

## ARIZONA PROCESS SERVERS ASSOCIATION

### ANNUAL MEETING MINUTES-SEPTEMBER 28, 2014

The annual meeting was held on Saturday, September 28, 2014, at the Wild Horse Pass Resort & Casino located at 5040 Wild Horse Pass, Chandler, AZ 85226. The Pledge of Allegiance was given by Larry Ratcliff and we had a moment of silence for the Process Servers lost this year. The meeting was then called to order and turned over meeting to the President; Thomas Lavance. The 2014 Annual Conference Notebook was received by all members in attendance as they signed in at beginning of the conference.

#### **PRESIDENT'S REPORT:**

Tom talked about how in his term of the past two years, we have made changes to the conference. In talking with a lot of members and hearing feed back through phone calls, emails and having conversations with members. There is always the discussions about the food at the conferences. In the past we have had smaller venues, were we used to come just to take our Continuing Education Classes (CLE). The market has changed for all of us out there and I have increased the size and location of the venues. We are now here not just for our CLE's but for the mingling experiences, meet other process servers and *Investigators and discuss their issues that surround us all. We will always as an organization need your input, so please always keep talking to the board of directors of this organizations. We need your voice in order to change things. Tom talked about spending \$30,000.00 in the past to legislative rule changes. We did not get positive feed back from the Legislators. They gave us the inclination that this Association is not large enough to make change. The lobbyist had done a tremendous job and several of the board members spent endless hours at the capital. However the process serving industry has a 1000 process servers and we only represent here at our conferences only a couple hundred. We voted not to pay for a lobbyist for the past year. We have and will respond to and react to any issues that have been brought up at the Legislative sessions. Ron Ezell, Larry Ratcliff, Barry Goldman and myself have all spent and attended meetings to discuss issues and let our voices as the Process Serving Industry be heard. We wanted and will always let our voices be heard. We must keep vocal to our efforts of change in order to grow. Big changes and the transforming and consolidating of changes makes it import for the Arizona Process Servers Association to be heard. We changed and asked out Instructors this year, to teach voluntarily. In the past we have Spence 5-6000 in Instructional Fees. This year each and every Instructor has volunteered their time for free. We will always continually pay those Instructors who spend there time out of town, to teach those classes in another city. We are hoping that at the Annual Conference we can continue to do this to save our money resources for future endeavors. We need to grow our image and numbers of members in this Organization. It has been an honor as serving as your president for the past two years, but I will not be accepting a nomination for president for this next upcoming year. I will be on the Board of Directors as the past president serving as a director.*

*Tom then introduced our vendors for this conference.*

*William West of AMIS. He is a former Private Investigator, Insurance Adjuster. He specializes in writing a Process Servers Liability Policy for the Process Servers with First Mercury. He also writes Process Servers Bonds. While the BOND covers the public. The LIABILITY Insurance covers yourself.*

*Diane Green from Atlanta, GA. Diane is also an Instructor this weekend. She talks with Private Investigators, Process Servers & Attorneys. She has also wrote a book. She mainly deals with scammers in dating services sites. Her book involved interviewing 5 scammers and has come up with 96 point for you to watch out for.*

*Robert Garcia from Tucson. He is with Legal Shield and holds policies with the Law Enforcement, Process Servers & Investigators. Legal Shield can help restore identifications, when stolen. They have 24 hour talk to an attorney to ask questions, can also write wills, just a few of the items they cover.*

*Kelly Townsend, a Licensed Private Investigator has a tracking devise that he is showing to everyone this year. It can be used in several different ways, even to be used as an SOS device.*

*Dana also wanted to THANK several more vendors, that were not able to make the trip this year but is supporting ALPI & APSA through sponsoring, the bags that we all received at registration, pens and the banners you see at the conference. PBJ services, Trans Union, TLO, Tracersinfo.com, and new to the Vendor list this year is NCISS, a National level watch dog, ie; droans..*

*Tom Lavance then addressed the attendees to please, go talk to our vendors and meet with them. Without sponsors for this conference you could easily be paying \$300-500 per person for attending this conference.*

*A drawing was held by Larry Ratcliff.*

#### **VICE PRESIDENT'S REPORT:**

Barry Goldman talked to the members asking them if they received the Newsletter, if they are looking at the newsletter and are they reading the newsletter. There was an article about changing the By Laws at this year's conference. We have a duplicate position in the 1<sup>st</sup> Vice Presidents and the 2<sup>nd</sup> Vice Presidents positions. We would like to remove the 2<sup>nd</sup> Vice Presidents and just have the Vice President position, however to keep the same amount of Board Members we would be adding the 2<sup>nd</sup> Vice Presidents

position to the Directors spot, so there would now be 4 Directors. He polled the members if there would be any problem removing the 2<sup>nd</sup> Vice Presidents position and adding to the Directors Positions.

A Motion was made to change; Article 5 Section 1; to remove the 2<sup>nd</sup> Vice Presidents position and add that position as a Director's position, made by: Leslie and seconded by: Ron Ezell. Vote was taken. Motion passed.

Barry then said we were ready for nominations. Patty Chlebanowski made a Point of Order, we must hear and approve all reports of the Board and approve them through the membership prior to moving on to nominations.

Tom Lavance asked if everyone reviewed the minutes of last year's meeting in their conference booklet.

Patty Chlebanowski stated there were a couple corrections that she noticed; on page 10 under membership report, the year should be 2014 membership, my name Patty Chlebanowski was spelled wrong and on page 11 the correction of was nominated President & Vice President.

Motion was made to approve the minutes of the Annual 2013 Conference by Patty Chlebanowski and 2<sup>nd</sup> by: an APSA Member . Motion passed.

#### **TREASURER'S REPORT:**

Bert Young had provided a written report in the Conference Booklet.

Motion was made to approve the Treasurer's Report by: Ron Ezell and 2<sup>nd</sup> by: Paul Nye. Motion passed.

#### **COMMITTEE REPORTS:**

##### **MEMBERSHIP REPORT:**

##### **ADMINISTRATORS REPORT:**

Written report in Conference booklet was provided by Bert Young.

##### **WEBSITE REPORT:**

##### **GRIEVANCE REPORT:**

Tom Lavance reported there were no Grievances filed this year at all. The attendees all clapped.

##### **LEGISLATIVE REPORT:**

Tom Lavance asked Ron Ezell if he had anything to report. Barry Goldman took the floor and asked the membership where we go from here. Do we want to do Legislative Changes or Statue changes. We have had much difficulty in the past with Legislation, the committee chairman Eddie Farnsworth is not a supporter of the process servers. Barry was not sure if Eddie had won his reelection or not and not sure if he would still be the legislative chairperson. Should we continue our efforts in regards to the Trespass Laws, where Process Servers should not be arrested on private property if there serving legal process.

Barry mentioned we need to include the Constables and the Sheriffs in this fight. We also need to look at private gated communities, private guarded residences, businesses we all have the same problem when it comes to Civil Process. We need to look at Assault Laws, ie; Teachers, Fireman, etc. to make it a felony to assault a Process Servers while in the line of duty serving process. We need volunteers in regards to these legislative issues.

We could also make changes through; Rules of Court: A minor is 16 years or older when serving, but no definition on rule 4.1d of the age for a suitable age and discretion.

Making a rule change by serving a guard at a gate. He is a Gatekeeper of that household. We could change the Alternative Means of Service where we could sub serve the guard, post the gate and complete a follow up mailing. A long discussion follows with the membership in regards to the above ideas.

Barry mentions that with the new board of Directors comes new volunteers for Committees. We are looking for Legislative Committees, Education Committees and a Volunteer to attend the Quarterly Process Servers Clerk of Court Meetings.

#### **NEWSLETTER REPORT:**

Barry Goldman included this information in his Vice Presidents Report.

#### **EDUCATION COMMITTEE:**

#### **OLD BUSINESS:**

None to be addressed.

#### **NOMINATIONS:**

Barry Goldman nominated Larry Ratcliff for President and seconded by: Patty Chlebanowski. A call for any other nominations. Motion to close nominations for President by: An APSA Member and seconded by: Kelli McFarland. Motion passed.

Motion made to Nominate by acclamation by: Patty Chlebanowski and seconded by: An APSA member . Motion passed.

Larry Ratcliff nominated Barry Goldman for Vice President and seconded by: an APSA member . A call for any other nominations. Motion to close nominations for Vice President by: An APSA and seconded by: An APSA Member. Motion passed.

Motion to nominate Barry Goldman as Vice President by acclamation by: Patty Chlebanowski and seconded by: An APSA member. Motion passed.

Kelli McFarland nominated Luis Figueroa for Treasurer and seconded by : Rudy Reyes. A call for any other nominations. Motion to close nominations for Treasurer by: Patty Chlebanowski and seconded by: An APSA Member.

Motion to nominate Luis Figueroa as Treasurer by acclamation by: Patty Chlebanowski and seconded by: An APSA member. Motion passed.

Kelli McFarland nominated Jenna Jones for Secretary and seconded by: An APSA Member . A discussion was held because Jenna Jones was not present. Tom Lavance did state that Jenna would agree to the nomination. A call for any other nominations. Motion to close nominations for Secretary by: Larry Ratcliff and seconded by: An APSA Member. Motion passed.

Motion to nominate Jenna Jones as Secretary by acclamation by: Kelli McFarland and seconded by: An APSA Member. Motion passed.

Tom Lavance is automatically appointed as a Director on the Board as the Past President.

Kelli McFarland nominated Gerri Gentilquore as a Director and seconded by: An APSA Member . Larry Ratcliff nominated Patty Chlebanowski as a Director and seconded by: Barry Goldman. Barry Goldman nominated: Ron Ezell as a Director and seconded by: Gerri Gentilquore. A call for any other nominations. Motion to close nominations for Directors by: An APSA Member and seconded by: An APSA Member. Motion passed.

Motion to nominate all Directors by acclamation by: Barry Goldman and seconded by: An APSA Member. Motion passed.

Tom Lavance now swears in Larry Ratcliff as the new President.

Larry Ratcliff now swears in the new Board of Directors.

A Drawing was held.

Motion to adjourn the Annual Conference by: Kelli McFarland and seconded by: An APSA Member . Motion passed.

Meeting was adjourned at approximately 1:25 PM.

Minutes prepared by; Patty Chlebanowski; via a recording of the meeting, due to the fact Jenna Jones was not present.