



**German American National Congress  
Executive Board Meeting  
November 6, 2010 1:30 P.M.**

*During the lunch break, Robert Miske conducted the drawings for our **annual Raffle**. He asked Eva Timmerhaus to draw the names. The winners were: 1<sup>st</sup> Prize (\$1000) Regina Kania Cicero, IL; 2<sup>nd</sup> Prize (Large screen TV) Ursula Anderson of Satellite Beach, FL; 3<sup>rd</sup> Prize (\$500) David Fairbrother; 4<sup>th</sup> Prize (\$250) Virginia Hadley Tinley Park IL, 5<sup>th</sup> Prize (\$100) Martina Zidonis of Arlington IL; and 6<sup>th</sup> Prize (\$50) James Underwood of Plainfield IN. Winners were all notified by a congratulatory phone call.*

Income was down this year and in part it was due to the fact that last year Reinhard Lippert sold over \$1200 in tickets at Benton Harbor. This year, he was told to sell them at their weekly fish fry and later the chapter president (Walter) told him he was not permitted to sell them in the organization. Apparently, there is an underlying current that has existed for a long time where members of chapters have lost respect for what is being done on the national especially in Chapters that are doing well. Personality conflicts and a feeling towards the national organization factor into this. There is a role for formal processes and perhaps when members have problems within their units, we can have a process whereby the member can come to national and try to get them resolved. *Erik recommended that we develop a format that there is someone designated to be the contact on the board to say this is the issue, assist us in the problem solving process so that we don't have everybody and his mother out there trying to deal with it because sometimes they add fuel to the fire.*

**Meeting called to order at 1:30 PM**

**Attending:** William Fuchs, Erik Wittmann, Donna Lippert, Maria Thompson, Beverly Pochatko, Edwin Gunther, Robert Miske, Dave Hinz, Rein Lippert, Chris Decker, Margarete Potocki, Mary Ann Hinz, Rev. Erwin W. Lickmann, Albert Shafer, Ursula Gunther, Christa Garcia, Darlene Fuchs, Stephen Fuchs, Amelia Cotter, Eva Timmerhaus, Anita Walthier and Martin Hartung.

**MINUTES:** The minutes of the September 9<sup>th</sup>, 2010 teleconference meeting were approved October 2<sup>nd</sup>, 2010. *Christa Garcia asked that the following clarification be included: Section p. Schools: Christa said that she was designated again as the official testing representative (Pruefungsbeauftragte fuer Chicago) for all DANK and other schools in Chicago. On Dec 5<sup>th</sup>, we will have a presentation contest for students from Michigan, Ohio, Illinois, Minnesota and Missouri at the DANK Haus – a pre-run for the German Diploma tests coming up in March/April. We appreciate Christa's continued support to our schools. Bill noted that according to Robert's Rules the President as well as the Secretary sign the approved minutes.*

G-H. **FINANCIAL REPORT:** (Maria Thompson) Attached Report. Basically we are in accord with last year's budget but Maria stated that the unplanned legal expenses undermined our finances to some degree. Erik noted that while we do have \$2K for membership, but nothing has been spent because there is no money and he can't spend money that's on the books but not in the bank account. We may have to transfer funds before the end of the year, but we want to keep expenses down so we don't have to do it. We need to set up a Budget Committee for next year to get everything on line next year; we definitely need to look into establishing an endowment fund as a means of establishing a solid financial backing. **A motion to accept the financial report was made by Chris Decker and Donna Lippert. Motion carried.**

I. **Additions to the Agenda:** Standard Operating Guide; German World Proposal; and Membership dues procedures.

J-1 **Dues Reimbursements** – A decision was made regarding checks previously held for payment. Those in

question were Chapter Kenosha and Chapter Washington who are inactive Chapters – having no board to represent them. Where there is no functional board in place dues reimbursements can not be made. While Chapter Philadelphia is growing, it was determined that the dues reimbursement be held until they have an established Board via an election of officers. The dues reimbursement held from Chapter North has been issued to them. ***A motion to place the reimbursement funds withheld from the inactive chapters into the General Operating Funds was made by Erik Wittmann 2<sup>nd</sup> by Chris Decker. Motion carried by a general consensus.***

**J-2 Office Credit Card** – the card has been issued with a \$2000 limit and the authorized ‘users’ on this card are Bill Fuchs, Maria Thompson, and Amelia Cotter which will be used to facilitate the purchase of miscellaneous supplies for the office only.

**DANK CREDIT CARD REPORT:** Darlene Fuchs – We now have 82 active cards that generated additional income for us. Currently we are receiving \$60 for the first time use of a card and then we get a percentage each time the card is used. It was suggested that the Chapters be encouraged to file for a card to use for purchases for their activities and needs.

**J-3 DANK HAUS SUMMARY** (Bill Fuchs) The DANK HAUS ownership issue developed when North entered into an agreement with Maifest & German Day to see if they could form one unit and come together. This triggered our national board and the initial issue was the Chapter Board’s inability to understand the national board had jurisdiction over anything going on there. We made it clear to them according to our national bylaws and they disputed it. This caused us to seek legal help and that cost us \$10K+. Early on, Dagmar said she understood and she had the intent to split the cost of the legal bills – however her Board disagreed and they only gave us less than half. The National Board went along with getting a title policy issued (at a cost of \$1000) as who is the legal owner and any restrictions that were attached. The history of the DANKHAUS ownership is such a mess, that the cost was so high that it would be cheaper to have a Title Policy done. Because there was so much research involved, the cost came out much higher than expected. The first Policy issued had a lot of restrictions on it that we on the Board questioned...questioning whether these quit claim deeds and Baustein or inter-organizational agreements valid. Each time the documents had to be reviewed, almost all of the restrictions were eventually removed over a four session period as not being relevant. The title policy now has one restriction that is relevant to us and the title is in the name of the Chapter with our restriction on it by virtue of the 1977 Bylaws that are on file as public record, that we as a National Board have to give approval if there is any property change or transfer of property. It was a very complicated process to get this accomplished. How did this happen? There are various reasons...things were done without checking the legality of the action, not recording the actions in the minutes of meetings to document properly the actions, individuals who took action on their own, and stubborn personalities. They took actions and made motions that they never certified with the legal system and recorded as public record. This whole thing can be contested if it doesn’t get resolved with total clearness. We met with various people to gather as many facts as possible during this whole process to get to know and understand this whole situation. We need to establish now, whether we have the consent of the board members to continue this process in the direction we intend to go? **Edwin Gunther** asked about money that was given to given towards the purchase of the property (i.e. \$75K from Chapter West, another chapter’s \$30K) - there is no documentation of the intention other than the \$75K from the Marunde Fund in which they asked for the naming of the Marunde Room. The issues are valid only if there is an actual sale of the property. If the holders of the Baustein or Chapters have any documentation of the money loaned or gifted to the purchase of the property, they should bring it forward and record it legally for future purposes. Right now all we are trying to do is clear up who is the “Owner of Title”. **Al Shafer** stated that “the people don’t understand that the property is owned by all the members of the organization, and all the blood, sweat and tears they invested does not give them a financial stake in the sale proceeds.” It’s an emotional attachment but legally anything donated cannot be taken back unless you have a ‘loan agreement’ for the return of same.

We are fiducially responsible as a national board to see that the interests of the Chapters and the membership are presented.

### Where do we go from here?

1. Negotiate a new agreement giving the chapter ownership but with the restrictions of the Bylaws, with certain assurances that we could negotiate for the national organization – Some legal agreement would need to be drafted, voted on by the national board and then both Boards would have to sign acknowledging who owns the property, what restrictions are on the property and file with all the proper documentation (motions, minutes and bylaws) as public record.

2. The Board will meet with Chapter Chicago North tomorrow to determine what will take place.  
- They must pay back all agreements and the holders of Baustein if the property is sold.

**A motion to affirm the process taken by the Board to agree with the process we are trying to accomplish which is was made by Robert Miske and 2<sup>nd</sup> by Chris Decker.** Maria asked what the end result will be. The end result will be that we all accept that the title rests in the chapter with restrictions of ownership that prevents any transfer of property without the authorization of the National Board per our Bylaws.

Beverly called for a roll call vote. Erik Wittmann no – it already implies a solution that we as a board have not yet discussed. **Motion failed.**

The official name of the chapter is German American National Congress CHICAGO CHAPTER NORTH and DANK HAUS, also there are many aka or dba that are legally acceptable.

3. There is a legal suit filed by the City of Chicago in the amount of \$10,700. The National Board needs to know the status of this suit.

**Erik Wittmann made a Motion: That “the Intent is for those present to authorize the Board to act on your behalf- to obtain all the facts and work with Chicago North to settle this issue, that may or not meet all the specific conditions that were pre-concluded on the Title Policy, to reach a viable solution to meet the interests of all. 2<sup>nd</sup> Edwin Gunther. Roll Call Vote. Motion carried.**

J-4. **2011 National Convention** (Erik Wittmann) He said that Pittsburgh/Region 3 are hosting the Event and it will be held at the Radisson Hotel. It plans to be a fun weekend, with room rates below \$95/night and \$20 in Casino chips and transportation to the Casino provided by the hotel. We are hoping to have many fun activities for the non-delegates attending – in Pittsburgh, America’s most livable city! Erik is thinking about inviting other nationalities to attend our ‘festival’ banquet. We’d like to invite ‘delegates who come in mass’ to march in with a little parade. **A motion was made by Beverly Pochatko and 2<sup>nd</sup> by Donna Lippert to set the date of the 2011 National Convention to October 27<sup>th</sup> – 30<sup>th</sup>, 2011. Motion carried** While Pittsburgh is hosting, the national board should decide how the business will be conducted. Most agreed that we open Thursday with business meetings beginning on Friday 9-3 pm Sat 9 – 1 PM and Sunday 9 – Noon. Arrangements with the hotel has a two day window before and after the convention at those rates.

**Von Steuben Parade and German American Day** (Bill Fuchs) It was the first time in a long time that DANK participated at the NY parade. – wasn’t able to get **Pascack Valley** Chapter to participate with them. Darlene, Bill and Hans and Kathy Wolfe carried the banner in the parade. On Thursday they attended a reception Mayor’s office with members of other German American organizations and those from Germany; commemorative coins given to them and they gave DANK pins Friday was the banquet.

In 2012, we would like to be in Washington DC for the 25<sup>th</sup> Anniversary of German American Day.

**Education and School Fund merger** – Erik Wittmann indicated that this is still in the process. Information was sent to the three Funds with a request that the individual boards respond in writing that they have met individually and the minutes of that meeting reflecting the approval/disapproval of the merger. Nothing has been heard to date. We hopefully will have this settled by the next board meeting.

**DANK School Leadership:** With the dissolving of the Committee in May, do we have enough leadership for this? So far its working. Chapter Chicago South has started a six week adult German conversational language program which is successful.

**Financial Auditors:** Currently Donna has been auditing the records. It was determined that we should have additional help. Christa Garcia volunteered and Maria Thompson said she will try to find two more to help out. Report at next meeting.

**Festival Activities (Erik Wittmann)** We have been successful in recruiting 100 new members with our presence at the festivals (Milwaukee, Gutenberg, Fox Valley and Canonsburg, PA). He made a recommendation that we continue this venture. A set of guidelines for festival participation will be written up by spring outlining the duties, number of workers, etc. and reimbursement of expenses that one can expect.

K. 100th **Anniversary of the von Steuben statue** will be held in Washington DC on Saturday Dec 4<sup>th</sup>. DANK is well respected in Washington and everyone who is able to attend should talk to Bill for more information.

***A resolution from Region One for a proposal to dissolve the Regions was tabled. Edwin said he told the Regional members that they need to meet and discuss this further before proceeding.***

**German American Chamber of Commerce** – (non-profit organization membership cost \$300/year. It was felt that our membership gave us access to various networking possibilities. **Motion to renew our membership in the German American Chamber of Commerce was made by Beverly Pochatko, 2<sup>nd</sup> by Bob Miske. Motion carried. Chris Decker abstained.**

**Membership Support for National Office Staff:** Item was tabled.

**Promotional Tee-Shirts:** (Erik Wittmann) There is a disagreement among the board about how we should proceed with a particular process. As you know we started with a promotional scenario where they would get a free t-shirt for signing up for membership or a credit card. We ran into situations - perhaps a lack in clarity- where both in Fox Valley and Canonsburg where there were a couple of people who needed sizes 2X or 3Xs. Erik felt that we made a commitment to people and even though there is additional cost for the larger sizes, unless the policy is clear, I am not going back and telling people they are 'too fat'. Darlene: Pricing we ordered large and extra-large only and no one was advised that we couldn't get the larger sizes. There was a need for 4-5 larger shirts. The minimum order for shirts is 24. It will cost a minimum of \$500. Her recommendation is to call the individual and offer other items since it was a miscommunication. Erik asked Chris Decker will check into getting them for people who needed them. Problem is that we promised to get them for them even though we don't have them. In lieu of the run we had, Erik asked if Chris could order a special DANK shirt at \$18. In the future, we need to know that these are the only sizes available. Everyone was in agreement that these people will get their shirts.

**Communication with Office Staff...**Tabled

**BUDGET COMMITTEE:** The Budget Committee for 2011 needs to be set-up. Bob Miske and Maria Thompson will work on it. We will need to look to our Chapters for possible members. (Maria will contact Willi Gohs) We need to keep the budget realistic and determine what cuts we will need to make to keep it as lean as possible. He said we need to look at an overall cut of \$20K (which is our shortfall this year). We need to remember to include Convention in our Budget.

**2011 Meetings – The next teleconferenced meeting of the Executive Board is scheduled for December 9<sup>th</sup>.** We need to set our meeting dates for 2011 (January, March, May, July, September with Convention on Oct 27<sup>th</sup>.) Live meetings will

be held in March and July in Chicago and the National Convention. The others (5) will be via telephone conference. Other telephone conferences will be added if necessary.

**TELECONFERENCES:** Bob Miske clarified that teleconferences **will be legal and although it is not currently in the Standard Operating Guide, it will be put in there. as soon as the below mentioned sentences are added to Paragraph 6 of Article 8 of the Bylaws and also the Standard Operating Guide. Following the insertion into the bylaws, a motion can be made, seconded and passed to retro-actively accept all decisions made before the bylaw change.** It reads "At all meetings of the National Executive Board all decisions shall be by majority vote, unless specifically herein set forth, provided a quorum of the National Executive Board is present." The following will be added: "Any meeting of the National Board may be held by teleconference and/or video conference provided that all participants are able to fully participate in the teleconference and/or video conference. All decision rendered shall be legal and binding."

**GERMAN WORLD – We have had a request from Petra Schumann (we voted on a previous proposal to provide our DANK membership with a subscription at a cost of \$3.50 per family on an annual basis. We voted it down as we would have to increase membership dues by \$3.50 and could not take it out of our current dues structure. She came up with another scenario based on DANK Ads placed in German World and vice versa they in our German American Journal and also offered to give a student discount to the schools; and a web banner on their website. We cannot afford to do this. We need to work out a deal that benefit us as well as them. German Life has worked with us and gives members a discount...Erik made a motion to further explore this offer for both groups (German World /German Life) 2<sup>nd</sup> by Christa Garcia. Motion carried.**

**Membership Dues Procedures:** Beverly Pochatko requested that she be allowed to send the national dues statement with her Chapter newsletter to help save the organization money. It was stated that the dues payments are to be returned to national. It has worked well in the past with no problems from her chapter. Other chapters may do so if they request the opportunity to do the same. Dues submitted to the chapter must be forwarded to national. Beverly said that when she sends in any dues received by the Chapter, she submits the money with a letter listing also the member name and membership number for each family member and the amount paid and any special donations to a fund with a receipt. It helped her keep track of her chapter's membership. The same situation previously worked with Benton Harbor. It was discontinued due to a problem with Springfield Chapter. A cross check is done with national for paid memberships after two months to be sure her membership records match that of national. **Motion by Donna Lippert that the national office continues to handle the mailing of the dues notices not the chapters. 2<sup>nd</sup> by Bob Miske. Roll Call vote: Yea –(2) No ( 4**

**) Abstained: Erik W, Chris Decker, and Margaret Potocki. Motion did not carry.**

**Motion by Erik Wittmann: We allow Erie to send out the dues statements as we do any other chapters who request the same with the approval of the board and that all dues payments are returned to the national office. 2<sup>nd</sup> Chris Decker. Motion carried. Donna Lippert abstained.**

Meeting adjourned at 4:25 PM

Submitted by



Beverly A. Pochatko  
National Recording Secretary



**German American National Congress  
Motions & Actions to be taken  
November 6<sup>th</sup>, 2010 Meeting**

- A motion “to permit regions to hold teleconferences in lieu of a face-to-face with roll call voting on issues with the exception of elections” was made by Edwin Gunther 2<sup>nd</sup> by Erik Wittmann. A unanimous decision – motion carried.
- *The winners were: 1<sup>st</sup> Prize (\$1000) Regina Kania Cicero, IL; 2<sup>nd</sup> Prize (Large screen TV) Ursula Anderson of Satellite Beach, FL; 3<sup>rd</sup> Prize (\$500) David Fairbrother; 4<sup>th</sup> Prize (\$250) Virginia Hadley Tinley Park IL, 5<sup>th</sup> Prize (\$100) Martina Zidonis of Arlington IL; and 6<sup>th</sup> Prize (\$50) James Underwood of Plainfield IN.*
- *Erik recommended that we develop a format that there is someone designated to be the contact on the board to say this is the issue, assist us in the problem solving process so that we don't have everybody and his mother out there trying to deal with it because sometimes they add fuel to the fire.*
- ***A motion to accept the financial report was made by Chris Decker and Donna Lippert. Motion carried.***
- ***A motion to place the reimbursement funds withheld from the inactive chapters into the General Operating Funds was made by Erik Wittmann 2<sup>nd</sup> by Chris Decker. Motion carried by a general consensus.***
- **Office Credit Card** – the card has been issued with a \$2000 limit and the authorized ‘users’ on this card are Bill Fuchs, Maria Thompson, Amelia Cotter. This will be used to facilitate the purchase of miscellaneous supplies for the office only.
- **A motion to affirm the process taken by the Board to agree with the process we are trying to accomplish which is was made by Robert Miske and 2<sup>nd</sup> by Chris Decker.** Beverly called for a roll call vote. Erik Wittmann no – it already implies a solution that we as a board have not yet discussed. **MOTION FAILED.**
- Erik Wittmann made a **Motion: That “the Intent is for those present to authorize the Board to act on your behalf- to obtain all the facts and work with Chicago North to settle this issue, that may or not meet all the specific conditions that were pre-concluded on the Title Policy, to reach a viable solution to meet the interests of all. 2<sup>nd</sup> Edwin Gunther. Roll Call Vote. Motion carried.**
- ***A motion was made by Beverly Pochatko and 2<sup>nd</sup> by Donna Lippert to set the date of the 2011 National Convention to October 27<sup>th</sup> – 30<sup>th</sup>, 2011. Motion carried.***
- *A set of guidelines for festival participation will be written up by spring outlining the duties, number of workers, etc. and reimbursement of expenses that one can expect.*
- **Motion to renew our membership in the German American Chamber of Commerce was made by Beverly Pochatko, 2<sup>nd</sup> by Bob Miske. Motion carried. Chris Decker abstained.**
- Chris Decker will order the necessary shirts to give in lieu of the promotional tee-shirts promised.

- **TELECONFERENCES:** The following will be added to the SOG: In Paragraph 6 of Article 8 it reads “At all meetings of the National Executive Board all decisions shall be by majority vote, unless specifically herein set forth, provided a quorum of the National Executive Board is present.” The following will be added: “Any meeting of the National Board may be held by teleconference and/or video conference provided that all participants are able to fully participate in the teleconference and/or video conference. All decision rendered shall be legal and binding.”
- **Erik made a motion to further explore this offer by German World magazine (for both groups German World /German Life) 2<sup>nd</sup> by Christa Garcia. Motion carried.**
- **Motion by Donna Lippert that the national office continues to handle the mailing of the dues notices not the chapters. 2<sup>nd</sup> by Bob Miske. Roll Call vote: Yea –(2) No ( ) Abstained: Erik W, Chris Decker, and Margaret Potocki. Motion did not carry.**
- **Motion by Erik Wittmann: We allow Erie to send out the dues statements as we do any other chapters who request the same with the approval of the board and that all dues payments are returned to the national office. 2<sup>nd</sup> Chris Decker. Motion carried. Donna Lippert abstained.**