

Meyers, Robert (COE)

INQ 06-104

From: Meyers, Robert (COE)
Sent: Thursday, July 20, 2006 11:23 AM
To: Meyers, Robert (COE)
Subject: FW: Trust Conflicts on Support Group Contracts

I spoke to Tom Logue and advised him that a conflict would exist under 2-11.1(v) if Guides who are board members were to vote on the Guides' contract. If the Guides are merely members, then they could vote. Regarding question 2, the spouse of a Guide may vote, as there is no financial benefit that inures to the Guide-spouse. Regarding #3, Vizcayan board members cannot vote on the Vizcayan contract, but Vizcayan members who do not sit on the board of the Vizcayans may vote on the contract.

Robert Meyers

From: Logue, Thomas (CAO)
Sent: Wednesday, July 19, 2006 11:56 AM
To: Meyers, Robert (COE)
Subject: FW: Trust Conflicts on Support Group Contracts

Robert

Can you or one of your lawyers call me to discuss this request?

I hope everything is well with you.

Tom

From: Hoffman, Joel (Vizcaya)
Sent: Wednesday, July 19, 2006 11:50 AM
To: Logue, Thomas (CAO)
Cc: Campbell, Kyndal (Vizcaya); Van Dyke, Stefania (Vizcaya); Fruitt, Dennis (Vizcaya); 'Jeffrey Rynor'; 'ymachado@mitrani.com'
Subject: Trust Conflicts on Support Group Contracts

Hi Tom,

A fairly simple question for you:

In September the support groups will present to the Trust their contract renewals with changes for approvals. Good news is we have pretty much completed the review process with the Guides and all parties seem satisfied with the final product. When the votes occur:

1. Should active Guides recuse themselves from the vote on the Guides' contract?
2. Should Carlton Cole whose wife is an active Guide recuse himself from the vote on the Guides' contract?
3. Should all Vizcayans' Board members recuse themselves from the vote on The Vizcayans' contract?
4. Should other Vizcayans' members recuse themselves from the vote on The Vizcayans' contract; or is there a threshold of \$500 for a gift in the last fiscal year that would determine whether a conflict exists.

I hope these are simple questions and pretty much assume the answers to 1-3 would be "yes," but 4 is tricky as we encourage everyone to be a Vizcayans' member. On a related point, The Vizcayans Board changed their bylaws in June so that members no longer have voting authority but the organization is instead Board driven!
 Thanks,

7/20/2006

Joel