

## Special Board of Directors Meeting

September 8, 2016

President Ron Shultz opened the meeting and announced the only purpose of the meeting was to discuss and act on charges by Club Administrator Jack Shadrack against Director and Club Member Bill Campbell.

Attendance: The meeting was attended by President Ron Shultz, Vice-president Ken Jardine, Secretary Rick Roach, Treasurer B.J. Connell, Directors Bill Campbell, David Caudill, Curt Darling, Dan Egbert, Rich Korscog, Bev Lyon, Bill Monts de Oca, Joe Ruth and Paul Thielen and Gun Show Chairman Alex Lyakhovetsky. Club Administrator Jack Shadrack attended and club members Larry Clark, Tony Conner, Larry Finn, Bob Hromalik and Lee Methvin also attended.

Accuser, Jack Shadrack read the following charge: "Mr. Secretary, I am hereby submitting charges of assault with intent to do bodily harm with injury against me by Bill Campbell, Dir. on Board, committed on August 17<sup>th</sup>, 2016 at approximately 8:30 pm. "

Witness Lee Methvin read the following statement: "This is my account of the incident at the LRPC Board Meeting on 8/17/16 at approximately 2030 hours. This incident was between Mr. Shadrack and Mr. Campbell over a financial report. 1. Bill Campbell and I had or were discussing getting the Rimfire shoot program on the website and the club financial discussions that went on during the board meeting. Jack Shadrack (club administrator) walked up and said he needed the report back from Mr. Campbell which was given to Mr. Campbell during the meeting. Mr. Campbell refused. Mr. Shadrack said something else (I didn't catch it) and Mr. Campbell started for the door. 2. Mr. Shadrack followed Mr. Campbell to the door. 3. Seconds later I looked toward the front door and I saw Mr. Campbell turn on Mr. Shadrack and threw his forearm into Mr. Shadrack's chest or neck area and forcibly push him toward the railing. 4. I ran out there yelling "back off or break it up" (I am not sure which). When I arrived Mr. Campbell had Mr. Shadrack bent backwards over the railing. I yell (as in the original) at Mr. Campbell "back off or break it up" (I am not sure which) and he did release him. 5. Joe Ruth arrived about the same time and also told Mr. Campbell to "back off" (or something to that effect – I am not sure exactly what). 6. At some point in this Mr. Shadrack had Mr. Campbell's glasses. Mr. Campbell asked for them and Mr. Shadrack returned them. 7. Mr. Campbell picked up his note pack and left the door area headed for his car. Mr. Shadrack again asked him for the report and he came back up on the porch, opened his packet, found the report and turned the report over to Mr. Shadrack. 8. Mr. Campbell made several remarks and left for his car. 9. Mr. Shadrack, Mr. Ruth and I (and I believe Mr. Roach had come out of the club house (club secretary) went into the club house. (as in the original) I was concerned that Mr. Shadrack was injured but he assured me and others he was not. 10. I informed Paul Thielen and BJ Connell of the incident and they joined Mr. Shadrack, Mr. Ruth, Mr. Roach and I. 11. A discussion was held as to whether Mr. Shadrack should call the police and Mr. Shadrack didn't want to do that."

Witness Joe Ruth read the following statement: "The following is what I (William J Ruth) witnessed at the Lakeland Rifle & Pistol Club on the evening of August 17<sup>th</sup> 2016. After the Board of Directors meeting was over, I was speaking with Secretary Roach and Lee Methvin in the main club room. I heard loud voices and turned toward them. At that moment I observed Mr. Methvin running toward the main entrance door. Realizing there was an altercation going on, I ran toward the main entrance also. When

I arrived, I saw Bill Campbell had pushed Club Administrator Jack Shadrick backwards against and partially over the porch railing. Mr. Campbell had his forearm forcefully against Mr. Shadricks throat. I saw Mr. Methvin attempting to get Mr. Campbell away and I yelled “back off Campbell – back off”. I then observed Mr. Shadrick clutching his throat, gasping for breath and trying to straighten his back. I then turned towards Mr. Campbell who was yelling and trying to open what appeared to be a document case. Mr. Campbell retrieved a paper from the case and shoved the paper in Mr. Shadricks face. Mr. Campbell continued yelling about financial responsibility and that Secretary Roach should know better. Mr. Campbell then walked down the ramp, turned and came back up the ramp and began yelling at all of us again. Mr. Campbell then walked briskly down the ramp to his vehicle and drove away.”

Vice-president Jardine then asked for some clarification but was asked to defer questions until the accused’s statement was heard.

Accused, Bill Campbell read the following statement: I appreciate the opportunity to speak in my defense, and I appreciate being forwarded the two

witnesses statements.

The one thing I will say at this juncture regarding the witnesses’ statements is that neither purport to describe all that happened at the beginning of the incident, and neither purport to describe what was said. Mr. Ruth’s observations begin when he saw Mr. Methvin moving toward the front door. At that point, the Administrator and I were already outside. So Mr. Ruth’s observations begin well after the incident had already started. The part about “clutching his throat, gasping for breath, trying to straighten his back” is, in my view, a good deal over blown. Mr. Methvin, on the other hand, says, “Mr. Shadrick said something ...and Mr. Campbell started for the door. Mr. Shadrick followed Mr. Campbell toward the door. Seconds later, I looked toward the front door...” So Mr. Methvin’s observations do begin at the beginning but have a gap in them. “Seconds later”, he looked (back) toward the front door. So he must have looked away. Nevertheless, I feel they are generally accurate, till he gets to points 6 and 7. More on that later.

Here’s what happened.

After my conversation with Mr. Methvin was over, I turned to leave. The Administrator stopped me and said I had to return a document he had given me at the Board of Directors meeting. This document was some financial information given to me at the President’s request during the Treasurer’s Report portion of the Board meeting, and it was given with no mention of any restrictions. I did not agree that I had to return it, so, saying nothing, I continued moving toward

the door.

The Administrator then stepped in front of me blocking my way, and again told me I had to return the document, adding that no one was permitted to view financial documents outside of the clubhouse. I may have said something like, "Baloney" (I know I thought it) and I did step around him.

At this point, we were both facing the front door with our backs toward the witnesses, standing side-by-side with him on my right. Together, we blocked anyone's view from behind us.

As I tried to proceed towards the door, the Administrator grabbed my right arm in an attempt to stop me again. At that point, I got miffed. I grasped his arm as well and took him out the door with me. We walked through the door and out onto the landing. The administrator was still on my right, blocking my path to leave.

As I tried to maneuver him to my left, out of my way, so I could leave, the Administrator snatched my glasses off my face. While I was trying to retrieve my glasses, so I could leave, the Administrator became bent over the railing.

At that point, the others came out to break it up. It looked like the only way I was going to get out of there was to hand over the document, even though I believed it was rightfully in my possession. I hunted through my clipboard, found it, exchanged it for my glasses, and left after telling the rest of 'em they were nuts and, going back, suggesting to the secretary that he ought to be more diligent in acquainting the Directors of their fiduciary duty under Florida Statute 617.

Mr. Methvin's report is somewhat inaccurate in points 6 and 7. The Administrator did not hand over my spectacles until after I handed him the piece of paper. That was the whole point of him grabbing my glasses. I would say, "Give me my glasses." And he would say, "Give me the paper." (School yard repartee at its finest on both our parts!) The rest of that witness statement appears generally accurate, to me. (And by the way, I'm happy to note that the Administrator, in fact, sustained no injury.)

The charges say, "...assault..." I say that the Administrator tried to detain me against my will and grabbed me first. I believe both of those actions are inappropriate, strictly speaking.

The charges also say, "...with the intent to do bodily harm." I had no intent to do any harm. My intent was to leave. My intent was to retrieve my glasses so that I could leave.

I contend that I have grounds for “charges” as well. But I will not pursue such charges, at least, not at this time. Instead, I will say that I am sorry that the situation degenerated to the level it did, and I sincerely regret my part in it. I bear no ill will towards the Administrator.

So what was this piece of paper that was the cause of this incident? I don’t know. Wish I could tell you. I skimmed it briefly when it was presented to me, and I saw 5-6 columns of numbers and words, the right-hand column appearing to be a running total of some kind. But I put it with my other papers and gave my attention to the meeting. I assumed that it was some type of financial information, and Mr. Methvin states that it was, and I’ll take his word for it.

My question is, “Why is there such concern over my having it, after it had been given to me in an open meeting without restriction?” Why is there such concern over a Director having financial information when he not only may have such information, but he is entitled to have such information, and has a legal duty to acquaint himself with it?

The directors are provided a list of the balances in the various bank accounts and the total expenses for the previous month at every meeting, and no one asks for that list back. It’s even (erroneously) labeled a “Balance Sheet”. In the July meeting, and only the July meeting, we were given a real Balance Sheet and a Profit & Loss Statement, and no one asked for them back. (Nor were they discussed during the meeting, by the way.)

I think this issue of the Board’s lack of access to financial information is a subject that ought to be discussed, perhaps after action is taken on these “charges” as presented. I really don’t understand this reluctance to share financial data with Directors since the club’s annual reports filed with the IRS, the Form 990s with complete financial details, are in the public domain and readily available to anyone with an internet connection. All I’m concerned about is getting the Directors the timely information they need to make informed decisions. I’m beginning to think somebody doesn’t want that to happen.

A motion was then made and seconded to eject Club Member and Director Campbell from the Lakeland Rifle & Pistol Club.

Dir. Monts de Oca led the discussion. He expressed concern that the statements by Shadrick, Methvin and Ruth did not disclose a battery or if a battery was committed it appeared to him that the accused and the accuser had committed a battery against each other. He also expressed concern that Shadrick’s

actions may have constituted battery against an elder, a more serious form of battery under current law. He expressed the concern that this situation could “backfire” and have possible unfavorable consequences to the club. He said that he speaks against the motion.

Pres. Shultz then said he had instructed the Club Administrator to insure that the document given to Campbell not leave the club house.

Shadrick then read a much longer account of the incident. “August 17<sup>th</sup>, 2016 at approximately 8:30 p.m. After receiving confirmation from President Ron Shultz that the financial document provided to Director Bill Campbell was not to leave the building, I informed Director Bill Campbell after he was finished talking to club member Lee Methvin. Director Bill Campbell was informed several times that the directive from President Ron Shultz was for the financial documents not to leave the building. This discussion moved from the center of the clubhouse where Director Bill Campbell was talking with club member Lee Methvin to the front door where it seemed as though Director Bill Campbell was going to surrender the financial document. Director Bill Campbell and myself were facing each other in the corridor at the front door still in conversation over the directive by President Ron Shultz. After a moment I reiterated that the directive from President Ron Shultz was for the financial documents not to leave the building and placed my hand on the door hand bar. At that point, Director Bill Campbell pushed the door open, with my hand still on the door grab bar. I was pulled through the doorway. Once we were both outside on the ramp, Director Bill Campbell placed his forearm on my chest/throat and pushed me back onto the railing (to the left of the door as exiting). Director Bill Campbell continued to hold me there and after a moment I was forced to start preparing to defend myself. I removed Director Bill Campbell’s glasses from his face with my right hand and withdrew my hand placing it behind me. At this time club member Lee Methvin arrived to place his arm between myself and Director Bill Campbell and telling Director Bill Campbell something to the effect of GET BACK. Director Bill Campbell then released pressure of his forearm on my chest/throat and turned aggressively facing club member Lee Methvin. Director Bill Campbell asked for his glasses to be returned and I stated for the financial document to be returned in exchange for his glasses. Director Bill Campbell searched through his clipboard, handed the financial document to me, then I handed him his undamaged glasses. Director Bill Campbell then mumbled something...”I don’t know what you expect” as he turned and walked down the ramp. I responded that “I expect an apology!” By this time I realized Dir. Joe Ruth had arrived at the doorway beside club member Lee Methvin. Both of them asked if I was alright and were apologetic of the conduct exhibited by a Director of the Board. The remaining club members waited for me to get to my vehicle safely and leave the gate before they left. The following morning I had to call President Ron Shultz to inform him that I woke up with back pain from injury sustained from Director Bill Campbell pressing his forearm on my chest/throat and pushing me back onto the railing and holding me there for an extended period of time. I was physically able to return to work at about 10:30 am August 18<sup>th</sup>, 2016. I am continuing to have pain and discomfort from the muscle strain caused by Director Bill Campbell.”

Dir. Korscog expressed concern about the length of time between the first statement by Shadrick and the statement just read.

Shadrick stated he had been told not to let the document leave the club house.

Vice-pres. Jardine asked Shadrick why he didn’t “let him (Campbell) go?”

Gun Show Chairman Lyakhovetsky said the issue boils down to two parties with different sides and that the issue is basically a "he said-he said" situation and that the situation should be resolved by a handshake. He added that this is a case of "word against word" with no way for the Board to reconcile the statements.

Dir. Thielen asked Shadrick if contact with his (Shadrick's) back was from going through the club door or from being pushed by Campbell.

Campbell said he tried to move Shadrick out of the way so he (Campbell) could leave and Shadrick grabbed his (Campbell's) glasses.

Lyakhovetsky again asked the accused and accuser to resolve the issue with a handshake. Campbell offered his hand but Shadrick refused to shake.

Other discussion of the motion occurred, but several members were speaking simultaneously and the individual statements or comments could not be heard.

Pres. Shultz then asked if there was any other discussion on the motion and there were none. All non-board members were then asked to leave the board room for the vote to be taken. A question arose as to whether or not Campbell should remain and be allowed to vote. Sec. Roach said Campbell was still a member of the board and that under the bylaws he was entitled to stay and to vote. Once the room was cleared Pres. Shultz reminded the board that no other debate or discussion of the motion would be heard. Treas. Connell distributed ballots. Pres. Shultz said the board members vote must be entered by either writing the word "Go" if the voter was in favor of ejecting Campbell or the word "Stay" if the voter was against ejecting Campbell from membership on his/her ballot. As each ballot was completed it was placed in a hat. When the voting was complete, the ballots were handed to Pres. Shultz who read the vote and Sec. Roach recorded the vote. The vote was three votes to "Go" and ten votes to "Stay" and Pres. Shultz announced that the motion for ejecting Campbell was defeated. As corporate secretary, I, Richard R. Roach, certify and attest that no discussion or action other than that described in this paragraph occurred while the board was in closed session.

The non-board members were then invited back into the boardroom and Sec. Roach announced to them the results of the vote. Pres. Shultz stated that Campbell's gate pass would be reactivated and that he would have full membership privileges.

Dir. Thielen addressed the non-members of the board and stated the meeting was fair and transparent and that he hoped that members who have been circulating emails attacking the club leadership will stop doing that and join in on working for the best interest of the club.

Sec. Roach then read a portion of Sec. 617.1602 Florida Statutes concerning inspection of records by members of a not for profit corporation. That statute specifies the records that may be examined and the conditions under which those records are open for inspection.

There being no other business, the meeting was adjourned.

Respectfully submitted,

Rick Roach, Secretary

