Newfoundland Club of America, Inc.
Regular Face-to-face Board of Directors Teleconference Meeting
All times Central Standard Time
Friday, November 15, 2019, 6 p.m.
Saturday and Sunday November 16 and 17, Times TBA

US toll number: (530) 881-1212
US toll-free number: (855) 212-0212
Meeting ID: 860-250-452#
Meeting wall & Meeting PIN: 1859
https://www.startmeeting.com/wall/860-250-452

Using the (530) 881-1212 telephone number saves the NCA on teleconference expense; please verify your unlimited long distance status.

Committee chairperson call in and times:
Per arrangements with Donna Thibault, NCA Second Vice-president:
- Robin Seaman, chair, NSSC, Friday evening.
- Kathy Paxton & Don Sharkey
- John O’Neill, chair, NCA Steering Committee 9:30 p.m.

Agenda

1. Special Order for 10 a.m. on Saturday Disciple Hearing
2. Opening Ceremony
   1.1. Motion to adopt agenda
   1.2. Roll Call
3. Special Order: AKC Delegate’s Report (David Helming)
   3.1. Scheduled as a general order for
4. Approval of Minutes:
   4.1. Minutes of Regular Meeting - September 19, 2019, pp. 9 – 16;
   4.2. Minutes of Adjourned Meeting – October 9, 2019, pp. 17 – 21;
   4.3. Minutes of Annual Membership Meeting - pending
4. President’s Report (John Cornell):
   4.1. Report about question put forward by NCA Arbitration Committee about their liability indemnification through the club insurance carrier.
   4.2.
5. First Vice President’s Report (Mary Lou Cuddy):
   5.1.
6. Second Vice President’s Report (Donna Thibault):
   6.1.
7. Recording Secretary’s Report (Steve Britton):
   7.1. Compiled agenda and meeting packet for F2f meeting;
   7.2. Completed Bulletin Board from October 9 and October 17, 2019 Board of Directors meeting.
   7.3. Drafted Minutes for September 19, October 9, and October 17, 2019 BOD Meeting.
   7.4. Updated final hearing packet and mailed thumb-drives to parties, officers, directors and AKC Delegate.
8. Corresponding Secretary’s Report (Pam Rubio)

8.1


9.3. Dues Renewal Donation YTD, Oct. 31, 2019, p. 25;
9.4. National Specialty Summary, p. 26;
9.5. National Specialty Data Comparison, pp. 27 – 28;

10. Immediate Past President’s Report (Pam Saunders)

10.1

11. Standing Committee Reports –

11.1. Mary Lou Cuddy, Membership Chairman –
11.2. Sue Marino, Regional Club Liaison,
• Update on Regional Club Social Media Policy – postponed from July meeting;
11.4. Awards Committee – Nominations for Good Sportsmanship and Heroic Newf awards (Under Executive Session)
11.5. BEC Committee – Lynne Anderson Powell
- Breeding Health Survey (under separate cover)
- Requesting permission to post for one or two new members
11.6. Recognition Committee – How to handle request for a second VN rosette?, p. 37
11.7. Committee member management via Wild Apricot – Donna Thibault
11.8. Steering Committee – Survey and Strategic Plan updates – John O’Neil
11.9. Technical Resources Advisory Committee:
11.10. Question concerning multiple Versatility Rosettes for the same dog. – Joan Locker-Thuring

12. Special Committees –

12.1. Policy Manual Updates, Donna Thibault, chair;

13. Executive Session – pp. 51 - 81

13.1 Membership Chairman’s Report, Mary Lou Cuddy – Separate Cover;
13.2 Nomination for Honorary Membership: Mary Lou Cuddy;
13.3 Follow-up to re-balloting in a regional club election – update – Sue Marino
13.4 Board of Directors Conflict of Interest Statements, pp. 52 - 74
13.5 NCA Sam Butler Good Sportsmanship Award Nominations, pp. 75 – 81.
13.6 Election of Nominating Committee
13.7 Election of Ballot Counters
13.8 Report from Arbitration Committee
13.9 Arbitration Committee Sample Report – under separate cover
13.10 Hearing document – separate cover, earlier mailed on thumb-drive.

14. Unfinished Business and General Orders

14.1. Breeders Education Committee: Breeders Education/CTMB Survey – (Report back at October 17, 2019 meeting)

14.2. Breeders Education Committee: A request to prepare a Newf Tide article about the AKC Stud Book, and the percentage of Newfoundland litters bred by NCA members. (due January 2, 2019 agenda deadline)
14.3. The following two motions were referred to the **Breeder Education, Breeders List Arbitration Committees** (to report back November 15, 2019, F2f meeting):

Jack Dean moved and Roger Frey seconded that the Board determine the best recommendation to address the contract clause requiring the euthanasia or the return of a puppy to a breeder for a refund after seeking input from the Arbitration, Breeders Education and Breeders List Committees and from an NCA member survey. The motion passed unanimously.

Jack Dean moved and Lynne Anderson-Powell seconded that a Survey Monkey survey be discussed and developed after input is received from the Arbitration, Breeders Education and Breeders List Committees. Input from these committees will be due to the Board by July 4, 2019.

14.5. Referred to **Arbitration Committee** (for its input by the November 15, 2019 F2f meeting):

Since good Board governance requires:

- detailed knowledge of problems facing breeder members’ contractual obligations, and
- non-member perception of unfair dealings, and since
- much of that information can only be provided by the arbitration/mediation/grievance committee disclosing all the matters that come before it
- rather than the present status of the board only knowing about the few incidents where the breeder takes an appeal to the board, the board requires that committee to provide the following information to the NCA board every three months (in executive session) in general and in the following specifics.

   For all cases that come before it adapt a numbering system which contains the year the matter began before the committee and a unique case number for ease of further reference and also keep a list of such matters.

   a. For completed cases which are closed by the committee, a pdf copy of the following documents
   b. Initial complaint letter sent to the committee,
   c. the initial complaint letter sent to the NCA breeder,
   d. the Breeder’s response
   e. the Decision of the committee,
   f. a memo on the ultimate disposition such as dismissal of complaint and the cause (refusal of complainant to pursue the matter, acceptance by both parties of the decision, appeal to the board, etc.

   The committee can provide any additional information which it feels would be helpful to the board in understanding the problem presented or suggest changes to the above procedure. (November 11, 2018 – General Order)

14.6. **TRAC (Committee):** Referral of Database updating and reporting process concerns to Technical Resource Advisory Committee (referred 4.10.2017);

That the Technical Resources Advisory Committee research, make recommendations and provide technical guidance to the *Newf Tide* Policy Committee relative to existing software available to produce *Newf Tide* as an on-line (digital) magazine. Said investigation and recommendations to include initial cost investment required; projected live and compatibility with existing programs utilized for the production of the print version, estimate of time involved in moving from one platform to the other.

14.7. **TRAC (Committee)** – Cyber Security Insurance item-for review and recommendation. (postponed until February 6, 2020 agenda deadline)

14.8. **TRAC Committee Projects List** – update (due 2019 Fall-face-to-face meeting;)

14.9. **Steering Committee:** Collaborative Digital *Newf Tide* Production Survey (Authorized, August 18, 2016) – referred to Steering Committee – report back by November 15, 2019 F2f meeting.
14.10. **Steering Committee:** – Comprehensive Strategic Plan (referred 4.10.2017; report back by October 31, 2019 Fall F2f meeting deadline);

14.11. Appoint Advertising and Promotions Committee (Adopted, August 18, 2016; repost position per approved action at October 9, 2019 BOD meeting).

14.12. **National Specialty Show Coordinating Committee:** That the Specialty Show Committee thoroughly review the Specialty Show Guide and include all previous updates for NCA-hosted shows. In addition, a separate volume should be updated and created for the Regional Specialty Guide. Deadline: 2019 Fall F2F Meeting.

14.13. **Develop Guidelines for Meet The Breeds** – Regional Club Liaison will follow-up by 2019 Fall F2F agenda deadline.

14.14. **Governing Documents Coordinating Committee:** Referred the following to the NCA Governing Documents Committee: To develop a Whistleblower’s Protection.

Rationale: When required to file 990 IRS tax return forms, nonprofit corporations are requested to answer questions regarding the existence of the above-mentioned policies. (postponed to November 15, 2019 F2f meeting)

14.16. **Financial Oversight Coordinating Committee:** Treasurer’s duties and policies – requesting review by Financial Oversight Committee.


1. It is a best fiduciary practice for the board to know what tax returns have been filed in its name and the contents thereof,

2. until my last request, for many years, the NCA Board as a group. has not even seen each year’s federal tax return,

3. nor as of the date of filing of this motion, has the treasurer nor the preparer furnished the board with a copy

4. Since the return is electronically filed as a pdf file, there is no good reason that the treasurer cannot send within a week of filing a pdf copy of the return to all board members.

Therefore, it is moved that each year beginning with the tax year ending December 31, 2017, and for each year after that, the treasurer send out by email a pdf copy to all board members, and also to any NCA member who requests that yearly information be provided. (Referred to Financial Review Committee on January 17, 2018 – to report back on February 21, 2019).

14.18. **General Order:** Jack Dean move, and Lynne Anderson-Powell seconded that:

“Whereas it appears that:

1. The status of the NCA seal as a copyright or trademark item is uncertain and board members having different impressions of what the law is and how we enforce our rights.

2. The NCA seal has never been registered with federal authorities.

3. There should be some type of competitive bidding on having someone properly register the NCA Seal. Now, therefore, I move that the board should come up with a plan to find qualified people and determine what they would charge for doing this as well as other associated costs. The motion passed unanimously. (The action was amended on October 17, 2019 by assigning a reporting date of December 5, 2019 -for the December 19, 2019 meeting.)

14.19. **Retired Kennel Name Prefixes.** (Lynne Anderson Powell, appointed chair of a Special Committee) Additional Committee members need will be named in time for inclusion in December 6, 2019 board packet deadline to fill out the remainder of the special committee
14.20. Whereas, Board members need to understand the process of how tax returns are prepared to better fulfill their fiduciary obligation of corporate governance and to show the Board tries to be transparent in financial matters, and,

I want to make my questions as specific as possible so they can be simply answered by an email before our teleconference and not take up time at the teleconference, but in case they are not answered,

Now therefore, I move that;

1) That the treasurer explain how the income taxes for both the NCA, Inc and the NCA Charitable Trust are prepared in general and with specific reference to whether the treasurer supplies to the accountant:

   A). the aggregate data as she categorizes it for various tax categories on the return, or
   B). all categories contained in the accounting system or
   C). the raw individual data and lets the accountant categorize the data, or
   D). does supply both A and B together with the raw data associated by categories, or
   E). something else and, if so, then please explain what it consists of.

2) Whether the accountant has questioned in any manner the Treasurer’s categorization and, if so, what were those communications?

3) That the treasurer provide copies of the accountant’s engagement letters for both entities.

4) for both the NCA Inc and the NCA Charitable Trust for the last three years, namely the returns labeled for the years beginning in 2015, 2016, and 2017, please tell when, if ever, the federal tax return was shown to the directors listed in the 990 schedule before January 1st, 2019 other than caused by my recent specific request. – assigned to the NCA Treasurer at the October 9, 2019 Adjourned BOD meeting).

14.21. I move that the NCA should support each Junior member with a free membership. They should still have to register as a Junior but not pay a membership fee until they are aged out as a Junior. (Pam Saunders). Postponed to the February 19, 2020 Regular NCA BOD meeting)

14.22. Review what is a COI & for whom (general order - postponed to November 15, 2019 F2f meeting.)

14.23. Assigned the following correspondence to Corresponding Secretary for reporting :

   Dr. Carol Beuchat, PhD, in an article located in her blog published on her Institute of Canine Biology website, has used illustrations from the Newfoundland Club of America Illustrated Guide, presumably without permission of the club. In the illustrated guide, the club claims its contents are copyright protected (Correspondence sent by Pam Rubio?)

14.24. Jack Dean moved and Pat Randall seconded to direct Steve Britton to locate Atty. Mark Aliff and request his assistance to determine whether NCA has a sales tax nexus in various states or to ask for his assistance to find an attorney who can. (Adopted: October 17, 2019.


15. New Business

15.1. Motion: Timely notice and distributions of committee reports

Whereas,

1. the primary duty of board members is governing the NCA properly which requires sufficient time to assess documents and proposals made by committees, and,
2. currently, because of time constraints when the material is received, members of the board do not receive the agenda with committee reports until two days before the teleconference or at the actual teleconference, and,
3. when faced with several reports a few days before the meeting, it is difficult to find time to analyze all those reports and consider if all issues are adequately explored.

Now it is moved that

1. all committee reports and requests shall be submitted in writing by the deadline for all agenda items and be immediately distributed by the appropriate officer to all board members even though those reports will also appear in the published agenda, and
2. absent an unforeseen emergency which requires immediate attention, if the above procedure is not followed, then the submission and request of the committee shall be postponed until the following board meeting. (Jack Dean)

15.2. Motion: Nominating Committee Supplemental Report

Whereas,

1. it is important that the nominating committee be fair in choosing people as the initial nominees for the NCA Board of Directors, and
2. Some misperceptions have arisen about the procedure being used by the committee, and,
3. That an additional very short report may significantly aid in dispelling false perceptions, and
4. That some prior committees have disclosed that data to show how difficult a task they face, WHEREFORE, I MOVE the nominating committee shall report with the announcement of their selection the following information:

   1. The number of sitting board members whose term were expiring that they contacted to see if they were interested in being considered for the nomination and the number who accepted, and
   2. The number of people they personally contacted to see if they were interested in running for the board, and T number of people who they placed on the board, and the number of people who contact them wishing to be selected by them for the board of directors and the number of people who they placed on the board, and
   3. Any other information they may feel would be of interest that the membership might want (Jack Dean)

15.3. Motion: HAVING TRAC REPORT BACK ON HOW TO ENABLE MEMBERS TO RUN SQL QUERIES ON THE NCA DATABASE.

Whereas,

1. The NCA database has probably cost us about $250,000 and the user interface has not changed in several years. What is there is nice, but it only does a fraction of what the database is capable of, and
2. Sample Problem: Suppose a bitch owner is searching for the best stud dog. She knows at times the bitch displays an elbow weakness or has weak hips. She wants to find the best stud and is concerned about the offspring the stud throws, and
3. Background: There has existed since the 1970s a Structured Query Language (SQL) that is designed for databases that makes finding the answer to that question possible. Microsoft Access has a super easy graphical interface that forms complicated SQL commands, and
4. Possible Answer 1: In summary, what you can do is enter the name of the stud dog and then ask the database to produce a list of all of the dogs that list the stud as the father together with each offspring’s name, date of birth, and all health clearances. If you wish you can also restrict the list of offspring that only have health clearances for elbows, hips or both, and
5. Possible Answer 2: Once you have the query set up, you just need to change the name of the stud dog to get the same information. and,
6. Other Capabilities: The information produced is not limited to health clearances. It could also check champions, working titles, performance titles, etc. If you wanted to, you could run the same checks by using breeder names or kennel names, etc. and
7. You could further find out the names and number of dogs that have champions, etc.
EASY SOLUTIONS TO SOME OBJECTIONS. The objection has been raised that you don’t want anyone to have this power because they may corrupt the database. The answer to that problem is exceptionally simple. There are various ways to create a “sandbox” on the server, a place where everything is isolated and the user cannot get out of it. You put a COPY of the database in the sandbox and automatically replicate it every so often. If someone does damage, you just reload the main file or just restore the sandbox from a previous backup.

Wherefore, I move that TRAC is directed to report back to the board by the next meeting in December on how it can implement a GUI interface with SQL capabilities or alternatively a command line query, or preferably both. (Jack Dean)

15.4. Motion: Request the National Specialty committee to consider guidelines for dedicating an NCA national to specific persons.

Whereas,

1. sometimes it is appropriate to dedicate a specialty to a particular person, but there are no guidelines on any criterion to be used, and
2. it would be better to consider this problem in advance rather than on the spur of the moment

Therefore, I move that

1. The problem be referred to the National Specialty committee for their input on guidelines, and they report back to the board at the February meeting with some rough guidelines on such a policy or the statement that they do not think any policy is feasible at this time. (Jack Dean)
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Email: pkrboard2011@comcast.net

Director:
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Home: 303/999-7862
Email: katiesidesinger@gmail.com

Revised: 05/19/2019
### INCOME

**Dues - Applicants**

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### EXPENSES

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**Gen. Ed. - Packets, Ads,**

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Newfoundland Club of America  
Receipts and Disbursements  
Operations  
October 4 - 30, 2019

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### Newfoundland Club of America, Inc.
**Balance Sheet**
**as of October 30, 2019**

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<th>Operations</th>
<th>BMO</th>
<th>Huntington</th>
<th>Live</th>
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<tr>
<td>Certificates of Deposit</td>
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<tr>
<td>CD 6 months - due 2/28/20 2.85%</td>
<td>65,698.15</td>
<td>65,698.15</td>
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<tr>
<td>CD 6 months - due 11/10/19 2.45%</td>
<td>71,461.54</td>
<td>71,461.54</td>
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<tr>
<td>CD 30 months - due 7/26/20 2.60%</td>
<td>12,456.43</td>
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<td>Operations Checking</td>
<td>44,087.82</td>
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<td>2018 Natl. Specialty Checking</td>
<td>21,134.16</td>
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<tr>
<td>2019 Natl. Specialty Checking</td>
<td>-638.98</td>
<td>-638.98</td>
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<tr>
<td>2020 Natl. Specialty Checking</td>
<td>-9,442.25</td>
<td>-9,442.25</td>
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<td>Total Operations</td>
<td>204,756.87</td>
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| Juniors Fund | | |
| Checking | 1,165.76 | 1,165.76 | |
| CD 6 months - due 2/28/20 2.85% | 6,161.46 | 6,161.46 | |
| | 7,327.22 | | |

| Uniform Trophy Fund | | |
| Checking | 2,745.87 | 2,745.87 | |
| CD 6 months - due 2/28/20 2.85% | 10,268.93 | 10,268.93 | |
| | 13,014.80 | | |

| NCA, Inc. | 225,098.89 | 47,999.45 | 11,052.93 | 166,046.51 |

---

prepared by
Mary L. Price
Treasurer
Newfoundland Club of America, Inc.
Dues Renewals
Donations
Through Roster Cut-off

<table>
<thead>
<tr>
<th></th>
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<tr>
<td></td>
<td>No.</td>
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<td>Checks</td>
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<td>Credit Cards - W. A.</td>
<td>732</td>
<td>78%</td>
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<td>Credit Cards - MLP</td>
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<tr>
<td>Total</td>
<td>939</td>
<td>100%</td>
<td>90,888</td>
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Less:
- Foreign postage levy             3,117 | 3,015
- Health Challenge                 124 | 6,750 | 110 | 5,317 | 14  | 0.1  | 1,433
- Rescue Fund                      122 | 6,855 | 123 | 6,760 | -1  | 0.0  | 95   
- Scholarship Fund                 21  | 770   | 27  | 933   | -6  | -0.2 | -163 |
- Education Grant                  16  | 620   | 17  | 498   | -1  | -0.1 | 122  |
- Net Dues                         283 | 18,112| 277 | 16,523| 6   | 0.022| 1,589 |

Net Dues                           939 | 72,776| 949 | 72,905| -10 | -129 |

prepared by Mary L. Price
Treasurer
## National Specialty Comparison Summary

**Entry Fees, net of Supt. Costs** (Line A)
- 2019: $332.50
- 2018: $4,213.04
- 2017: $1,821.42
- 2016: $159.41
- 2015: $1,653.10
- 2014: $4,550.07

**Catalog Revenues from Ads and Sales** (Line B)
- 2019: $12,211.60
- 2018: $15,138.00
- 2017: $10,500.00
- 2016: $10,735.00
- 2015: $12,895.00
- 2014: $11,472.82
- 2013: $13,669.18

**Other Show Expenses (Judges, Grounds, etc.)** (Line C)
- 2019: $47,808.26
- 2018: $44,892.07
- 2017: $52,216.23
- 2016: $54,190.34
- 2015: $70,784.43
- 2014: $60,964.90
- 2013: $34,941.64

**Show Income or Loss (-)**
- 2019: -$35,264.16
- 2018: -$25,541.03
- 2017: -$43,537.65
- 2016: -$43,295.93
- 2015: -$60,483.31
- 2014: -$51,145.18
- 2013: -$16,722.39

**Other Specialty Revenues (Expenses)**
- 2019: $41,634.53
- 2018: $47,043.23
- 2017: $24,286.18
- 2016: $37,906.25
- 2015: $33,971.13
- 2014: $29,532.25
- 2013: $30,577.29

**Hospitality and Social Events Income** (Line F)
- 2019: -$6,793.79
- 2018: -$3,500.51
- 2017: $19,217.70
- 2016: $4,305.24
- 2015: -$11,137.27
- 2014: $3,141.96
- 2013: -$3,241.16

**Income from Sales of Logo Items** (Line G)
- 2019: -$215.51
- 2018: $3,570.26
- 2017: $25,626.69
- 2016: $9,965.06
- 2015: $2,737.32
- 2014: $8,629.47
- 2013: $10,727.00

**Other Income or Loss (-)**
- 2019: $34,625.23
- 2018: $47,112.98
- 2017: $69,130.57
- 2016: $52,176.55
- 2015: $25,571.18
- 2014: $45,503.68
- 2013: $38,063.13

**Net Income**
- 2019: -$638.93
- 2018: $21,571.95
- 2017: $25,592.92
- 2016: $8,880.62
- 2015: -$34,912.13
- 2014: -$5,641.50
- 2013: $21,340.74

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<td>362</td>
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<td>482</td>
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<td>420</td>
<td>435</td>
<td>453</td>
<td>515</td>
<td>650</td>
<td>457</td>
<td>549</td>
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<td>421</td>
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<td>477</td>
<td>435</td>
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<td>700</td>
<td>671</td>
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<td>111</td>
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<td>393</td>
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<td>503</td>
<td>556</td>
<td>640</td>
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<td>720</td>
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<td>712</td>
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<td>767</td>
<td>818</td>
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**Volume**
- 2019: 320
- 2018: 362
- 2017: 328
- 2016: 482
- 2015: 546
- 2014: 541
- 2013: 506
- 2012: 420
- 2011: 435
- 2010: 453
- 2009: 515
- 2008: 650
- 2007: 457
- 2006: 549
- 2005: 340
- 2004: 533
- 2003: 662
- 2002: 650
- 2001: 522
- 2000: 580
- 1999: 64

**updated by Mary L. Price, Treas.**
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<th>NCA</th>
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<th>2017</th>
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<td>Frankenmuth, MI</td>
<td>Salishan, Oreg</td>
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<td><strong>Entry Fees</strong></td>
<td>Roy Jones</td>
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<td>Roy Jones</td>
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<td>mats</td>
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<td>17,970.25</td>
<td>15,815.83</td>
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**A**  
Entry Fees, net of Supt. Costs

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<tr>
<th></th>
<th>Roy Jones</th>
<th>3,325.50</th>
<th>4,213.04</th>
<th>-1,821.42</th>
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<td>5,618.00</td>
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<td>12,211.60</td>
<td>15,138.00</td>
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**B**  
Judges Expenses

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<th>-9,485.45</th>
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<td>Trophies</td>
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<td>[ Uniform Trophies ]</td>
<td>[6,362.26]</td>
<td>[5,779.14]</td>
<td>[5,068.03]</td>
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<td>Ring Favors and Ribbons</td>
<td>-1,535.66</td>
<td>-510.55</td>
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<td>Photographer / Videographer / Announcer</td>
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<td></td>
<td>-1,000.00</td>
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<td>Honors Parade - entries fees</td>
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<td>1,675.00</td>
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<td>Honors Parade - costs</td>
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<td>1,502.00</td>
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<td>130.80</td>
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<td>Site Preparation</td>
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<td>CGC Test</td>
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<td>Trick Dog</td>
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<td>-44,892.07</td>
<td>-52,216.23</td>
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**D**  
Show Gain or Loss (-)

|  | -35,264.16 | -25,541.03 | -43,537.65 |
### Newfoundland Club of America
#### National Specialty Data

<table>
<thead>
<tr>
<th>Line</th>
<th>NCA 2019</th>
<th>NCA 2018</th>
<th>PNC/NCNC 2017</th>
<th>Salishan, Oreg</th>
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<td>Frankenmuth, MI</td>
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<td>Registration Fees</td>
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<td>17,465.00</td>
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<td>Reg. packet, cost of contents, credit card fees, etc</td>
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<td><strong>Net Registration Revenues</strong></td>
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<td>9,295.43</td>
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<td>Golf Cart Rentals</td>
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<td>47,043.23</td>
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<td><strong>Hospitality / Social Events</strong></td>
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<td>Hospitality (incl. Welcome, donuts, etc.) expenses</td>
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<td><strong>Fundraising revenues (sales-shirts, mugs, pins, etc.)</strong></td>
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<td>25,626.69</td>
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<tr>
<td><strong>Net Income</strong></td>
<td>-638.93</td>
<td>21,571.95</td>
<td>25,592.92</td>
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## Newfoundland Club of America, Inc.
### Operations
#### Fiscal Year ending June 30, 2019

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<th>2019 Budget</th>
<th>Difference</th>
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Prepared by Mary L. Price, Treasurer
# Newfoundland Club of America, Inc.
## Operations
### Fiscal Year ending June 30, 2019

<table>
<thead>
<tr>
<th>Expenses</th>
<th>2019</th>
<th>2019 Budget</th>
<th>Difference</th>
<th>Notes</th>
<th>2019 Budget Notes</th>
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Prepared by Mary L. Price, Treasurer
Newfoundland Club of America, Inc.
Operations
Fiscal Year ending June 30, 2019

<table>
<thead>
<tr>
<th>2019</th>
<th>2019 Budget</th>
<th>Difference</th>
<th>Notes</th>
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Technical Resources
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- Database | 0.00 | 250.00 | -250.00 | | 0.00 |
- Digital Distribution | 12,434.23 | 14,000.00 | -1,565.77 | | 11,012.55 |
- Trust Management Board | 6,000.00 | 6,000.00 | 0.00 | per CTMB | 4,900.00 |
- Working Dog | 359.12 | 50.00 | 309.12 | Natl. Spec. | -10.97 |

Miscellaneous | 0.00 | 0.00 | 0.00 | | 11.70 |

Total Operating Expenses | 56,319.94 | 68,615.00 | -12,295.06 | | 47,623.66 |

Revenues, Net of Related Expenses | 43,518.65 | 42,240.00 | 1,278.65 | | 50,449.87 |

Excess of Receipts over Disbursement | -12,801.29 | -26,375.00 | 13,573.71 | | 2,826.21 |

Dues collected in F/Y 2018 | -52,570.00 | | | | -59,708.00 |
Dues collected for F/Y 2020 | 68,740.00 | | | | 52,570.00 |
Balance as of July 1 | 202,200.08 | | | | 206,511.87 |
Ending Balance - June 30, 2019 | 205,568.79 | | | | 202,200.08 |

| Cash Reserve | 143,000.00 | | | 143,000.00 |
| Operating Fund | 62,568.79 | | | 59,200.08 |
| Ending Balance | 205,568.79 | 0.00 | | 202,200.08 |

Prepared by Mary L. Price, Treasurer
Newfoundland Club of America, Inc.
Balance Sheet
as of June 30, 2019

NCA, Inc.  501(c)4

NCA Operations CDs
  CD - due 11/10/19 @ 2.45%  71,017.45
  CD - due 2/28/20 @ 2.85%  65,238.22
NCA National Specialty stipend CD
  _______  _______  12,281.45  _______
Total - CDs  0.00  0.00  12,281.45  136,255.67  148,537.12

Checking - Operations  57,231.67  57,231.67  205,768.79

Natl. Specialty - 2018 - Checking  21,134.16
Natl. Specialty - 2019 - Checking  -5,021.22
Natl. Specialty - 2020 - Checking  -1,020.00  15,092.94  15,092.94

Juniors Fund - checking  1,165.76
Juniors Fund - CD - due 2/28/20 @ 2.85%  6,121.23  _______  _______  6,121.23
  Juniors Fund  1,165.76  0.00  0.00  6,121.23  7,286.99

Uniform Trophy Fund - checking  745.47
Uniform Trophy Fund - CD - due 2/28/20 @ 2.85%  10,194.19  _______  _______  _______
  Uniform Trophy Fund  745.47  0.00  0.00  10,194.19  10,939.66

NCA, Inc.  59,142.90  15,092.94  12,281.45  152,571.09  239,088.38

prepared by
Mary L. Price
Treasurer

Page 32 of 81
Introduction and Rationale

There is a great deal of evidence, from plants to fruit flies to mammals, that loss of genetic diversity can have serious consequences both to a population and individuals. It is also clear that without management we will continue to lose diversity in the Newfoundland population. A modestly sized population with a closed stud book makes the loss virtually inevitable. We propose estimating the genetic diversity of purebred newfoundland dogs, now, before we reach a point at which heroic measures are necessary to maintain the breed.

A major feature of loss of diversity is “inbreeding depression”, i.e. increasing loss of reproductive robustness and deficits in immune response resulting from the increase in homozygosity with the breeding of closely related dogs. Major determinants in population wide diversity shown by actual pedigree analysis and simulation are a “founders effect” and “popular sire effect”. A recent analysis has recognized a popular kennel effect above and beyond the popular sire which can, for example, bias genome wide association studies. The founders effect results from the fact that many or most breeds were founded with a small number of often related dogs, after which no new genetic material is available. Breed foundation can be viewed as a genetic bottleneck. Many breeds have experienced subsequent bottlenecks results from war, disease, or environmental impact.

Although it is not certain, the most common interpretation of inbreeding depression is that many nonlethal, but deleterious recessive traits accumulate because of the inadvertent increase in homozygosity. Inbreeding, of course, also increases the probability of rare recessive alleles responsible for major disorders meeting in inbred offspring.

Problems from inbreeding depression usually appear in traits that have low heritability (narrow-sense heritability), i.e. traits that respond poorly to simple mass selection on the phenotype of the parents. Many of these are reproductive traits, e.g. probability of pregnancy, litter size, number of live births and surviving puppies at different ages as well as sperm quality and breeding efficiency of males. These traits are obviously of great importance for our ability to maintain a genetically healthy breed population—note: breeders have requested a survey of reproductive variables which will be introduced this spring or early summer.

Why now?

Over the last 20 years, there have been enormous remarkable advances in genetic technology. One is the ability to look at genetic diversity directly, rather than simply extrapolated from pedigrees. In fact the two techniques often disagree in that pedigree analysis accounts poorly for selection and considers litter mates to be genetically identical, i.e. the major quantitative indicator of inbreeding being the coefficient of inbreeding—which will obviously be the same for all littermates. Further, the COI is a probabilistic indicator, not a measurement directly on the dog. Only when the pedigree database extends back to breed founders is there good agreement between pedigree measurements and genetic estimates. For the Newfoundland we
do not have a research quality pedigree data base that is sufficiently complete to analyze the population from a pedigree point of view in any case.

Methods
We strongly considered three possibilities to develop a sample of genotypes for diversity analysis. Two commercial possibilities are Mars veterinary and Embark. Both use large scale SNP chips and measure thousands of loci simultaneously. Given the appropriate samples both can provide details estimates of diversity within a breed, provide homozygosity estimates of individual animals, and evaluate pairings of individual dogs in the data base to optimize heterozygosity in offspring. Another great advantage to participants is that nearly all of the genetic tests for different traits (i.e. genetic disease) are covered by these methods. In Newfoundlands, for example, cystinuria status would be reported. Coat color variants would also be included. This could be a major incentive for participation.

The third possibility is the genetics lab at UC Davis veterinary school. A different technology is used: the examination of Short Tandem repeats (STR’s). Although a much smaller number of measurements are made, each site investigated has many more potential alleles providing much more discrimination at each site. Additionally, reports on the DLA (MHC in humans) genes involved in immune response are evaluated discretely. Variation in immune capacity are one of the systems that are particularly sensitive to inbreeding or overall homozygosity. Further, a measure similar to homozygosity (Internal relatedness) is calculated for individual dogs (the difference from direct homozygosity is that rare alleles are provide more weight than common alleles. Matings of dogs in the database can be evaluated for diversity outcome, similarly to the SNP chip measurements. Interestingly, computer simulations have found that it may be more important to breed to dogs with rare alleles rather than dogs that are the least related.

Although the large number of genetic tests for different genetic disorders and traits (e.g. coat color) are not available from the STR assessments, there is an extraordinarily important advantage to the UC Davis alternative. The NCA is a dog club with breeders and other breed fanciers as members. We are not as a rule made up of geneticists. UC Davis has developed an explicit protocol for the entry of breeds into their program and they have already finished the research phase in 20 breeds and have 31 breeds in the research and preliminary result phases. They do the initial analysis, provide breed history information that can be inferred from the genetics. They provide a detailed report on the breed diversity (e.g comparing the heterozygosity within newfoundlands to very diverse “modern village” dogs. We can also compare the diversity measurement between breeds in samples similarly obtained.

an example is the report for dobermans at xxxx. Reports for other breeds are also on this website https://wwwvgl.ucdavis.edu/services/dog/GeneticDiversityInDoberman.php other breed reports can be seen by clicking on the breed name in the list of completed studies. Further a paper using this
A technique in golden retrievers has recently been published in the journal PLoS ONE (reference below).

https://doi.org/10.1371/journal.pone.0212171

The project will be run out of Health and Longevity committee. UC Davis will accept prepayment for a large number of dogs eliminating much of the organization eliminating the handling of reimbursement etc. on enrollment participants receive a code to include with their submission to identify that they are participants in the Newfoundland study.

Sampling: We hope to collect cheek swabs from 100 to 200 dogs to do this analysis. The selection of a sample is critical. In the US, we will want to be able to compare dogs from NCA breeders to others (including puppy mill and backyard breeder dogs). Over the past few years the proportion of litters from NCA breeders has declined severely. There are months when litters entering the stud book because it’s the first registered litter from one of the parents are as few as 7% of total such breedings. It is probably the case the the distribution of NCA dogs is much different from others and our “show lines” are undoubtedly less genetically diverse than the breed as a whole. European and Australian dogs, may have similar structure and may or may not be similar overall to US dogs, e.g. if for no other reason than some European dogs have complete or nearly complete American pedigrees, and vice-versa. We will want to find populations of quality dogs that are only distantly related to US dogs and have not been interbred to any great extent. We will appoint a subcommittee to oversee this process and invite individuals at different locations who are knowledgeable about the lines in their areas to help build a sample.

Self-Selection: One thing it is important to avoid is having the sample be self-selected on variables other than what we can assess. For example, the sample of breeders/owners who would pay to participate may be systematically very different from those who would not. This would clearly bias any results we might obtain. One great incentive for participation would be the individual mutation reports that Mars Veterinary would provide to the participants. Simultaneous testing for a great many disorders and/or colors or coat texture would be valuable, especially to breeders.

Data and Analysis: UC Davis would be the recipients of swabs and keep individual records of the identity of the owners/breeders. They would do the initial analysis. Examples of reports can be found: xxxx. The NCA would receive de-identified data, i.e. the NCA people working on the project would not know the identity of individual dogs. However, when samples are solicited they can be categorized, e.g. NCA vs other American, UK, Italy, with possible subsets (e.g. Show vs Companion dog) within different countries. We would also receive the results of the principal component analysis so, while we would depend on the tester for initial analysis we would be able to do further analyses and/or illustrations of the sub-populations.
Significance: Loss of genetic diversity is a serious, possibly fatal, problem for purebred dogs, in general, but particularly for “rare” breeds. There have already been some recommendations from geneticists to alter breeding regulations to preserve diversity. Danish Bedlington breeders, for instance, were counseled to reinstate breeding carriers of copper storage hepatopathy since only a short period of time (1) had seen the loss of some less common DLA alleles. Also, it was suggested that in xxxx breeders go out to unregistered dogs to improve diversity while it was suggested that xxx breeders actually go out to related breeds. Most breeders are aware of the breeding of Dalmatians to pointers with subsequent backcrossing to dalmatians in an effort to recover the functional gene for uric acid metabolism that was inadvertently lost in the development of the breed. Doberman Pinchers (DCM). The newfoundland community would be much better off were we prepared for this type of possibility. Breeding selections may favor dogs that are relatively unrelated (as measured by genetic markers) or breeders may select stud dogs from outlying populations. Finally, frozen sperm (and possibly ova) could be stored in the future to at least reinstate the diversity we currently have.
Hi Donna

Please see the email below from Bethany Karger. Can you please ask the board about this?

I know it will not make tomorrow night's agenda. I just got the question today.

Thank you.

Joan Locker-Thuring
Bluwater Newfoundlands & Schipperkes
bluwaternewfnschip.com

---------- Forwarded message ----------
From: Bethany Karger <bethanykarger@verizon.net>
Date: Wed, Oct 16, 2019, 11:28 AM
Subject: Rosette question
To: <newflover@gmail.com>

Hi Joan, hope all is well and you’re getting back on your feet. I have a question ref the VN Rosettes that has not come up before.

I person has asked for an extra rosette. I told her that the NCA Board policy is one rosette per dog. However, she then asked that, if she pays in advance for the extra rosette, could she obtain one. I said I would ask. So, coming to you.

1) if the NCA would approve, I'll let her know.
2) if approved, what would cost?

Thanks,
Bethany
APPLICATION TO HOST A NATIONAL SPECIALTY

Name of club submitting proposal: Colonial Newfoundland Club, Inc.

Proposed dates of Specialty: Monday, May 16, 2022 through Saturday, May 21, 2022

Indoor or outdoor show? Indoor Conformation, outdoor Obedience, Rally and Draft

Name of Chairs: Specialty: Kathy Paxton, Site: Don Sharkey

Name and address of site selected: Seven Springs Mountain Resort, 777 Waterwheel Drive, Champion, PA 15622

Description/type of site: Ski Resort and a year round family destination with many activities.

Number of acres on site: 5,800

Handicap accessibility? yes

Level areas for large conformation & obedience rings? Obedience and Rally.

Total number of rooms: 414 Total available for NCA use: All

Breakdown number of doubles, triples, handicapped: __________

Condos: 250, 11 cottages, 16 chalets

Number of floors: 10 Room. Rate: $129.00 to $169.00

Elevator Availability? Yes

Banquet facility seating capacity: 672

Restaurant & food services: Seven Restaurants

Overflow rooms available: number and distance from host hotel: all listed as between 11.5 & 11.2 mi.

Comfort Inn 2 any size dog $35.00 fee
Econo Lodge up to 30 lbs. limit
Holiday Inn Express (2) $25.00 fee, (3) $50.00 fee
Days Inn 25 lbs. limit
Knights Inn $25.00 fee per night, no size qualification
Quality Inn 100 lbs. $15.00 per night fee
Fairfield Inn & Suites no pets
Distance from Regional: 40 minutes. International airports: Pittsburgh 90 minutes

Proximity to Interstates & local highways 11.5 miles from PA Turnpike

Recreational facilities: golf, spa, swimming pools, sporting clays, ziplines, bowling, etc.

Distance for emergency medical care for people & dogs: 11.5 miles.
Special features of the site or area:

Events, other than AKC breed events, i.e., NCA Draft Test, NCA Water Test, Specialty Carting, Salute to Rescue, Freestyle, etc.: work in process.

Financial considerations:

Attach a letter of commitment from the host hotel (required) hotel brochures, and/or pertinent information from the hotel:
Confirmation Agreement

October 30, 2019

Contact: Ms. Kathy Paxton
Title: Chair
Organization: Colonial Newfoundland Club, Inc.
3101 Benjamin Drive
Taneytown, MD 21787-2755
Phone: 443-918-8158
Event Post As: Colonial Newfoundland Club, Inc.
Newfoundland Club of American, Inc. 2022 National Specialty
May 15 – 21, 2022

This Confirmation Agreement (this "Agreement") is entered into by and between Seven Springs Mountain Resort, Inc. (the "Resort"), located at 777 Waterwheel Drive, Seven Springs, PA 15622, and Colonial Newfoundland Club, Inc. (the "Club"). Accordingly, the Resort and the Club agree to the following:

The Resort is pleased to offer the following room rates to the Club:
- Hotel Queen Lodge - $129.00 (two queen beds)
- Hotel King or Queen Tower - $139.00 (either two queen beds, or one king bed and one sofa bed)
- Hotel Queen Family - $159.00 (two queen beds in separate rooms)
- Hotel King Jr. Suites - $169.00 (king bed in bedroom and pull-out sofa bed in separate sitting room)
- Hotel Executive Floor - $169.00 (king or queen room on the 10th (top) floor of the Resort hotel)

Rates are lodging only, per room, per night, and all rooms are subject to state and local taxes of 11% per night as an additional charge. Tax rates are current as of date hereof but are subject to change. The above room rates are based upon the number of rooms, time of booking, arrival / departure pattern, time of year for the event, and other factors, and should any of these factors change significantly, these room rates may be subject to change.

BINDING EFFECT

This Agreement shall be binding only when accepted in writing by the authorized representatives of the parties hereto. The parties agree to enter into a definitive Booking Agreement, which shall include an initial deposit of $1,500.00 payable upon the execution thereof, which shall replace this Agreement in its entirety. If the signed Booking Agreement and initial deposit are not received by Tuesday, November 19, 2019, the Resort reserves the right to withdraw and/or renegotiate this offer, and this Agreement shall no longer have any force or effect.

AGREED & ACCEPTED BY:

Kathy Paxton, Chair – Colonial Newfoundland Club, Inc.                                    Date
Jerry Taggart, Director of Sales, Seven Springs Mountain Resort, Inc.                            Date
NCA Whistle Blower Policy

The Newfoundland Club of America requires directors, officers, committee members and other representatives of the Club to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As representatives of the Newfoundland Club of America, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

This Whistleblower Policy is intended to encourage and enable representatives and others to raise serious concerns internally so that Newfoundland Club of America’s Board of Directors can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, volunteers and representatives to report concerns about violations of the Newfoundland Club of America’s code of ethics or suspected violations of law or regulations that govern the Newfoundland Club of America’s operations.

It is contrary to the values of the Newfoundland Club of America for anyone to retaliate against any board member, officer, representative or volunteer who in good faith, reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, suspected violation of any regulation governing the operations of the Newfoundland Club of America. A board member, officer, representative or volunteer who retaliates against someone who has reported a violation in good faith is subject to discipline-per the bylaws of the club.

The Newfoundland Club of America’s has an open-door policy and suggests that representatives share their questions, concerns, suggestions or complaints with the Newfoundland Club of America’s Board of Directors by filing the complaint in writing to the Recording Secretary of the Newfoundland Club of America. If the complaint involves the Recording Secretary of the Newfoundland Club the complaint should be filed with the President of the Newfoundland Club of America. The complaint will be handled, in executive session, by the Board of Directors. If the complaint is regarding any member of the Board of Directors that will be asked to step away from the meeting during discussion of such complaint.

The Newfoundland Club of America’s Board of Directors is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. If the complaint involves a financial situation the Newfoundland Club of America’s Board of Directors will act swiftly to protect the finances of the Newfoundland of America which may include the Finance Committee, internal audit, freezing of accounts etc. until the matter is resolved.

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Newfoundland Club of America’s Recording Secretary (or President) will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

The Newfoundland Club of America’s Whistle Blower Policy approved by the Board of Directors on [Date].
Questions on requiring a puppy return as a precondition of certain contractual health guarantees when the puppy has lived with the family for a protracted time.

At the NCA November 2019 board meeting we will discuss this topic. As a board member I want the committees input on this matter. Earlier, the board had sought the Arbitration, Breeders Education, and Breeders List committees to give their views. There is a great split. I would hope the discussion leads to some resolution of the problem.

Since we were deciding policy rather than facts, I thought it far more productive to give the committees an opportunity to think about these problems well before the meeting and have time to discuss it with their members. That is why I am giving direct advance notice of questions that I have.

While there are various opinions on the path the NCA should take, each committee has advanced ideas that have some merit. Perhaps we should work towards a consensus.

BASIC DEFINITIONS
To save time and avoid long repetitions of the same words. I will use the following definitions for specific terms.

RETURN CLAUSE
A clause that preconditions health guarantees on the puppy buyer returning the puppy to the breeder.

BREEDERS LIST COMMITMENT
The clause in the breeder list agreement which states “8. The NCA expects its members to make a life-long commitment to every Newfoundland they produce and to cooperate in the rescue of any Newfoundland dogs they produce. “

NOVICE PUPPY BUYER
A 1st time purebred Newfoundland puppy buyer(s) who has a Heath situation

HEALTH SITUATION
A novice puppy buyer who has spent over $2,000 trying to correct a health problem.

PROTRACTED TIME
This is really not a defined term. Initially, I would suggest that we consider a 2month period but I could easily see a longer period and, perhaps, shorter period.

THE QUESTIONS
Do you know of any other club with a return clause that we have?
Do you agree that a review of the attached board minutes clearly shows that the original intent of the return clause was to stop a breeder from taking back a Newf and then dumping a sick, crippled dog on rescue? Given that background, is it proper to extend that principle to enable the Arbitration Committee to invalidate a part of a contractual agreement?

How does requiring the breeder to return the purchase price of the dog fulfill a lifelong commitment of caring for a Newf they have produced, especially if the Newf they bred and then refunded the purchase price is then turned in by the buyer to rescue?

For NCA puppy sellers who are not on the breeders list, does the Arbitration Committee have the power to set aside a return clause? It would appear from their response listed in attachment x that the Arbitration Committee thinks that it does.

Even if it is not a policy, should the NCA board establish a policy for ALL breeders that it {is / or is not} improper to have a return clause so that sellers and buyers both have the same expectations?

What percentage of 1st-time novice puppy owners truly realize how much a Newf can become part of their family, almost like another child, for whom they will go to great financial lengths to make sure their Newf has the best medical treatment. More importantly, would they be willing to give up a family member?

Is it more likely or more unlikely a family in that health situation will give up their Newf to be given a replacement puppy from the same breeder at some unspecified time in the future? Do some NCA breeders used that to their advantage to avoid a health guarantee?

There is a statement that the Breeder Ed response that the breeder will thoroughly explain the terms of the contract to the puppy buyer. In reality, how effective is this belief, and what checks are made by anyone to make sure the breeder has done this before a problem has arisen?

An Important Question toward future problems. Could the Arbitration committee decide the factual question of whether or not the breeder explained the contract provisions thoroughly to the novice puppy buyer AND if the committee believes they did not, then set the return clause aside and impose whatever sanctions or remedies they feel appropriate?

What points should be included in an explanation of the return clause by the breeder that you would consider a sufficient explanation of the return clause?

POSSIBLE SOLUTIONS

1. Do nothing and maintain the status quo.

2. Have the NCA officially approve the Arbitration committee procedure {for breeder list only / for all NCA members} that permits the Arbitration Committee to set aside a contractual clause.

3. Have the NCA declare a policy that a return clause of any type to take effect after two (2)
months from delivery date is improper.

4. Have a requirement that on separately attached paper to all puppy sales agreements CONTAINING a contractual clause requiring a buyer to return a puppy they have had for more than two months, the puppy buyer must sign a paper with the following two statements.
   A. The puppy buyer fully understands the buyer may become very attached to their Newf puppy and be unwilling to return the Newf, especially if the breeder will euthanize the puppy. Regardless, such a refusal to return the puppy will relieve the breeder of any warranties that may have been made.
   B. Further by signing this acknowledgment when the puppy seller’s contract contains a return clause, it will prevent the buyer from seeking any relief from the NCA to set aside that return language clause.

EXPLANATORY NOTE ON POSSIBLE SOLUTION NUMBER 4

Often regulatory agencies will establish “Safe Harbor” statements. They are statements that, if contained in the policies or agreements of regulated entities, will act as a safe harbor if a question should arise concerning interpretation. For example, a statute may say that a person should drive safely in the city. A safe harbor rule would be that anyone driving 15 miles per hour or less will be considered driving safely.

The second advantage is that a “bright line” is established so you do not get into subsequent interpretations. In this instance, if the puppy buyer signs the document it would be conclusively presumed that the puppy buyer understood the full effect of the clause.

ATTACHMENTS

The following attachments are contained in a subsequent email.
They try to gather in one, convenient place all of the materials on this matter and the different views of the committees rather than trying to find it yourself.

Attachment 1: Excerpt of NCA minutes concerning lifelong commitment
Attachment 2: Dated: 6/27 from: Arb Comm on: Contract clause requiring return
Attachment 3: Dated: 7/19 from: Arb Comm on: Discipline of a non breeders list member
Attachment 4: Dated: none from: BEC on: recommendations regarding contracts used by BL Breeders
Attachment 5: Dated: 8/15 from: BEC on: Breeders List Reputation Improvement Proposal
attachments to my earlier email on return clauses

From: Jack Dean (jackdeanncabod@gmail.com)
To: kettlehill@frontier.com; landersonncaboard@gmail.com; smatsuda@comcast.net
Cc: jecornellboard@gmavt.net; bearscamp@gmail.com; ncabod2ndvp@live.com; stevebritton.ncaboard55@yahoo.com; pamelar@garlic.com; katiesidesinger@gmail.com; pkrboard2011@comcast.net; jollyroger.jollyroger1@verizon.net; jackdeanncabod@gmail.com; vnnewf97@charter.net; davidhelming@aol.com; pssaunders@live.com; mlprice@mhtc.net
Date: Monday, October 28, 2019, 09:10 PM EDT

ATTACHMENT LIST OF ITEMS

Attachment 1: Excerpt of NCA minutes concerning lifelong commitment
Attachment 2: Dated: 6/27 from: Arb Commt. on: Contract clause requiring return
Attachment 3: Dated: 7/19 from: Arb Commt. on: Discipline of a non breeders list member
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Attachment 5: Dated: 8/15 from: BEC on: Breeders List Reputation Improvement Proposal

ATTACHMENT 1
EXCERPT OF NCA MINUTES CONCERNING LIFE LONG COMMITMENT

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Newfoundland Club of America Board of Directors Meeting
Face-to-Fact Meeting, April 2 & 3, 2001 (as approved June 19, 2001)
President Aura Dean called the meeting to order at 8:45 p.m. Board members Sandee Lovett (SL), Beverly Eichel (BE), Mary L. Price (MLP), Roger Frey (RF), Frank Winnert (FW), Tom Broderick (TB), Joan Gunn (JG), Robin Seaman (RS) were present. Clyde Dunphy (CD) arrived at 8:55 p.m. Roger Powell (RP) and Steve McAdams (SM) were absent due to travel constraints. Board member elect, Mary Lou Cuddy and our AKC Delegate, Mary W. Price were in attendance.

Roger Frey moved and Joan Gunn seconded that the NCA Breeders List application include the following statement, "The Newfoundland Club of America, Inc. expects breeders of Newfoundlands to make a lifelong commitment to all Newfoundlands they produce. By signing the NCA Breeders List Application, I attest that if notified I will accept responsibility, physical and/or financial, for any Newfoundland bred by me that is surrendered to a Rescue service." The motion was carried unanimously.

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NCA BOARD OF DIRECTORS MINUTES
TELECONFERENCE MEETING MINUTES, January 5, 2005, January 27, 2005 & February 22, 2005 (Approved 4/5/05)

Roger Frey, President, called the meeting to order at 8:08 p.m. Eastern time. The following directors were present: Jan S. Boggio (JSB), Jacqueline K. Brellochs (JKB), Mary Lou Cuddy (MLC), Aura Dean (AD), Jack Dean (JD), Roger Frey (RF), Sandee Lovett (SL), Mary Lou Roberts (MLR), and Debra Wigal (DW). Mary W. Price (MWP), AKC delegate, ex-officio was present. Patti McDowell (PM), Mary L. Price (MLP), Robin Seaman (RS) and Tom Broderick (TB) ex-officio were absent.

There were also some concerns expressed over the statement of a life-long commitment to Newfoundlands that appears on the Breeders List application form. It was stated that wording had come from the NCA
rescue overview sheet. The phrase meant the Newfoundlands that the person had bred. Mary L. Price read
the statement that now appears on that document. That statement is, The NCA Rescue Committee
encourages breeders of Newfoundlands to make a lifelong commitment to all Newfoundlands they produce
and supports this commitment when it exists. It was the consensus of the Board that the wording used on
the Breeders List application form would be, The NCA expects its members to make a life-long commitment
to every Newfoundland they produce and to cooperate in the rescue of any Newfoundlands they produce.

ATTACHMENT 2
Found: August 15, 2019 Agenda p13
Dated: June 27, 2019

TO: NCA BOARD OF DIRECTORS
REFERENCING: The NCA Board’s request asking the Arbitration Committee’s opinion of the contract clause
requiring puppy buyers to return or euthanize the puppy in the event of a health problem.

OUR RESPONSE IS AS FOLLOWS:

This type of contract typically would require the buyer to return the puppy in order to get another puppy
when available or if the buyer is lucky, receive a full or partial refund

Our Committee considers this type of contract requirement to be unethical and cruel. It benefits no one
except the breeder because the breeder knows that in almost all circumstances the puppy buyer will not
return their beloved puppy and therefore the breeder sidesteps any responsibility for producing an unhealthy
dog.

These types of contracts have a very negative reflection on NCA breeders. Puppy buyers are under the
assumption that by choosing a breeder from the NCA Breeder List they are dealing with someone who is
doing their best to produce healthy puppies and if there is a problem the breeder will work with them in a fair
and ethical manner.

There are breeders with these types of contracts that can and do continually breed dogs consistently
affected with, for example, hip and elbow dysplasia. This type of breeder knows they usually won't have to
deal with the results of these breedings in regard puppy buyers. They are preying on the emotions of the
puppy buyer. How? Because the buyers are not going to return the puppy they so dearly love along with
their fear that the puppy will be euthanized

Another area of concern is, the typical 72 hour vet check usually required by the breeder upon receipt of the
new puppy. While this may provide information to the owner, it does not eliminate the responsibility of the
breeder for certain health conditions.

The Arbitration Committee would like to point out that since a puppy buyer usually has less knowledge of our
breed than the breeder, we believe the NCA's goal is to protect and assist the buyer in obtaining a sound
Newf free of physical/Issues or restrictions

Carla Gengler, Arbitration Committee Chair
Members: John Cornell, Ken Price, Pamela Jackson and Suzi Bidwell

ATTACHMENT 3
Found: August 15, 2019 Agenda p15
Dated: July 19, 2019

Referencing: Arbitration Committee Request

Our committee is contacting the Newfoundland Club of America Board of Directors asking for your guidance
on how to proceed with a complaint.

Because the breeder in question is not on the breeders list we’re not aware of any other enforcement
mechanism(s). Typically if a breeder on the breeder’s list does not comply with our decision, should it go
against them, they are then removed from the breeder’s list. This breeder was removed several years ago.
We are hoping that the BOD will have some sort of solution in the event that we would decide against the breeder or any other club member in this type of situation.

There are two parts to this complaint. Number one is the alleged lack of honesty and number two is the health of the young dog. In simple terms the complaint states the breeder told the buyer that the dog was healthy and in fact had good OFA prelims. We have a copy of the not so stellar OFA report and emails stating the supposed health of the dog along with pictures. It appears the breeder was lying. According to the buyer the breeder removed the advertising of this along with the OFA information when the buyer confronted her. She refused to let the buyer talk to her vet. Apparently the dog sired some litters having bad hips and elbows at the age of 15 months per the breeder’s advertising.

The owner is concerned because her dog is slow getting up plus his foot turns out about 90 degrees.

One of our committee members made a very good suggestion for those not on the Breeder’s List: The breeder, or anyone else for that matter who refuses to comply, be suspended from membership for a period of time or until compliance is made.

Please advise if we should take this complaint. We don’t want to waste everyone’s time plus the breeder will walk away disrespecting the NCA if we’re unable to enforce a decision should it go against the breeder. We have not communicated with the breeder yet.

Thanks from all of us for any help and guidance. We appreciate the support you have given us

Sincerely,

Carla Gengler, Arbitration Chair
Members: John Cornell, Pam Jackson, Ken Price, Suzi Bidwell

ATTACHMENT 4
Found: August 15, 2019 Agenda p14
Undated

The BEC makes the following recommendations regarding contracts used by Breeders List Breeders for the sale of their puppies or adults that contain clauses that requiring the euthanasia or the return of a puppy to a breeder for a refund:

That the NCA not attempt many to regulate this contract language as there are different scenarios that can occur such that the interpretation of any contract including this specific clause is not simple or black and white. There are circumstances where it might be necessary to require the return of a puppy or adult or even require it to be euthanized. These decisions should never be made lightly nor should any such clause be used to avoid the responsibility that a Breeder has for the Newfs they have produced. But these are decisions that are the right of the Breeder to make in consultation with the Owner and considering what is best for the Newf. All Breeders List Breeders should be required to go over the contract in detail with the buyers and at minimum discuss under what circumstances a refund or replacement will or will not be provided and the rational and requirements used to make that decision.

The NCA should continue and increase its education of potential buyer and current owners about contracts and other things they need to be aware of and consider when choosing from which Breeder to purchase a puppy

The NCA should continue and increase its education of Breeders on the importance of developing and maintaining good relationships and communication with the owners of the Newfs they have produced.

ATTACHMENT 5
Found: August 15, 2019 Agenda p16
Breeders List Reputation Improvement Proposal
Based on the complaints made about the NCA Breeder's List and the comments made by the Board, by puppy seekers, and by BL Breeders in response to the questions we asked on the NCA Breeder's List, the BEC is recommending some actions that should be taken. These recommendations were unanimously approved by the BEC Committee:

Recommendations to decrease complaints submitted to Arbitration:

First: Any Breeder's List Breeder who has 3 complaints lodged against them that are determined by Arbitration and / or the Board to be valid complaints found against that Breeder will be removed from the List. The determination that the Breeder will be removed will be made by the Arbitration committee and / or the NCA Board based on the records of the Arbitration committee. These records will be verified by the Committee and presented to the Board with their recommendation for permanent removal. This action will be contingent on the conclusion and final determination of any appeals on the third complaint. Note: The Breeder will have been already suspended from the list at that time based on the ‘unresolved compliant’ policy.

Second: Breeder's List Breeders will be required to provide the buyer with documentation of all health testing that is recommended by NCA for the sire and dam. It is NCA’s recommendation that these results be submitted to the OFA and be in the open database so a printout of the report for the dogs from OFA can be provided.

Third: Breeder's List Breeders are to have all puppies examined by a Board-Certified Cardiologist (Not a Practitioner) and provide a copy of the results to the buyer. Fourth: Breeder's List Breeders will be required to make their puppy or adult buyers aware of the NCA Arbitration Committee, its purpose and how they can contact that Committee.

Once reviewed and approved, these should be added to the NCA Breeder's List Requirements and all current and new Breeders should be required to sign the revised agreement. The updated wavier that is now on the new Breeder List application will also be on the revised agreement.

ATTACHMENT 6
Found: Agenda September 19, 2019  p. 47
Breeder's List Committee - Contract Best Practices Recommendation

To: NCA BOD
From: NCA Breeder's List Committee
Date: August 2019

Re: Suggestions for Breeders' Purchase Contracts Medical issues

Some contracts may address specific health-related medical issue with specific guarantees. For example: Puppy is guaranteed free from genetic* __________ for ___ number of years. To take puppy back to a receive refund; buyers need to send breeder confirmation from their Vet of the health-related issue; i.e., x-ray or based on other diagnostic tool. Amount of refunds will have to be determined on an individual basis; i.e., based on dog’s medical condition & age.

* list the genetic health issues

If Buyer wants to keep the puppy, health documents should be sent to the Breeder (a set time limit should be stated in the contract). Amount of refunds to be determined on an individual basis; i.e., based on dog’s medical condition and time lapsed since the Buyer was in possession of the puppy.

All other medical issues should be addressed individually. Or noted in contract that other medical issues are not guaranteed.

In all the above issues, the refund does not exceed the purchase price of the puppy/dog. In the contract, the breeder should indicate that any accidents, abuse or neglect to the puppy would not be covered in the guarantee.

Behavioral Issues
For Behavioral issues, a Certification from their Vet, certified dog trainer, or dog training facility that the puppy/dog has displayed behavioral problems. The breeder has the option to select a local (location of Buyer) certified dog trainer or dog training facility. The behavioral problems should be explained in detail. Buyer is responsible for the expenses of the certification.

Buyer does not keep the puppy. The amount of refund will be determined on an individual basis. In the contract, a set time limit should be stated.
Executive Session
November 15, 2019