Committee Members: Jonathan Barfield, Melanie Bertrand (from Board of Directors),

Member Totals As of	Mar 14	Apr 9	June 13	July 12	Aug 9	Sept 13	Oct 10	Nov 15	Dec 13	Jan 10 2009
Designated REALTORS®	475	466	470	464	457	454	454	448	440	421
Pending REALTORS®	3	3	5	5	0	0		1	1	2
Subtotal	2,179	2,166	2,166	2,129	2,101	2,098	2,059	2,027	1,943	1,855
Non REALTOR® Licensees	36	39	40	40	40	47	47	38	37	60
Secondary REALTORS®	124	123	119	120	121	120	121	115	105	96
Allied	106	106	109	109	110	113	114	114	113	113
Total	2,445	2,434	2,434	2,398	2,372	2,378	2,341	2,294	2,198	2,124

NOTE: There are still 13 former REALTORS® who were converted to Non REALTOR® Licensees who have not reinstated. December=37, January=60.

WILMINGTON REGIONAL ASSOCIATION OF REALTORS®
MEMBER SERVICES COMMITTEE
January 5, 2009 – 9:30AM
MEETING REPORT

Chair – JD Terry

Co Chair – David Dougherty

The meeting began at 9:30a.m.

Committee Members Present: Tina DeWitt and Gail West

Committee Members Absent: April McDavid, Sharon Laney, JD Terry, Terry Milam, Adell Bernard, Anna Penny and David Dougherty

Staff Member(s) Present: Dayma Edwards

I. Welcome & Introductions

2009 Leadership Program Volunteers: Carlos Braxton, Shannon Friedrichs, Sue Waller and Kevin McKoy

II. 4th Quarterly Meeting & Holiday Luncheon Survey Results:

Overall good results, no major changes to be made for 2009 4th Quarterly Meeting

III. Installation Banquet:

- Date: ***Saturday, January 10th***
- Time: ***6:00 to 11:00***
- Venue: ***Marriott at Carolina Beach***
- Caterer: Marriott at Carolina Beach
 1. Dayma reserved a block of rooms for \$99.00
- Entertainment: Mark Roberts & Breeze
- Centerpieces: Large Martini glasses with seashells, sand and candle (Provided by Marriott)
- Tables: Overlays provided by L&L Tent Rentals
- Program: Dinner will be served at end of program (8pm), band will begin to play when dessert is served.
- Dayma will deliver programs, overlays, candles etc. to the Marriott on Friday afternoon
- Volunteers: (all volunteers are to arrive by 5pm)
 1. Greeters: Carlos Braxton & Shannon Friedrichs
 2. Registration: Gail West, Sharon Laney & Tina DeWitt
 3. Coat Rack: David Dougherty & JD Terry
 4. Reserved Seating: Sue Waller, Kevin McKoy, Anna Penny & Terry Milam
 5. Floaters: Dayma Edwards, Anna Penny & Terry Milam
- Sponsors:
 1. Cunningham & Associates
 2. Star News (Jack Upton will be taking photos)
 3. Gail West of 2/10 Home Warranty

IV. Wrap-up/Questions/Comments

V. Next Meeting

- Monday, February 2nd
- WRAR Conference Room
- 9:30AM

WILMINGTON REGIONAL ASSOCIATION OF REALTORS®
PROPERTY MANAGEMENT COUNCIL
January 7, 2009 – 11:30AM
MEETING REPORT

Chair – Brooke Harris

Co-chair – TBD

Present: Charles Mattes, Brooke Harris, Hank Burnett, Jeff Ludwig, Shannon Friedrichs, Linda Coite and Karen Parkin

Staff Member(s) Present: Dayma Edwards

Purpose of Council

To maintain a dialogue with other Associations to work on matters of interest to property managers.

Mission Statement

It is the mission of the Wilmington Regional Association of REALTORS Property Management Council to bring together entities within the Association that practice property management. This will be done through sharing ideas and knowledge, providing a platform to voice concerns, practicing risk reduction, continuing quality service to clients through education, communicating with other property managers, and enhancing the referral network.

Introductions & Welcome:

Meeting with the Magistrate:

Linda Coite spoke to the Magistrate. The only way he will come in and speak to our group is if it is open to the public.

- Council members agreed to make flyers and post at their place of business to invite public
- Linda will contact the Magistrate about a date and relay the information to Dayma

2009 Co-Chair:

- Dayma stated that Eva Farr sent her an email wanting to become co-chair for 2009
- Brooke Harris made a motion to have Eva Farr as Co-Chair
- Linda Coite second the motion

Wrap-up/Questions/Comments/Concerns

- Meeting time is changed to 9am for 2009 meetings

Next Meeting

Date – **Wednesday, March 12th**

Time – **9:00 AM**

Place – **WRAR Office**

Topic - **Linda Coite will give update on State level**

Background Paper on Board Appointment of Additional Director

THE ISSUE

How can the Board most effectively address the issue of appointing a REALTOR® to the Board?

WHAT DO WE KNOW ABOUT OUR MEMBERS NEEDS, WANTS, PREFERENCES THAT IS RELEVANT TO THIS DECISION?

The Staff Knows...	Board Members Know...
<p>The REALTOR® members approved a change to the Bylaws on December 3, that permits the Board, if it so chooses, to appoint a REALTOR® from a firm that is not a member of the Executive Roundtable.</p> <p>The Executive Roundtable is constituted on January 1 of each year. The Bylaws state (in part):</p> <p>Those REALTOR® owners/managers who hold primary or secondary membership in the Association; Whose firms represent 66% of the total licensees found in all branch offices (where the licensee is either a primary REALTOR® Member of this Association or where the licensee is included in the Designated REALTOR® member’s dues paid to this Association) as of January 1 of each year</p> <p>Please note that it is not REALTORS® who are counted but licensees who are counted who are included in the dues of the Designated REALTOR® .</p> <p>The Bylaw change is permissive and does not require the Board to appoint anyone.</p>	

WHAT DO WE KNOW ABOUT THE CURRENT REALTIES AND EVOLVING DYNAMICS OF OUR ENVIRONMENT THAT IS RELEVANT TO THIS DECISION?

The Staff Knows...	Board Members Know...
<p>The Board at their November meeting asked staff to draft a Policy for the Board’s consideration based upon the discussion. Part of that discussion involved the President sending names to the Board; however, that was in the context of the original Bylaw draft. The</p>	

<p>draft changed from the President appointing with the Board’s advice and consent to the current language where the Board is more actively engaged in the process. I propose the following Policy for consideration:</p> <ol style="list-style-type: none"> 1. During the month of July Staff shall notify the officers of the opportunity for the Board to appoint a member. 2. Staff shall prepare: <ol style="list-style-type: none"> a. A spreadsheet that shows the closed production of REALTORS® who are not associated with an Executive Roundtable firm for the period of July 1 of the preceding year through June 30 of the current year. b. A list of REALTORS® who during the last two years and the current year are involved in Association/MLS/RCASENC activities. c. A copy of the ballot noticed to the membership. d. An analysis of which firms are likely to become Executive Roundtable members. (NOTE: This is done to minimize the possibility that the Board would appoint a REALTOR® whose firm becomes an Executive Roundtable member on January 1, thus forfeiting their seat.) 3. The leadership shall report their conclusions along with recommendations of candidates to the Board of Directors no later than the September meeting. 	
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WHAT DO WE KNOW ABOUT THE “CAPACITY” AND “STRATEGIC POSITION” OF OUR ORGANIZATION THAT IS RELEVANT TO THIS DECISION?

The Staff Knows...	Board Members Know...
The Board has the right to adopt Policy. The time frame proposed would allow the appointed Director to begin attending Board meetings in October with the other newly elected members.	

ARE THERE ETHICAL CONSIDERATIONS TO CONSIDER?

The Staff Knows...	Board Members Know...
To act in the best interests of the REALTOR® members.	

Background Paper on Legislative Committee

THE ISSUE

What should the Board’s role be with regard to delegating authority to act on it’s behalf in the governmental and regulatory environment?

WHAT DO WE KNOW ABOUT OUR MEMBERS NEEDS, WANTS, PREFERENCES THAT IS RELEVANT TO THIS DECISION?

The Staff Knows...	Board Members Know...
<p>The Board of Directors approved the 2008-2009 Strategic Plan that contains the following:</p> <p>Establish a Legislative Committee</p> <ul style="list-style-type: none"> ➤ 5 RCA members and 5 WRAR member appointed by the boards of directors ➤ regularly reviews governmental issues, and ➤ has authority to make timely decisions <p>The Committee was constituted in late 2008 but the “authority to make timely decisions” has not been defined.</p> <p>A policy should be created that delineates what the Legislative Committee may do. I recommend that you give the Legislative Committee blanket authority to act on behalf of the Board. If the Legislative Committee acts inappropriately, then the Board would define what would be inappropriate. The Policy would be amended to reflect the limitation on their authority.</p> <p>Using baseball rules as an analogy: The Rule is a batter may hit the ball anywhere and run to a base except when the ball hits a line or is hit outside a line. The definition of hitting the line or hitting outside the line is “a foul ball.”</p> <p>By employing this methodology, the Board would define what the Committee may not do (foul ball), rather than attempting to define what it can do.</p>	

<p>Just to be clear: This group is not responsible for candidate interviews or endorsement recommendations. There is a separate task force that interviews candidates. The Board endorses.</p> <p>Possible Policy:</p> <p>The ten-member Legislative Committee (Committee) has the authority to act on behalf of the Board of Directors when the issue is regulatory or legislative; seven of its members must agree by voting to take an action—either by being in attendance or through electronic means. When outside expertise is required or when any Committee member, the GAD or CEO is concerned about an action, the Committee shall refer the matter to the Board of Directors.</p> <p>Appointment: Members who serve on the Committee should have experience in legislative and regulatory issues as applied to the practice of real estate.</p>	
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WHAT DO WE KNOW ABOUT THE CURRENT REALTIES AND EVOLVING DYNAMICS OF OUR ENVIRONMENT THAT IS RELEVANT TO THIS DECISION?

The Staff Knows...	Board Members Know...
<p>Members who serve on the Committee should have a experience in the practical application of real estate practices with regard to legislative and regulatory issues.</p> <p>While the President appoints, the Board can have input. You have a staff attorney who is has experience in this area. She has testified on regulatory matters in front of the Connecticut legislature.</p>	

WHAT DO WE KNOW ABOUT THE “CAPACITY” AND “STRATEGIC POSITION” OF OUR ORGANIZATION THAT IS RELEVANT TO THIS DECISION?

The Staff Knows...	Board Members Know...
<p>The Board may adopt such a policy. Such adoption is also in keeping with Goal 5:</p> <p><i>To have an organization which utilizes the expertise of volunteer leaders and professional staff to attain its goals and ensure financial stability.</i></p>	

ARE THERE ETHICAL CONSIDERATIONS TO CONSIDER?

The Staff Knows...	Board Members Know...
None known	