

## Minutes of the Virtual Council of Administration Meeting

18 January 2022

CinC Paquette opened the meeting at 1903.

- Pledge of Allegiance
- Invocation by National Chaplain Jerry Kowalski

Attendance: CinC Michael Paquette, JVCinC Peter Hritsko, COA member Kevin Martin, COA member Shane Milburn, COA member Harry Reineke, COA member Joseph Hall, PCinC Brian Pierson, PCinC Mark Day, PCinC Ed Krieser, PCinC Tad Campbell, PCinC James Pahl, PCinC Steve Michaels, PCinC Ken Freshley, PCinC Danny Wheeler, National Quartermaster James Lyon, National Chaplain Jerry Kowalski, Executive Director David Demmy Sr.

Excused: SVCinC Bruce Frail, National Treasurer D. Michael Beard, National Secretary Jonathan Davis

Absent: COA Member Kevin Tucker

Agenda

**1. National Document Retention Policy Updates.** Submitted by Brother Frail. CinC deferred discussion until a future date when Brother Frail is available to discuss them.

### **2. Kit Carson Monument, Santa Fe, NM.**

Background: GSA contacted Brother Walt Busch two years ago asking if the SUVCW claims ownership of the monument. He responded that a National Encampment would have to decide.

The local GAR Post erected the monument on United States Government (USG) property and kept possession of the monument itself. There is no documentation that shows the transfer of the monument from the Post to the Dept of NM GAR, or subsequent transfer to the Dept of the Southwest. Therefore, could it be considered abandoned property?

The monument is not popular with the local tribes or city government and has been vandalized on occasion for the past 50 years. It is located on federal property, not city property.

The monument is a sandstone obelisk on a base with engraved inscriptions. USG restored it in the 1970s; however, it would likely require further restoration.

A lengthy discussion proceeded and included the following points:

- Possible options (1) SUVCW claims ownership; (2) SUVCW does not claim ownership, thus allowing GSA to attend to its disposition as they see fit
  - There will be Brothers on each side of this issue who will advocate for one option or the other. It is expected that a notable percentage of our membership will demand we claim it.
- Question: If we don't claim it, would this violate the monument protection policy? PCinC Day stated the intent of the policy was to allow flexibility to deal with a variety of situations, including those that are financially outside of our capability

- Question: Does the Deed of Conveyance apply in this case?
  - PCinC Pahl explained that the only thing a Post passed on per the Deed of Conveyance were GAR records, not real property or monuments.
  - It was noted that we have never gone to a National Encampment on issues regarding the Deed of Conveyance. There are other monuments on federal property to which we don't lay claim.
- Question: What precedent are we setting WRT Deed of Conveyance if we lay no claim?
  - PCinC Pahl stated that anything we do will set precedent.
- Question: Who has the authority to decide whether the Order claims the monument or not?
  - Not resolved whether that would be CinC, COA, or National Encampment
  - CinC will therefore remain noncommittal in any discussions with outside agencies in order to preclude inadvertently usurping a National Encampment decision.
- Question: What is GSA's intent?
  - Could GSA be trying to prevent getting sued by SUVCW if they do something?
  - If we claim it, what would GSA do or direct us to do? What should we communicate to GSA?
- Best / worst case results for SUVCW:
  - Worst case – bankruptcy if the Order is forced to respond to any lawsuits.
  - Most likely case – GSA directs SUVCW to move it or to pay for its restoration and maintenance. Possible \$100K+ in cost
  - Best case – no consensus
  - CinC Paquette noted that the City of Richmond KY is building a park to Kit Carson's honor and would like to have the monument. Question: Can we see if Richmond would want it, and if so would they be willing/able to defray moving costs?

Actions:

- CinC will open a careful dialogue with GSA.
- CinC will reach out to Richmond KY.
- CinC will keep Dept Commanders of SW and KY involved.

### 3. Directed Fund Raising.

Background: Should the National Organization establish guidelines on directed fundraising or allow Depts to do it on their own? A brief discussion

A brief discussion included the following points:

- Question: Would a National Policy directed at the National Organization only, or would it apply to Departments and Camps?
- How a Dept raises funds is up to Depts and Camps as long as they don't break the law.
- There is some desire to put a framework in place that allows flexibility at the Dept level.
- Most other organizations have policies in place that set limits and caps.
- PCinC Pahl remarked that some directed donations may not be tax deductible, due to telling a charitable organization what to do with the funds.
- It was noted that a national policy is not prescriptive as is a National Regulation

There was no consensus reached on this; however, the discussion served to make COA members aware of the complexities of such a policy.

Further discussion was deferred until Brother Frail is available to present the proposal he's working on

#### **4. DUVCW Little Brown Buttons (follow up).**

Background: CinC Paquette recently received a letter from the LGAR National President demanding that the SUVCW have a third party destroy any remaining buttons in our possession.

There was a brief discussion on this topic.

**Motion** by PCinC Pierson: COA authorize CinC to destroy the LBBs in a manner at his discretion and document it appropriately. Seconded by Brother Reineke. **Vote:** Passed 7 yea – 0 nay.

#### **5. Document Retention Schedule.**

Brother Frail submitted a proposal, structured as a proposed amendment to National Regulations, not National Policy, therefore it needs to go to C&R Committee, not COA.

Further discussion was deferred until Brother Frail is available to discuss the topic.

#### **6. Computer and Backup Capability at National HQ.**

CinC Paquette reported on behalf of Brother Demmy that the hard drive of the backup computer is failing. This has the impact that the intern who has been using it to scan in documents will soon be unable to continue scanning.

In addition, it was reported that Brother Demmy's primary computer is running very slowly. An examination revealed that this computer is getting backups pushed to it from the second computer.

One or two new computers may be needed. CinC Paquette had confirmed with Brother Beard that there are contingency National HQ funds available (\$4,000).

PCinC Freshley suggested that HQ consider utilizing Network Accessible Storage (NAS) to preserve the data vs backing up between the devices.

Action: CinC to direct the Comm & Tech Committee to evaluate the computers and make a recommendation on replacement or refurbishment.

**Motion** by Brother Hall: Allocate up to \$4,000 for new computers. Seconded by Brother Millburn. **Vote:** Passed 7 yea -0 nay.

#### **7. Dept Encampment Schedule**

The Department Encampment schedule was reviewed to fill current vacancies. There are still a few open Encampments.

#### **8. Special Order. Board of Inquiry Dept of CO & WY.**

CinC explained that reason for the special order is that he has received complaints from multiple camps within the Department. In good conscience the CinC could no longer ignore the situation or depend upon the Department to resolve the matter. The Board of Inquiry will determine if the complaints can be substantiated or not. PCinC Darby is the Chairman of the Board of Inquiry.

#### **9. Good of the Order**

PCinC Pahl reported that Michigan's National Encampment Website is up and the hotel is open for reservations.

PCinC Pierson provided a brief update on the National Encampment Streamers and polled the COA on a few design elements. Further report to come at the Springfield COA meeting in April.

PCinC Day reported that he had drafted a "Draping of the Charter Ceremony" for departed brothers based upon one used in the Department of the Chesapeake and other organizations and will send it to P&P for consideration whether to incorporate it into the Ritual & Ceremonies.

CinC Paquette stated that he will conduct one more virtual COA meeting before Springfield COA meeting

National Chaplain Jerry Kowalski provided a Closing Benediction

CinC Paquette closed the meeting at 2005.

MINUTES END