

APSA  
ARIZONA PROCESS SERVERS ASSOCIATION

Board Meeting Minutes  
March 21, 2015  
Called to Order at 9:20 AM

**THOSE IN ATTENDANCE:**

Board Members: Larry Ratcliff, Patty Chlebanowski, Tom LaVance, Ron Ezell, Luis Figueroa and Barry Goldman and one member Candy Ratcliff.  
Board Members not present: Jenna Jones and Gerri Gentilquore.

**PRESIDENT'S REPORT:**

Larry Ratcliff welcomed the board members. He made sure that we all received the Meeting Agenda, the January minutes for approval and attachments of items to be discussed in this meeting.

Larry talked about only a few members who did not received their certificates at the annual meeting. Barry verified their information and provided Duplicate Certificates for the members that needed one.

It was brought to our attention by a member about not posting our Board Meetings on the website. We have reviewed the open meeting laws and this does not pertain to a non profit organization. It applies to a public entity & political entity. We have corrected the situation by scheduling all future meetings, however for the ease of members, If any member would like to attend a meeting they are being posted on the website. This does not include our work sessions via video conference. We do take notes and the notes are discussed in the next board meeting, however those video work sessions are just to complete a task at hand in a timely manner with the board of directors.

**VICE PRESIDENT'S REPORT:**

Barry Goldman's report will be listed in each separate category; Administrator, Treasurer & Legislator reports.

Barry talked about and provided a written report about Pima County courthouse changes. The designated filing window for Attorneys and runners has changed to Window number 6 (formerly number 7). The clerk will have new operating house 0800-1700 (8 a.m. to 5 p.m.) They have terminated the extended filing hours. Additionally filing of affidavits and declaration related to service by a process server may be made electronically through AZ Turbo Court system.

**SECRETARY'S REPORT:**

Jenna Jones has given written notice and has resigned her position as secretary Tom Lavance made a nomination to appoint Patty Chlebanowski as secretary. Luis Figueroa seconded it. Patty Chlebanowski will now be the current secretary for the remainder of this term.

Minutes of January 15, 2015 board meeting were prepared by Patty Chlebanowski and emailed to the board for their review prior to the meeting. Motion to approve the minutes was made by Larry Ratcliff and seconded by Barry Goldman. Motion Passed.

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

Luis Figueroa is present and gives a report. Larry Ratcliff and Luis Figueroa went to Bank of America, yesterday, March 14, 2015, presented the 2014 Annual Minutes appointing them as the current officers along with the Corporation Commission print out of officers. They are now current signers on the checking account, legislative account and money market account. They applied for a Debit Card for ease, since each board member are in different counties this term. The temporary cards were given to Luis Figueroa who handed his over to Barry Goldman and Larry Ratcliff who handed his over to Patty Chlebanowski. The permanent cards will be mailed to Larry Ratcliff & Luis Figueroa. Luis Figueroa will keep 3 checks in his possession. Barry Goldman as administrator will send Luis Figueroa an Invoice for payment and then Luis will write the check to be mailed out. At this time there is no reason to change the Accounts to another bank. We will keep all funds at the Bank of America.

Barry Goldman as the current administrator reported balances as of January 31, 2015 as follows; Legislative Account: \$ 15,122.85 and Checking Account: \$ 4,216.31 and Savings Account \$ 19,836.68 for a total of \$ 39,175.84.

Barry Goldman brought the checks that needed to be signed and mailed out this week. They were all approved in the January board meeting. He mentioned that the books have not been reconciled in many months and need to be brought up to date. Tom Lavance offered to help review and update the books.

Larry Ratcliff brought two invoices to be paid for reimbursement. The Invoices were presented to Luis Figueroa for payment. An invoice for the "Go to Meetings" for four months and the Corporation Commission filing fee from the January meeting.

Motion made to approve the Treasurer's Report by Ron Ezell and seconded by Patty Chlebanowski. Motion passed.

#### **ADMINISTRATOR'S REPORT:**

Barry Goldman provided a written report. They have about 11,000 pages yet to be scanned and stored on the cloud. Approximately 2,500 pages have already been scanned and destroyed. It has taken up about 12 hours, only 9 of those hours were billed out. There are about 55 additional hours to be scanned. The completion date should be by July 31. The dropbox currently has about 1 GB of the documents stored already.

Barry Goldman talked about the D & O and the E & O policies. Kevin Browning of Insurance-Tek will be securing a quote and sending to Barry by Tuesday of next week. We will then purchase the policy and have all coverage through one agent.

Barry Goldman contacted Serve Now who wrote our website to obtain information and complete some changing on the site. They have a meeting scheduled.

A motion was made by Ron Ezell to pay Barry Goldman his arrearages of Administrators Fees and seconded by Tom Lavance. Motion passed. Barry Goldman is to create the invoice for the past three months and present it to Luis Figueroa for payment.

## **COMMITTEE REPORTS:**

### **Membership Report:**

Once Barry meets with the Serve Now group regarding the website, Barry will send out the 2015 membership renewals to the current members as a blast. This should be completed by the end of March.

### **Website Report:**

As previously stated, he has a meeting with the Serve Now group regarding the updating of the website.

### **Grievance Report:**

No grievances at this time.

### **Newsletter Report:**

Barry stated the current Newsletter should be going out shortly. Larry & Patty have wrote their biographies for the newsletter.

### **Continuing Education:**

Barry is writing programs for all the CLE hours we currently have. He does believe attendance is dwindling do to the other opportunities out there for Continuing Education Classes. He asked about the copywriting of our materials. Each Instructor needs to understand the material does belong to APSA and is used for the Instruction of the class they are teaching. He feels that on the Registration Application and the Instructors should be notified of this agreement.

We scheduled several tentative dates to have CLE for future classes. April 25 & 26<sup>th</sup> at the Chamber of Commerce if APSA joins as a member, we can use their Conference Center in Maricopa, AZ taught by Barry Goldman. April 25 & 26<sup>th</sup> in Flagstaff, providing the Country Club is available for that date. Larry Ratcliff can teach Saturday's ACPS class and Luis volunteered for Sunday's class. December 12 & 13<sup>th</sup> in Tucson. Ron Ezell will look into location and confirm dates.

### **Legislative Report:**

Barry reported about Senate Bill 1064. When originally introduced, this bill essentially limited service of process attempts to one per day. That limitation has been removed. The bill since has been Amended into making requirements to serve civil traffic summonses (primarily photo enforcement) by adding to ARS 28-1602 section "C" as follows:

In addition to any other means authorized by the Arizona Rules of Civil Procedure, alternative or substituted service of process must be sent by certified mail with an additional copy by regular mail and a notice must be posted on the front door of the business or residence and if present and accessible, a resident's garage door. Service of the complaint is complete on filing the mailing receipt and proof of posting in the court having jurisdiction of the violation.

Further, the bill relocates the language in ARS 11-445(I), creating a new code section as ARS 12-3251. The original language appears to be intact without other changes.

Tom Lavance believed the bill was tabled, because the Governor would not sign the bill as is. Per the website 1064 passed the Judicial Committee and now in house with 2<sup>nd</sup> Amendment.

Discussion follows, this bill is already covered by Alternative Means of Service.

Larry Ratcliff made a Motion to write a Position Letter from APSA. Ron Ezell seconded and Tom Lavance will write a position letter on behalf of the Association.

### **OLD BUSINESS:**

The finalization of the Annual Conference scheduled for August 28 thru the 30<sup>th</sup> at Carefree Resort & Conference Center. We all agreed not to participate in a Friday class. There will be a no host mixer Friday evening. The majority of our members come Saturday and Sunday for the CLE hours and we need to have those dates available to the membership. We all agree to have separate registrations so the classes run a lot smoother this year.

### **NEW BUSINESS:**

The next board meetings are scheduled. June 27 at 4:00 Pm following the Flagstaff ACPS class at the Country Club. September 19, at Director Patty's house and December 12, Saturday following the Tucson class.

A discussion was held regarding John Carpenter letter to the board. Larry to write to John Carpenter regarding this letter and a duplicate Certificate to be mailed out to John by Barry Goldman.

Motion made by Ron Ezell to adjourn & seconded by Tom LaVance.

Meeting was adjourned at 12:10 PM.

Submitted by: Patty Chlebanowski, Secretary