

Advisory Board Minutes – April 2019

LINKS TO MINUTES

April 2019 Session

April 2019 Session Opened

EC Report 1Q2019

Board-Exec Mail List Agreement of Confidentiality – Term through 8/31/2019 for NWPL Region

Motion Regarding Solicitation of Funds, Advertising, and References On Websites

MOTION: 2018/19-03 - SOLICITATION OF DONATIONS; ADVERTISING and REFERENCES ON WEBSITES

MOTION: 2018/19-03

Adjournment

SESSION OPEN

01 April 2019

The March 2019 meeting of the Advisory Board meeting is now hereby adjourned. This note hereby convenes the April 2019 meeting of the Advisory Board.

Denise Wells

National Coordinator 2014-2019

EC Report 1Q2019

04 April 2019

----- Forwarded message -----

From: **Pat Asher** <pjr...@att.net>

Date: Tue, Apr 2, 2019 at 2:28 PM

Subject: EC Report 1Q2019

To: Denise Wells <ncusg...@gmail.com>, Special Projects <stic...@earthlink.net>, RAL <webm...@cottonhills.com>

TO: USGenWeb Advisory Board

From USGenWeb Election Committee

SUBJECT: EC Report 1Q2019

DATE: 2 Apr 2019

New Members: 4

Left the Project: 19

Deaths reported: 1 - Darwina Michael NYGW

Total Members: 1255

Registered to Vote: 858

Unresolved Email Bounces: 1

Respectfully submitted,

Gayle Triller, EC Chair

**Board-Exec Mail
List Agreement
of Confidentiality
– Term through
8/31/2019 for
NWPL Region**

06 April 2019

David:

I am very happy to welcome you to the Advisory Board to fulfill the term recently vacated by Shirley Cullum. You will be serving as the NWPL SC Representative.

The Board-Exec list is a confidential list. All postings to Board-Exec are required to remain confidential. It will be a list that we use for personnel and other sensitive issues.

If you agree that you will honor the confidentiality of Board-Exec, please signify by responding with "Agree." If you do not feel that you can honor the confidentiality of Board-Exec, please signify by responding with "Disagree." Please understand that if you feel you cannot "Agree," you will not be able to participate in Board-Exec discussions and will not be subscribed to that mail list.

Upon receipt of your response, I will then be able to subscribe you to the Board-Exec mail list.

We are looking forward to your participation on the Board.

Thanks and again I welcome you.

Denise Wells
National Coordinator 2014-2019

Agree

David Gochenour

Welcome. I have added David Gochenour to The USGenWeb Advisory Board Exec mail list.

Denise Wells
National Coordinator 2014-2019

**Motion
Regarding
Solicitation of
Funds,**

20 April 2019

After much input, study, discussion, and time, the Advisory Board developed a Standard Rule proposal governing solicitation and acknowledgment of funds,

**Advertising, and
References On
Websites**

advertising, and research services/materials for hire/sale on a Project website. The proposal responds to many Project member queries and adds a clear and concise clarification.

On behalf of the Advisory Board, I hereby move that the following section be added to the Standard Rules of The USGenWeb Project:

XV. SOLICITATION OF DONATIONS; ADVERTISING; and REFERENCES ON WEBSITES.

This Standard Rule clarifies and supplements The USGenWeb Project Bylaw IX.B.:

- A. Any website of The USGenWeb Project may solicit funds specifically, and only for, the website's server hosting and/or domain name costs.
- B. A solicitation, in any form, is restricted to a solicitation page (“Solicitation Page”). A Solicitation Page is a separate page within a website which is a part of The USGenWeb Project. The Solicitation Page of a soliciting project (“Soliciting Project”) must be a page within that website but may not be located on the home or main page of a website; however, it can be linked from the home or main page of that Soliciting Project’s website. A logo, link, or logo with link to a Solicitation Page is permitted only from the Soliciting Project’s home or main page.
- C. An acknowledgment of a donor providing free server space, not funds, may be displayed on the home or main page of a Project’s website and/or the Solicitation Page as a logo, link, or logo with link.
- D. The solicitation, funds received, accounting and management thereof, are the sole responsibility of the Soliciting Project and must be in accordance with any and all local, state and/or federal laws which are appropriate to the Soliciting Project’s location.
- E. The Solicitation Page must contain a disclaimer that no other entity or member of The USGenWeb Project outside of the Soliciting Project, has access to, nor any management of, donated funds, and the outside entity/member is free from any responsibility, liability, or damages incurred by any donor through any funding request or agreement for said donation.
- F. The Solicitation Page must contain a disclaimer that financial donations are not tax deductible, unless the Soliciting Project itself has filed for and received 501(c)(3) designation from the federal government. The USGenWeb Project itself is not a 501(c)(3) tax exempt entity and no Soliciting Page shall indicate that it is licensed as a tax exempt entity under The USGenWeb Project unless that Soliciting Project has received that designation on its own.

G. Advertisements are prohibited on all pages in The USGenWeb Project. This includes any and all links to any advertisements or any "click to pay ads." Any Soliciting Project may list a funding donor but any link to that donor is prohibited and any information outside of the donor's name is prohibited; this includes an email address, phone number, or any other identifying information, etc.

H. The USGenWeb Project was originally hosted by RootsWeb. RootsWeb has since been acquired by another entity that agreed to continue providing server space for websites of The USGenWeb Project at no cost. RootsWeb implements their own advertising on sites residing on their servers. Any state or county site hosted on RootsWeb's servers may not solicit funds as outlined in this Standard Rule XV, or the original Bylaw IX of The USGenWeb Project.

I. A reference to research materials and/or services for sale or hire may not be located on a website's home or main page. A link to a website's reference page is permitted. A reference page must contain a disclaimer that The USGenWeb Project, and its membership, do not guarantee nor endorse the contents of any such materials nor of the researcher's expertise, nor will it be in receipt of any portion of the researcher's fees.

J. Any suspected violation received by the Advisory Board will be forwarded to the appropriate State or Special Project Coordinator for investigation and resolution, with results returned to the Advisory Board.

Mike Peterson

I second the motion proposed by Mike.

Jane Colmenares

**MOTION: 2018/ 20 April 2019
19-03 -**

**SOLICITATION
OF
DONATIONS;
ADVERTISING
and
REFERENCES
ON WEBSITES**

MOTION: 2018/19-03 - SOLICITATION OF DONATIONS; ADVERTISING
and REFERENCES ON WEBSITES

Moved by Mike Peterson, seconded by Jane Colmenares, dated April 20, 2019,
and numbered 2018/19-03:

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USGenWeb Project:

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- F. The Solicitation Page must contain a disclaimer that financial donations are not tax deductible, unless the Soliciting Project itself has filed for and received 501(c)(3) designation from the federal government. The USGenWeb Project itself is not a 501(c)(3) tax exempt entity and no Soliciting Page shall indicate that it is licensed as a tax exempt entity under The USGenWeb Project unless that Soliciting Project has received that designation on its own.
- G. Advertisements are prohibited on all pages in The USGenWeb Project. This includes any and all links to any advertisements or any "click to pay ads." Any Soliciting Project may list a funding donor but any link to that donor is prohibited and any information outside of the donor's name is prohibited; this includes an email address, phone number, or any other identifying information, etc.

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J. Any suspected violation received by the Advisory Board will be forwarded to the appropriate State or Special Project Coordinator for investigation and resolution, with results returned to the Advisory Board.

Is there any discussion? If so, please signify. If no discussion, please indicate "NO DISCUSSION."

Denise Wells
National Coordinator 2014-2019

Those responding "no discussion" are as follows: Doreen Harunaga-Ewing, Jan Bony, Larry Flesher, Linda K. Lewis, Trish Elliott-Kashima...

22 April 2019

I have received and read other concerns from the membership about legal implications to USGenWeb and would like to discuss.

Mike Peterson

23 April 2019

We spent a lot of time on the wording of the proposal to point out there are legalities and procedures involved for any member who wants to solicit. We emphasize that as an unincorporated non-profit the onus of soliciting and the results thereof lie directly with the member doing the soliciting. There is not only wording which exonerates all others within USGW but there are words that any solicitor must be in accordance with any laws that would pertain to that soliciting member.

Paragraph D. is very explicit about sole responsibility and any solicitation must be done legally.

Paragraph E. Paragraph D. is reinforced by this paragraph which states that a solicitation must contain the disclaimer that all of USGW is exonerated except for the solicitor.

Paragraph F. requires another disclaimer insuring that the solicitor states funds given are not tax deductible unless the solicitor gets the designation and that the solicitor also indicates that The USGenWeb Project is not tax-exempt.

The exact wording probably could be argued forever but it just seems to me that the present wording does not place the Project in legal jeopardy. It could be argued that without this proposal, the Project could be held responsible for some of the current, and future, solicitation attempts by some members.

Mike Peterson

Very good points, and yes sometimes the absence of acknowledging a potential issue is or can be libelous.

I have to say, if we were to do this, I do feel strongly that there needs to be some sort of actual repercussion with a specific timeline and that we follow through on it. The only thing that I can think of is de-linking from the project.

What would that do to the project if states went off on their own? Could they do that? Could we replace them?

If there is no consequence what is the point.

Nancy Janyszeski

As Mr. Peterson is asking for discussion on this motion, we will delay any further action at this point in time, and invite others to provide discussion regarding same. Please feel free to send your discussion and concerns to the AB regional reps. Thank you, Mr. Peterson for letting us know.

- show quoted text -

Denise Wells
National Coordinator 2014-2019

Pat is pointing out that even at the federal level not everybody is the same and that's not counting state, county, city, or anything else local so I am not seeing how the location statement is misleading and incorrect. It actually seems more

appropriate. The proposal is basically stating to all members that if you are going to solicit you better do it per all appropriate laws. I don't think it's up to The USGenWeb Project to point out all possible solicit laws throughout the US.

If they are going to solicit donations via the internet, the project's geographical designation and/or physical location is irrelevant. They are subject to state laws in all of the 39 states + D.C. that require registration by non-profits soliciting in their state. When you solicit via the internet, you are soliciting world-wide, so you must register in all 40 U.S. jurisdictions that require it. The qualifying phrase "appropriate to the Soliciting Project's location" is incorrect and misleading.

Mike Peterson

**MOTION:
2018/19-03**

30 April 2019

I move that MOTION: 2018/19-03 be tabled.

Lesley Shockey

I second.

Jan Bony

Adjournment

01 May 2019

The April 2019 meeting of the Advisory Board meeting is now hereby adjourned. This note hereby convenes the May 2019 meeting of the Advisory Board.

Denise Wells
National Coordinator 2014-2019

The full text of all BOARD-L messages can be viewed in the threaded list archives for this list by subscribing members in their email.

All Advisory Board Minutes are located at <http://usgenweb.org/about/minutes.html>.

Please remember that minutes are a record of actions proposed and taken at the meeting, NOT all the detail about what was said by members or guests. If you have any questions or comments about the minutes, please write to [Doreen Harunaga-Ewing](#), Secretary.