

Dear URTV Producers, Members, and Enthusiasts,

I am writing to let you know that I may no longer be able to represent you as a board member in the near future due to the board chairman, Mark Wilson's, apparent desire to have me removed from the board.

On the very day I last posted to the urtv-asheville@yahoo.com group list encouraging membership feedback on our Executive Director's work at URTV, I received an e-mail from Mark Wilson demanding my written resignation at the next board meeting. When I asked why he expected my resignation, his only reply was that if I were not to resign, he would take action to have me removed from the board (see below).

I did not resign from the board at the October meeting and now Mark has submitted an agenda including "the removal of a board member" for an irregular board meeting which I cannot attend this **Monday, November 12, 2007 at 12:30pm in the Wilson, Comen, and Taylor board room on the 12th floor of the BB&T building.**

I fail to understand why encouraging the membership to give the board of directors better insight into the workings of URTV would be cause for my removal from the board, but apparently our board chairman thinks otherwise.

It has been an honor serving the membership since I was elected to the board in August 2006, and I have worked hard to always act in what I believe is the best interest of the membership—to sustain URTV's long term service to the community. I now believe it is in URTV's best interest to carefully scrutinize the actions of its executive director, board chairman and board secretary, who have not in my opinion, made prudent decisions to ensure the long term viability of the organization. I bring these unfortunate shortcomings to your attention in the hopes that making them more public will aid their quick resolution, and only as a last resort as it appears I may no longer be able to work toward their resolution as a board member.

I have done my best to give our board chairman and the other members of the board of URTV the benefit of the doubt, assuming their actions were well thought out, based in factual discovery, and in the best interest of URTV. The decision to pursue the ejection of a member-elected director by the chairman however has given me pause, and looking back at our chairman's track record, there are several items that I believe the membership should be concerned about, and take action on if deemed appropriate.

In the event that the remainder of the board chooses to go along with the Chairman's apparent desire to have me removed, I hope that another active producer at least as passionate about the success and community of URTV as I am (of which there are many) will quickly replace me and help guide this board to work toward a more secure, open, welcoming, and economically viable URTV than we all know today.

Below is a list of issues that I believe are cause for serious concern. Most of which I have sought resolution for at board meetings unsuccessfully.

- In August 2007, Jen Mass brought specific written complaints about the Executive Director Pat Garlinghouse to Mark Wilson. According to the personnel handbook, the board is directed to form a Response Team to respond to a complaint made against the Executive Director and meet within one week of its formation. By the September Board meeting, no response team had been formed to investigate the complaint. Jen Mass resigned effective November 1, 2007.
- The personnel handbook requires a 90 day, six month, and annual review of employees to be performed. Under Mark Wilson's leadership as board Chairman, and Nelda Holder as Chair of the personnel committee, Pat Garlinghouse's first performance review was held 10 months after her hiring, in spite of my repeated requests that a review be performed according to the prescribed schedule.
- With Nelda Holder as chairman of the policies and procedures committee, requirements not approved by the board have been placed on producing members by Pat Garlinghouse regarding submission of content. Most notably the recent requirement to provide direct contact information at the end of submitted programming.
- The Executive Director has instituted "staff assisted production" and the staff produced "PSA dude" series. Since the reality of "staff assisted" production involves staff shooting programs, this conflicts with section 6.1 of the Policies and Procedures manual which states, "Staff will not produce programs but can provide suggestions on technique, equipment, and production planning to help ensure a successful project." Although I brought this fact directly to the attention of the board and specifically to the Policies and procedures chair Nelda Holder at the September 2007 board meeting, to my knowledge, no action has been taken to resolve the conflict. Staff's production of shows, notably the "PSA dude," has negatively impacted member's ability to check out equipment in that the station manager has been too busy producing to schedule equipment checkouts for some members. The "PSA Dude" series has to date, produced no significant revenue for URTV.
- At the September 2007 board meeting, Nelda Holder proposed the consolidation of the Policies and Procedures committee. I voted against this motion as both the policies and procedures committee and the personnel committee have, in my opinion, failed to perform their required function (Nelda is the chair of both committee's). The motion carried and Mark Wilson subsequently removed me from the committee (I had been a member of the personnel committee). As the only producing member of the board at that time, I felt it vital that a board member who actually participated in production of content for the station (therefore seeing the executive director and staff in action) remain on the personnel committee. My request to be placed back on the committee was denied by Mark Wilson, however in spite of her track record above, Mark appointed Nelda Holder Chairman of the new consolidated "policies, procedures, and personnel" committee.
- Under Mark Wilson's leadership, URTV has been in violation of NC open meeting laws since May of 2007 as no copies of board meeting minutes are on file at the station (as of October 2007 the last time I checked) or available online. The URTV board agreed to follow NC open meeting laws at the encouragement of the Asheville city council and Buncombe County Board of Commissioners. Nelda Holder is Secretary of the board, with whom the responsibility for ensuring availability of meeting minutes lies.
- It is my opinion that the secretary's minutes of URTV board meetings do not accurately reflect the content of those meetings, as can be seen by my vote against approval of

minutes she has submitted for approval. My attempts to correct minute inadequacies have been stifled by Nelda Holder, especially when they are critical of the Executive Director; however, Joe Scotto's continued praise of Pat Garlinghouse has had no difficulty finding its way into the minutes. The membership is advised to attend or record URTV board meetings to get a true reflection of their content.

- At the July 2007 board meeting, Mark Wilson prevented me from making a motion to create a technology committee to assist Pat Garlinghouse in making technology decisions since at her own admission she is not a "tech guru." Not only is preventing a board member from making a motion at board meetings a violation of Roberts rules of conduct, Mark stated something to the effect that it wasn't the place of a board member to form committees, however the URTV bi-laws state, "The board of directors may create and dissolve other standing or temporary committees as required." At the September 2007 board meeting, I made a second attempt to create a technology committee at the end of a board meeting. Mark Wilson briefly called for a second on the motion, then hastily closed the meeting effectively eliminating any discussion or the realistic opportunity for a "second" or any discussion on the motion to be made.
- In June of 2007 Pat Garlinghouse hired a Texas based firm taking money out of the local economy, to install new computer equipment at the station, flying in a consultant from Texas to perform computer networking that local companies are fully equipped to handle, and that I had offered to perform for the station on a volunteer basis. In spite of the boards statement that URTV can be an "economic engine" for the region, and my repeated request as board treasurer to the executive director that consulting services when at all possible be obtained locally, Texas based e-net systems continues to receive checks for remote computer management from URTV.
- In May of 2007 Pat Garlinghouse proposed a budget with approximately a \$10,500.00/month shortfall which was approved by the board. This would put the station running out of liquid capitol for operations around August 2008. At the time the budget was passed, she assured the board that she would quickly turn this monthly loss into a profit (see May 2005 board meeting minutes). During my last two months as Treasurer of the board, the average monthly shortfall was closer to \$15,000.00. After making my last report as Treasurer of the board in October 2007, Mark Wilson wanted to assure somehow that Pat had "wiggle room" within the budget (although I doubt this made it into the minutes I have an audio recording of a portion of this meeting). I was the only board member who voted against lifting the funding freeze that was placed on the station in September 2007.
- In spite of our desperate financial condition, Pat ordered a new broadcast server for the station. The last quote I saw for the new equipment was approximately \$27,000.00 (see October Treasurer's report). The approved budget allows for \$25,000.00 to be spent on equipment within a fiscal year (which begins in July for URTV). My attempts to create a technology committee to aid Pat in the decision making process for new equipment purchases was in my opinion blocked by Mark Wilson. We now apparently have \$27,000.00 of new broadcast equipment that the station did not need as the former system has been fully functional for the past year and a half. But hey, now we can submit content on ½ inch tape, and facile can "manage" the broadcast server, something strongly discouraged by the consultants who know this new hardware.

- Explicit procedures for approving purchases are in place and outlined in the personnel handbook. Any expenditure over \$50.00 requires a purchase voucher to be submitted and signed by an executive committee member before a check can be signed. During my term as Treasurer, I found no signed vouchers on file created during Pat's term as Executive Director.
- In May of 2007, Pat Garlinghouse denied membership access to camera equipment. Cameras were available at the station. This is in direct conflict with the mission of URTV and a violation of section 4.3 of the policies and procedures manual which states:
 - **4.3 Facilities Scheduling**
Authorized URTV staff and/or designated volunteers are authorized to schedule facilities, equipment, and studio time or to write in the scheduling book or use scheduling software. The staff will ensure that facilities and equipment are made available equitably to all members (see below).

I am sorry that the information I have provided above is not cheery and fun, but it's not too late. In spite of the loss of Jen Mass as our program director, which in my mind is a heavy blow to the station and a direct result of inadequate oversight by the board of directors, I believe that with an active membership which pays more attention to the board's actions and encourages them to do the right thing for the station, that URTV can survive the financial difficulties we now face.

If given the opportunity to remain on the board, I will move that the board request the Executive Director's resignation as the first step in the process of getting URTV back on track to a stable and productive future, followed by a motion that Mark Wilson step down as Chairman, and Nelda Holder step down as Secretary.

The board of URTV desperately needs a new group of young, engaged, energetic and hard working members to ensure URTV's long term survival, which is completely within our grasp in spite of the financial limitations placed on us by the January 2007 state law change that has curtailed our funding to some degree. With the leadership of the board's current executive committee and the station's current executive director, I don't believe the station will survive.

Although under Pat Garlinghouse's leadership we have lost more than 300 members, of the 340 or so members that remain, what a great bunch we have. Regardless of what the board chooses to do with me, I hope all of you will remain as active and committed to URTV's mission and help the board find ways to either bridge the financial gap, or cut the excess fat from the station so that we can continue to survive within our means for the extended future.

I have posted a copy of the October 2007 Treasurer's report on the urtv-asheville@yahoo.com group list for your review:
<http://tv.groups.yahoo.com/group/urtv-asheville/files/>

Sincerely Yours,

Peter Brezny

E-mail exchange between Mark Wilson and Peter Brezny after request for membership input on Pat's performance at URTV.

From: Mark Wilson [mark@wcandt.com]
Sent: Wednesday, October 17, 2007 6:49 PM
To: Peter Brezny
Subject: Re: urtv

So that the Board won't have to invoke Article 4, section 6, paragraph 3, of the bylaws.

On Oct 17, 2007, at 6:34 PM, Peter Brezny wrote:

> Mark,
>
> You'll have to go into a little more detail as to why you would
> request this.
>
>
> Sincerely,
>
> Peter Brezny
>
> On 10/17/07, Mark Wilson <mark@wcandt.com> wrote:Peter,
>>
>> At tomorrow's Board meeting I expect to receive your written
>> resignation from the URTV Board, effective immediately.
>>
>> Mark
>>

A member who asked not to be identified requested a camera for May 24, 2007. Pat denied the request saying no cameras were available. Portions of this e-mail exchange are below. I have a screen shot of the facile reservation system showing no cameras reserved for May 24, 2006.

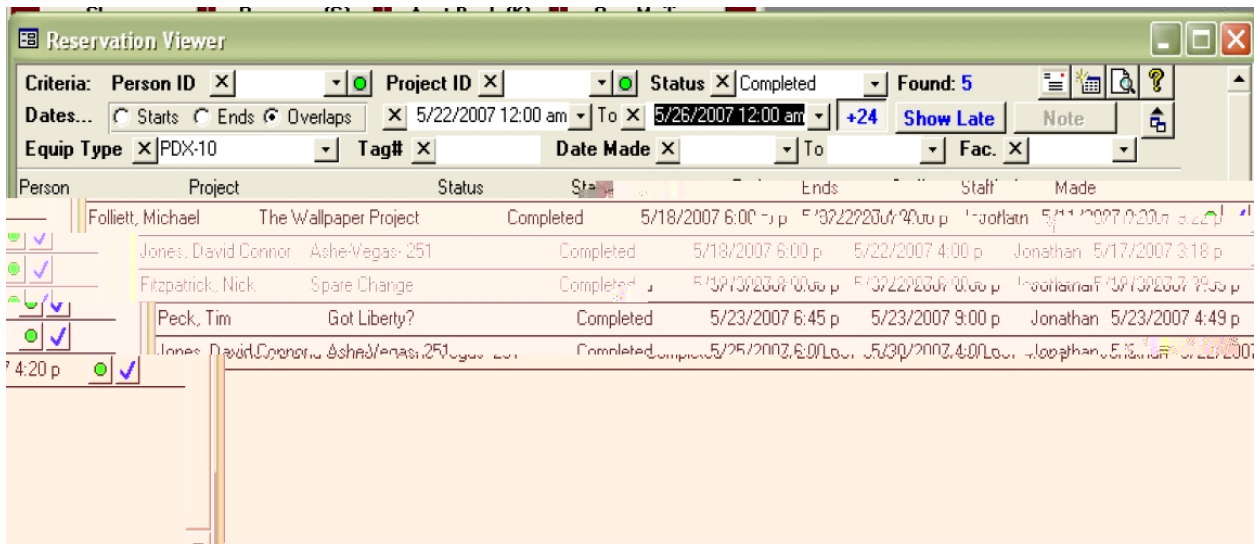
----- Forwarded message -----

>>> Date: Wed, 9 May 2007 13:44:55 -0400
>>> From: Pat Garlinghouse <pat@urtv.org>
>>> To: [member name removed]
>>> Cc: jonathon@urtv.org, Jen Mass <jen@urtv.org>
>>> Subject: Re: a favor
>>>
>>> sorry, [member name removed], no cameras available.

>>> ----- Original Message ----- From: [member name removed]

>>> To: "Pat Garlinghouse" <pat@urtv.org>
>>> Sent: Wednesday, May 09, 2007 9:46 AM
>>> Subject: Re: a favor
>>>>
>>>> Hi Pat -- I look forward to seeing you
...[identifying information removed]
>>>> Meanwhile, I need a favor. On Thursday, May 24, I'm doing a
...[identifying information removed]

>>>>
>>>> Please let us know if we can rely on having one or perhaps two URTV
>>>> cameras for this effort. THanks!
>>>>
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The screenshot shows a window titled "Reservation Viewer" with a search criteria bar and a table of reservations. The criteria bar includes filters for Person ID, Project ID, Status (Completed), Found: 5, Dates (Starts/Ends/Overlaps), Equip Type (PDX-10), Tag#, Date Made, and Fac. The table has columns for Person, Project, Status, Start, Ends, Staff, and Made.

Person	Project	Status	Start	Ends	Staff	Made
Folliett, Michael	The Wallpaper Project	Completed	5/18/2007 6:00 p	5/22/2007 4:00 p	Jonathan	5/17/2007 0:20 p
Jones, David Connor	Ashe-Vegas-251	Completed	5/18/2007 6:00 p	5/22/2007 4:00 p	Jonathan	5/17/2007 3:18 p
Fitzpatrick, Nick	Spare Change	Completed	5/18/2007 6:00 p	5/22/2007 4:00 p	Jonathan	5/17/2007 3:50 p
Peck, Tim	Got Liberty?	Completed	5/23/2007 6:45 p	5/23/2007 9:00 p	Jonathan	5/23/2007 4:49 p
Jones, David Connor	Ashe/Vegas-251	Completed	5/25/2007 6:00 p	5/30/2007 4:00 p	Jonathan	5/22/2007 7:42 p