

MSSSOA MINUTES

8/8/05

Steam Room Grille

Jackson, MS

BOARD ATTENDEES:

Charlie Johnson, Jr., Paul Hopping, David McNair, Judy DeShong, Jack Cavanaugh, Vicki Boutwell, John Ditto; and Tina deLeon. Other attendees: Trey Bobinger

Meeting opened by President, Charlie Johnson, Jr.

David McNair provided the invocation.

Board members reviewed minutes from the 5/5/05 meeting. Motion to approve the minutes was made by David, Vicki seconded; no opposition.

The next item on the agenda was an update on the financial report. Since John Ditto came late, Tina gave a brief update. There were no significant changes in the financial statement since the July report, except for the D&O Insurance payment. David asked if there was anything high/low from last year. Tina explained that the conference expenses were higher, but that we netted more. Charlie Jr. explained that the insurance came up for renewal before the meeting. There was an additional charge for employee coverage (for Tina). Charlie explained that we had the insurance last year, but that this year the employee coverage was added. Charlie asked for approval of the insurance payment. It was approved with no opposition. Motion was also made to accept the Treasurer's report, seconded, no opposition.

The spring conference was the next item to discuss. Charlie asked for input good or bad. All said it was a good conference. Tina summarized the surveys that were received. Starting with the bad comments: several comments that the room was too cold, too much info for one day, not enough q&a time or round table discussions, change to a two-day event, table layout was very disruptive (every time someone had to leave the audience they had to pass in front of the head table). PROS: everyone loved the food, enjoyed the speakers and information was well received, the location is always a plus. LOCATIONS: 11 – Gulf Coast; 4 - Tupelo/Philadelphia; 4 – Jackson; 2- Natchez; 0 – Vicksburg. Tina said that only 21 out of 83 surveys were returned. Charlie Jr. said that during our last meeting we discussed having the next conference somewhere other than a casino. Short discussion ensued concerning another venue. Charlie Sr. suggested the Southern Club on top of the Hancock Bank Building in Gulfport. He will look into that possibility. The plantation in Hattiesburg was also suggested. Paul commented that Casino Magic has always been a great location. Charlie Sr. also brought up the issue that if Louisiana and Alabama joins us for the conference then we definitely need a larger venue.

Tina discussed the conference budget. She asked Trey to get us a bill for his mileage expense. He said he would. Before adding that last expense, we made over \$3,300 on the conference. Charlie Sr. suggested that we think hard about hosting the next MCC instead of the SSA since we incurred no income from that class. We need to decide quickly if we want to host another MCC at the next conference. Charlie asked Jody to Chair the next conference which he agreed to do.

Trey Bobinger then gave his legislative update. He started out by asking if anyone had heard from the State Tax Commission about taxes on outside storage. David then spoke up saying that someone came by his facility and said they were suppose to be paying sales tax, but they don't even have any outside storage. (Everyone laughed.) Trey explained that the operative phrase in the law says "exclusive custody and control." Trey agreed that the law does not say anything about being "gated" but their definition is "exclusive custody and control." Trey reminded us that he has already suggested putting a provision in the lease saying that customers are not allowed in other customers' units. From a legal standpoint, that would give the facility owner a defense if someone challenges them for not collecting sales tax. To be honest, if you get in a dispute, it may be very tough to say that without a gate or something there, that the person has "exclusive custody and control." But Trey thought by numbering the unit and having the language in the lease would suffice to hold the state off. David said that in Louisiana, self-storage units are considered "garages" if rented for less than 30 days and sales tax is imposed; but, over 30 days they are then considered "storage units" and no sales tax is added. David asked Trey if we could get some type of legislation imposed similar to Louisiana. Trey said that an alternative would be to get a Tax Commission Regulation. Saying that the president of the Association can approach the Tax Commission with our position and argument in the attempt to get a regulation. Or certainly we can go straight to obtain a statute. But he believes that if the State openly fights you, it's going to be a difficult challenge without a tax commission regulation. It will be easier if they are on our side.

Trey brought up the "late fee" issue. It's very unclear. He spoke with the head guy at the Consumer Protection Division with the State Attorney General's office. They all came up with the same conclusion: there is not a set percentage or set fee, but it's the old "reasonable" thing. If someone is 10 days late and we charge a \$40 late fee, someone would say that's unreasonable. I think you can get a respectable late fee at this point just as long no one abuses it. The next thing you know there is a lawsuit and an article in the newspaper. Some members have approached Trey about having a specific fee outlined in the law. Charlie Sr. then spoke up about the newly devised SSA State Affiliated Agreement that he will be speaking about in more detail later in the meeting. He explained that part of the new affiliation is legal representation. One part will be a standardized lien law for all 50 states, and that they will try to enact the late fee bill into that the same legislation. Trey also brought up the issue where the State of Arizona passed a law where a coalition of business people were successful in passing a law to reduce the assessment on commercial property from 25% to 20%. That's something else we need to be cognizant of and think about as we move forward.

The next item on the agenda is a status on the redistricting project by Vicki Boutwell. She explained that she just received the updated spreadsheet and hasn't had a chance to do much with it. She will have a plan by our next meeting in November. Region III and IV are the misaligned regions.

Vicki asked the group if there is anyway we could change the day for our meetings from a Monday. That is the only day she has a babysitting problem. The group wanted to stay with Mondays. She said she would do her best to attend.

David then spoke about the status of the elections. Kevin Langley is up, but we are not replacing him. John Ditto, Byran Oakes and David McNair are the 3 up for reelection. Bryan Oakes sent in a nomination for Dave Sherman. Tina has received only one nomination form (the one nominating Dave Sherman). The last day to receive nominations is Monday, August 15. David is running again. Paul Hopping is to call Keith Russell and Richard Newman.

Charlie Jr., H.L. Pierce and Paul Hopping are off next year. All 3 are available to run again.

Charlie asked everyone to call the non-members in their regions in an attempt to get more membership. There are a total of 114 paid members to date. Tina has made calls but with little response. Judy reported that she has handed out several applications in the North Mississippi area.

Representing the SSA, Charlie Sr. then spoke about the newly devised SSA State Affiliation Agreement. David worked on the agreement representing the MsSSOA. The agreement is a "work in progress" document. Charlie believes there are about 23 states agreeing to enter into the agreement. Discussed the benefits of entering into the agreement. Dues are \$25 per member. What does the member receive: (1) yearly subscription to the GLOBE, (2) yearly \$50 gift certificate to be used for convention fees, purchase of books, etc, (3) eligible to apply for primary healthcare medical benefits, (4) co-mail the affiliate newsletter with the GLOBE 4 times a year (SSA pays postage), (5) one yearly free full page ad in GLOBE, (6) President entitled to attend yearly SSA meeting free, nominate board members. Dues must be paid by January 1, 2006. Charlie Jr. asked if we wanted to pass the \$25 on to members. After a lengthy discussion, the Board approved entering into the affiliation agreement and raising MsSSOA dues by \$25 to \$125. Paul made motion to enter into the agreement and raise MsSSOA dues by \$25/Jody seconded the motion/no opposition.

Charlie Jr. ended the meeting by saying our next meeting will be Monday, November 14, in Hattiesburg unless otherwise changed.