

**MSU Administrative Professional Association MEA/NEA
Special Executive Board Meeting Minutes
March 24, 2008**

Call to order

Meeting called to order by Chairperson Leo Sell at 5:17pm

Board members present: Jean Chisnell, Ramiro Gonzales, Maurice Koffman, Sean Leahy, Sharon Nichols, Deb Porter, Cynthia Schneider, Leo Sell, Vikki Tormala; and John VanDyken, UniServ Director

Board members excused: Ann Hancock, Vivian Leung, Gary Mell, Rachel Zakhem

Board members absent:

Association members present: Scott Kyes, Kris Kaye, Danny Layne, Mike Ramirez

Approval of agenda: Moved by Sean and seconded by Jean. Agenda approved unanimously.

Approval of minutes:

Executive Board Officer:

New Business

1. Reading of "Executive Board Resolution." Written document provided- attach second document
2. Motion made to move resolution into the record by Leo Sell. Motion seconded by Sean Leahy. Motion passed unanimously.
3. Motion made by Jean and seconded by Sharon to move into Executive Session. Motion passed unanimously and moved into executive session at 5:26pm.

Executive Session

1. The Board reconvened from executive session at 5:43pm and reported the Board had a discussion and update regarding the recent legal matters of the APA.

Motion to adjourn by Maury, seconded by Deb; motion passed unanimously.

Meeting adjourned at 5:43pm

Submitted by Maurice Koffman, APA Secretary

March 24, 2008

EXECUTIVE BOARD RESOLUTION

At a special meeting on March 24, 2008, the Executive Board considered the following factors and took the identified action.

WHEREAS notification for nominations for the Executive Board elections were issued on February 28, 2008 and nominations held open for one week;

WHEREAS the Ingham County Circuit Court issued a Temporary Restraining Order ("TRO") restraining the APA from conducting nominations and voting for the APA Executive Board on March 7, 2008;

WHEREAS the Ingham County Circuit Court dissolved the Temporary Restraining Order on March 19, 2008;

WHEREAS the Executive Board seeks and has sought legal counsel for advice regarding the TRO litigation and impact on Executive Board elections;

WHEREAS the Executive Board intends to take appropriate reasonable action to ensure that the election process complies, to the extent possible, with the APA Constitution and Bylaws and Elections Policies and is fair to candidates and to the membership;

NOW THEREFORE, the Executive Board hereby finds and agrees as follows:

1. The Executive Board has received advice from legal counsel and acts upon that advice;
2. The Executive Board finds that the elections for the Executive Board cannot be conducted by March 31, 2008;

3. The Temporary Restraining Order from the Ingham County Circuit Court placed a legal hold on the election process prohibiting the APA from conducting nominations and voting for the APA Executive Board while the TRO was in place;
4. Although the TRO was dissolved on March 19, 2008, additional time to review the legal ramifications of the TRO and its dissolution is necessary;
5. The Executive Board understands that restarting the election process after the TRO dissolution could not be done immediately in light of factors including, but not limited to:
 - a. The Elections Chair has been on a medical leave of absence during the week of March 17, 2008;
 - b. The vendor that assists in the electronic processing of the election has given a preliminary indication that the request that ballots contain a "slate" option will require special formatting that may require additional days to finalize the ballot.
 - c. The desire to ensure that the membership is provided fair notice of the election and candidates given reasonable time to confirm their candidacy and to provide biographical statements within the time period allotted in the applicable election policies.

Based upon these considerations, the Executive Board hereby moves to:

1. Conduct the Executive Board elections in April 2008;
2. Set April 14, 2008 as a target date to open the balloting and to have the balloting remain open for no less than one week and no more than two weeks, pursuant, to the extent possible, with the APA Constitution and Bylaws and the Elections Policies.