

Meeting Title: Pacific Swimming Board of Directors Meeting

Date: September 26, 2012

Attendance:

Board members attending are noted by an 'x' in the table below/ board members not present but excused are marked with an 'E'. Team representatives and guest in attendance are also noted.

John Bitter	X		Gerry Ng		Zone Reps	Athlete	Guests	
Mike Rianda		Rick Beebe	Tish Steimle	X	1N - Larry Rice	X	Geiselle Morrone	X
Lehla Irwin	X	Marie Wise	Rick Waterhouse	X	1S – Mike Picardo	X	Debbie Tucker	X
Ron Heidary		Kent Yoshiwara	Warren Lager	X	2 - Clint Benton	X	Millie Nygren	X
Don Heidary		Peggy Ramirez	Leo Lin	X	3 – Kevin Twohey			
Veronica Hernandez	X	Elias Totah	Izzy Real	X	4 - Jerry Rudd			
Marie Lin	X	Phil Harter	Darwin Takaki	X	4 - Jim Morefield			
Mary Ruddell	X	Brian Malick	Fred Volgelgesang	X				
Jennifer Malick	X	Marcia Benjamin	Darryl Woo	X		Office		
Danica Burge	X	David Benjamin	Joe Woo			Jill Ruppenstein	X	
Scott Shea		Judy Siegrist				Amy Smith		
Steve Hurko	X					Laurie Benton	X	

TOPIC	DISCUSSION - CONCLUSION	RECOMMENDATION/ ACTION	FOLLOW- UP DATE
Meeting Called to Order	Meeting was called to order by John Bitter at 7:32PM		
Conflict of Interest	Meeting opened with reading of the USA-S Conflict of Interest Statement: <i>Is any member aware of any conflict of interest (that is, of a personal interest or direct or indirect pecuniary interest) in any matter being considered by this meeting which should now be reported or disclosed or addressed under Pacific Swimming Conflict of Interest Policy? No affirmative answers. If a board member determines there is to be a conflict of interest at any point during the course of the meeting when a specific subject is being discussed and/or action is being taken, a declaration of a conflict of interest should be made at that time.</i>		
Minutes from Previous Meeting	Minutes from August 22, 2012 BOD meeting approved		
Executive Committee Report	None		
Officer's Reports			
Chair	John Bitter: 1. Congratulations to the following Pacific Swimming Members receiving awards at Convention: Joyce and Marvin Lamphere for many years of service on the Scholastic All American Program, Marie Wise – Volunteer of the Year from the Disability Committee, Frank Suchomel – Pacific Swimming Volunteer of		

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	<p>the Year</p> <ol style="list-style-type: none"> 2. Report on Senior Meets there will be lots of changes in time standards fo: <ol style="list-style-type: none"> a. There are lots of changes in the time standards for these meets b. Grand Prix Meets will change to an a/b cut format with initial 1st week open to entrees with “a” cuts. Then it will be open to accept “b” cuts. There will only be 6 Grand Prix this year. c. Summer Juniors will occur after the US Open, but in 2014 Juniors will occur before Nationals d. World Trials will be in June this summer – with cuts faster then Olympic Trials e. Winter Sectional Times are faster then last year, and Summer Sectionals will be even faster, Winter Sectionals will be in Belmont, and Summer Sectionals will be in Santa Clarita f. The aim is to get about 1000 swimmers entered into each of these meets g. John was able to get winter Sectionals in 2014 to be scheduled in January rather than in December 		
Admin Vic Chair – Operations	No Report See Motion		
Admin Vice Chair – Programs	No Report		
Treasurer	Mary Ruddell: <ol style="list-style-type: none"> 1. See the financial reports posted 2. Requests for reimbursement for US Open are due October 11. 3. Requests for reimbursement for Juniors are due October 17 		
Age Group	No Report		
Sr. Committee	Senior Coaches are requested to fill out and return the Senior Coaches Survey		
Registration	Laurie Benton: <ol style="list-style-type: none"> 1. Registration Reports Posted 2. There are a number of new clubs 3. Two name changes were reviewed and approved <ol style="list-style-type: none"> a. South Bay Los Gatos Aquatic Club (SBLG) will change to Polar Bears of Los Gatos (GATO) b. San Francisco Sailfish Swim Team (SFRF) will change to Balboa Sharks Swim Team (BSST) 		
Diversity	Kent Yoshiwara: <ol style="list-style-type: none"> 1. Looking for athletes to be added to the committee – Lehla Irwin has the athlete list 2. At Convention, Chuck Wielgus gave a speech which included featuring San Jose and Chicago’s Make a Splash program. Kent is trying to make the video shown available to us. 	Lehla Irwin will forward athlete names	
Camps	Jennifer Malick <ol style="list-style-type: none"> 1. Junior Leadership Camp went well <ol style="list-style-type: none"> a. Two Zone 2 coaches backed out and Zone 1S coaches had to step in b. On Saturday evening, 28 kids and a coach got stuck in the hotel elevator for 2 hours. This occurred because the safety system malfunctioned. The alarms should have sounded and the doors should not have closed once the load was beyond the weight limit. Some of the 		

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	<p style="text-align: center;">swimmers were scared during the situation but everyone was safely removed from the elevator.</p> <ol style="list-style-type: none"> 2. The 11-12 year old Camp is set for February and hopefully will be at the MLK Blue Dolphin Pool in San Francisco 3. Jenny is planning for the Distance Camp in the Olympic Training Center, but has not heard from USA Swimming yet. 4. Sign-ups for the camps will be on-line. This worked well for the Junior Leadership Camp so that practice will continue 		
Officials	<p>Brian Malick:</p> <ol style="list-style-type: none"> 1. The Officials had a conference call on September 6 and OQM meets were designated 2. The Officials Committee will meet on October 28th to assign officials to the Pacific Meets 3. There was clarification that in a Trials and Finals Championship meet, swimmers checked in for a Timed Final Distance Event who no-show, will be penalized by being barred from participating in the relays of that day, but will be able to swim finals they have qualified for, and will be able to swim all events on the next day. 4. Discussion regarding removing the no-show penalty from C/B/A+ meets. <ol style="list-style-type: none"> a. Brian wondered if it should be removed for age groups that are 10 and Under since many of the kids do not even understand the rule, and it is often the parents who are responsible for the child missing the event. b. Sentiment from the coaches was to remove the rule altogether for C/B/A + meets c. Brian Malick will bring back a motion to change the Policy and Procedures regarding this rule 	<p>Brian Malick to bring a motion to the BOD regarding removal of the no-show rule in C/B/A+</p>	<p>10/24/12 BOD</p>
Time Standards	<p>Tish Steimle:</p> <ol style="list-style-type: none"> 1. Tish has looked further at the JO times and has decided that she is going to need to change some of the JO times for distance events to tighten up that group 		
Club Development	No Report		
Travel	No Report – See motions		
Disability	No Report		
Board of Review	No Report –see motions		
Open Water	<p>Marcia Benjamin:</p> <ol style="list-style-type: none"> 1. Marcia was unable to get meets sanctioned through USA swimming this past year and she has had no information regarding why, so a number of meets were run as “practice meets 		
Finance & Auditing	<p>Peggy Ramirez:</p> <ol style="list-style-type: none"> 1. See 2013 Proposed Budget in New Business 2. See Frequently Asked Questions handout 3. Peggy reports that it was very difficult to get all the budget requests gathered in a timely manner so they would be available for the Budget Committee to use in developing the 2013 Budget 	<p>Committee chairs should be more responsive to requests for budget requests for the next cycle</p>	
Scheduling	<ol style="list-style-type: none"> 1. Gerry Ng has stepped off the board. 		

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	2. George Cleveland has been appointed to take the Scheduling Chair position and this appointment was approved		
Athlete	No Report		
Governance Committee	<p>Leo Lin:</p> <ol style="list-style-type: none"> 1. The committee had a conference call on September 19 – Mike Piccardo is a new member representing Z1S 2. The committee tried to look at the top 10 LSCs to see how they governed, what their voting structures are, and how many members they have on their Board. There was little to no success at getting that information from looking at the website, the by-laws, and direct contact. They will abandon that strategy and just work on streamlining our LSC's structure. 3. They updated the list of athletes and removed athletes that graduated and withdrew. Lehla Irwin is working on keeping that up and the Zone Chairs have agreed to send her updates on all the athlete representative changes that have occurred with the change of seasons. 4. They are evaluating the number of meetings that would be optimal for the Pacific Swimming BOD and are suggesting that the BOD meet alternate months for 5/6 times a year. On the off months the Executive Board might meet for necessary items and all the Standing and Adhoc Committees would be able to meet to get their work done. This was proposed because the BOD is all voluntary and fairly large. It is difficult to recruit people to take on the tasks of the BOD and the committees when the BOD meets so frequently. It is felt that we could operate more efficiently if the Committees are given more opportunity and time to meet and do their work. These off months would provide this time.. This idea was discussed and generally supported. The Governance Board will draw up a concrete plan and will present it at the next BOD meeting. In the meantime we will vote on the proposed schedule of meetings that John Bitter is presenting (Motion 1209C1 - Proposed 2013 Schedules for BOD and HOD) 5. They are working on defining the Zones (1N, 1S, 2, 3, 4) responsibilities and areas of autonomy. Right now the information regarding the Zones is scattered in 3 governing documents (By-Laws, Policy and Procedures, and Rules and Regulations) and the information is sometimes unclear or confusing. 6. Review of Ted Stevens Amateur Act: At convention there were two conflicting opinions regarding the interpretation of this rule. John Morse (General Consul) believes this means that all Committees, Standing and Ad Hoc, at all levels of USA-Swimming including all LSC Committees require 20% athlete representation. Carol Zaleski (Rules and Regulation) reports that the 20% athlete rule applies only to the NGB (the National Governing Board). The Governance Committee supports having 20% athlete representation wherever possible, but wants to get clarity as to whether it is "mandated" for every committee of the LSC. They will seek legal advice, especially since we do not have a sufficient number of athlete representatives. The Governance Committee supports development of more athlete representatives and looking beyond the pool of high school swimmers, but also looking towards college and post college athletes. 	Present proposal for meetings of BOD and Executive Committee at next BOD meeting	10/24/12 BOD
Investment Committee	<p>Mary Ruddell</p> <ol style="list-style-type: none"> 1. See report 		

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	<ol style="list-style-type: none"> 2. New draft for the 2013 Pool Grant Application presented 3. Plan is to make applications due October 15th or 20th and to make decisions regarding the grants by January 4. They will have an Athlete Rep from Zone 3 joining this committee 		
Adhoc Committees			
	No reports		
Zone Reports			
Zone 1N	<p>Larry Rice</p> <ol style="list-style-type: none"> 1. Met September 17th – got the Zone meet schedule out, appointed two new athlete representatives 2. Requested information regarding the All Star Meet <ol style="list-style-type: none"> a. It will be hosted by Zone 4 and Jim Morefield and Jill Ruppenstein have the information. b. The venue will be at Carson City, The Grand Sierra Resort Hotel in Reno. 3. Swim Connection will continue as is and will change the name to Swim Smarter in January. 4. Next meeting will be in November 		
Zone 1S	<p>Mike Picardo:</p> <ol style="list-style-type: none"> 1. See report 2. They have not been able to recruit a Meet Director for the Zone Champs – they are entertaining any volunteers for that position. 3. Wanted clarification regarding process to write a meet sheet for an open water indoor event. Jill Ruppenstein reported that the problem with the Zone 1S meet sheet that was sent in for sanctioning was that the fee structure was not correct. 		
Zone 2	<p>Clint Benton:</p> <ol style="list-style-type: none"> 1. See report 2. Met on September 17th, and had their first 2 rounds of bidding for the Zone meets, planning for the Zone 2 Championships, and accepted resignation from athlete representative Lucas Lin, who is now in college out of state. 3. We have 2 athlete representatives 4. Next meeting is October 15th 		
Zone 3	<p>Debbie Tucker:</p> <ol style="list-style-type: none"> 1. Met September 15th – Bidding for Zone meets begun 2. New equipment has been used and there have been no problems 3. Chuck Johnson was re-elected as Zone Sanction Chair 4. Plan to have a Summer Zone Championship in 2013 (short course) with all Zone 3 teams participating 		
Zone 4	No Report		
Old Business	None		
Old Motions	1208BOR1 – Alternate Panel Member for Board Hearing: The Chair of the Pacific Swimming Board of Review may, at their discretion, designate up to two (2) alternate members to a Board of Review panel. These alternate	Withdrawn – because it is already covered in current	

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	panel members shall be authorized to replace any originally designated panel member(s) who is not present when the Board of Review hearing is called to order, and shall have all of the rights and responsibilities of the original panel member(s). (Darrell Woo – BOR) (30 day motion) By-Law	governing documents	
	<p>1208BOR2 – Fees for BOR Rehearing: Motion 1208BOR2: It is moved that the Pacific Swimming Bylaws be amended by the addition of the statement, Every appeal to the Board of Review shall be instituted by a Petition served upon the General Chair and Chair of Board of Review, as well as the other party(ies) to the LSC Board of Review proceeding, and shall be accompanied by a \$350 non-refundable filing fee payable to Pacific Swimming. Any appeal must be filed within thirty (30) days from the postmark date of the written Decision of the LSC Board of Review. The Petition on appeal shall set forth the grounds for appeal, citing factual and legal issues in as much detail as possible. to Article 10.3.5</p> <p>Article 10.3.5 Filing Fees The Board of Directors or the House of Delegates may impose a schedule of generally applicable fees to be collected at the time a Petition, Request for a Rehearing or Request for Formal Hearing following an Emergency Hearing is filed with the Board of Review. If, on its own initiative or upon written request, the Board of Review determines it to be in the interest of justice and the sport of swimming, the filing fee may be waived on a case-by case basis.</p> <p>Every appeal to the Board of Review shall be instituted by a Petition served upon the General Chair and Chair of Board of Review, as well as the other party(ies) to the LSC Board of Review proceeding, and shall be accompanied by a \$350 non-refundable filing fee payable to Pacific Swimming. Any appeal must be filed within thirty (30) days from the postmark date of the written Decision of the LSC Board of Review. The Petition on appeal shall set forth the grounds for appeal, citing factual and legal issues in as much detail as possible. (Darrell Woo – BOR) (30 day motion) By-Law</p>	Passed. Referred to HOD 10/13/12	HOD 10/1312
	<p>1208VC1 – Pacific Staff Employee and relationship to General Chair and/or Administrative Vice Chair: Amendment to By-Laws Article 14.2. It is moved that the Pacific Swimming Bylaws be amended by the addition of the statement, “It is prohibited for a person to be employed by Pacific Swimming who is a member of the General Chair or Administrative Vice-Chair(s)’s immediate family. Definitions for purposes of this policy - "Immediate Family" include current spouse, children (including step children), parents (including step parents), grandparents, brothers and sisters. "Spouse" means those employees having a legal marital relationship or a recognized long-term shared living quarters relationship.” to Article 14 – Permanent Office and Staff, 14.2 Staff.</p> <p>ARTICLE 14 -- PERMANENT OFFICE AND STAFF</p> <p>14.1 Office Pacific Swimming may maintain an office in the Territory for the storage of the books and records and equipment of Pacific Swimming and for other purposes as may be determined by the House of Delegates or the Board of Directors in accordance with the Bylaws.</p> <p>14.2 Staff Pacific Swimming may retain paid staff at the Pacific Swimming Office as the Board of Directors may determine to be appropriate or necessary. The staff shall be under the general supervision of the General Chair and the Administrative Vice-Chair. It is prohibited for a person to be employed by Pacific Swimming who is a member of the General Chair or Administrative Vice-Chair(s)’s immediate family. Definitions for purposes of this policy - "Immediate</p>	Passed with recommendation that “recognized long-term relationship.....” be written to meet legal standards Referred to HOD 10/13/12	HOD 10/13/12

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	<p>Family" include current spouse, children (including step children), parents (including step parents), grandparents, brothers and sisters. "Spouse" means those employees having a legal marital relationship or a recognized long-term shared living quarters relationship. With respect to delegated functions of the officers, committee chairmen and coordinators, the staff shall be responsible to the respective officer, committee Chair or coordinator. The power and duties of the paid staff shall be established in Pacific Swimming's Policies and Procedures Manual or by resolution of the Board of Directors or by delegation approved by the Executive Committee.</p> <p>14.3 Appropriations</p> <p>The Budget Committee shall include in its proposed budget a line item for the costs of Pacific Swimming's Office inclusive of the compensation and benefits costs of the paid staff. Once appropriated by the House of Delegates, the Executive Committee shall be responsible, together with the General Chair, for the administration of those funds. The compensation of the staff shall to the extent possible be treated as confidential.</p> <p>(Mike Rianda – Vice Chair Operations) (30 day motion) By-Law</p> <p>Discussion:</p> <p>1. Concern about interpretation of the following part of the amendment Spouse" means those employees having a legal marital relationship or a recognized long-term shared living quarters relationship. It was agreed to pass this amendment with the caveat that this last statement be reviewed by legal counsel and rewritten as appropriate</p>		
New Business	<p>Proposed 2013 Budget:</p> <ol style="list-style-type: none"> 1. Peggy Ramirez presented the proposed budget and only one item was pulled for review: 89050 National/World Trials 2. Fred Vogelgesang reported that National/World Trials funding has not been approved to be paid from investment funds and so should be placed under the National/Senior Program Expenses 3. John Bitter explained that National/World Trials have been instituted in response to international issues raised by FINA. The National/World Trials will occur twice in the Olympics 4 year cycle, occurring on odd years. 4. The Budget committee will consider providing a motion to the HOD to include National/World Trials in expenses covered by the investment funds, in the future 5. In the meantime it was agreed to place 89050 under the National/Senior Program Expenses. 6. Budget was approved with that change 	Budget approved. Referred to HOD 10/13/12	HOD 10/13/12
New Motions	<p>1209C1 – Dates for the 2012 BOD and HOD meetings</p> <p>Proposed BOD and HOD meetings for 2013</p> <p>January 23, 2013: BOD Meeting</p> <p>February 2013: No BOD meeting, committee reports will still need to be posted to web site</p> <p>March 27, 2013: BOD Meeting</p> <p>April 24, 2013: BOD Meeting</p> <p>May 4, 2013: HOD Meeting</p> <p>May 22, 2013: BOD Meeting</p> <p>June 2013: No BOD Meeting, committee reports will still need to be posted to web site</p> <p>July 2013: No BOD Meeting, committee reports will still need to be posted to web site</p> <p>August 28, 2013: BOD Meeting</p>	Passed. Refer to HOD 10/13/12	HOD 10/13/12

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Meeting Adjourned	Meeting adjourned		

RESPECTFULLY SUBMITTED BY,
MARIE LIN
SECRETARY - PACIFIC SWIMMING BOARD OF DIRECTORS