

USMS CONVENTION – SAN DIEGO, CALIFORNIA

Minutes of the House of Delegates September 10-13, 2003

Note: The committee minutes are posted on the USMS web site and can be obtained from the National Office.
MSA = moved, seconded and approved.

Wednesday, September 10, 2003

The meeting of the House of Delegates (HOD) was called to order by President Jim Miller at 6:35 pm. Secretary Sally Dillon called roll.

It was MSA to approve the minutes of the 2002 House of Delegates.

Introductory Address: Jim Miller welcomed the delegates to the 2003 USAS Convention and reminded them of their obligations to carry the message that they gain from the experience back to their LMSCs and teams. He noted specifically the utilization of the recently adopted Core Objectives; Service, Educate, and Build the Membership. 209 delegates including 21 "At-Large" and 38 "newcomers" were registered for the convention. Jim reported that a new subcommittee had been developed (chaired by Ginger Pierson and Steve Peterson) to indoctrinate the new delegates as to how the convention is run. The Block Party plans were reviewed and it was noted that we have placed the meetings at the beginning of convention so bonds between committees can be made early on. In the past year, the efforts to team committees together has led to a number of successful task forces.

Convention Chair Michael Heather provided important details about convention:

- The hospitality suite staffed by San Diego/Imperial LMSC with financial assistance from Southern Pacific LMSC was in room 1110 and open from 11 am to 11 pm (or later)
- On Saturday, the Finance Committee would meet at 9:00 am rather than 10:00 am.
- A meeting for LMSC chairs would be Thursday at noon in the Royal Palm room.
- Swimming workouts would be held at USD on Thursday and Friday and busses would leave at 6:00 and 6:15 am. Swimmers would be back by 8:00 am. No practice was scheduled on Saturday because of the early start for meetings.

It was MSA to recess the HOD At 7:05 pm.

Thursday, September 11, 2003

President Miller reconvened the meeting at 9:05 am.

Secretary Sally Dillon called roll for those not in attendance at Wednesday's HOD meeting.

Jim remembered the 9/11 terrorist attack as well as those USMS members who had passed away since our last convention. A moment of silence was held.

Robert's Rules of Order: Jim noted that each delegate had received a booklet that explained the rules of order for committee and HOD meetings.

Committee Reports

Convention Committee: Michael Heather reported that 197 delegates were currently certified with more expected. He noted an action item in the minutes of his meeting to purchase a LCD projector as a capital expense. MSA to approve the committee's minutes.

Zone Committee: Lynn Hazlewood thanked the delegates who attended the Zone meeting as observers – it was an unusual occurrence and appreciated by the committee. Lynn reported that the committee approved an excellent new job description. MSA to approve the committee's minutes.

Nominations Committee – Election of USMS Officers for 2003-2005. Lynn Hazlewood also reported that the sitting officers, Jim Miller, Scott Rabalais, Sally Dillon, and Doug Church had agreed to serve another term. There were no other nominations submitted and Lynn asked for nominations from the floor. Seeing none, the elections took place. Floor nominations were opened for each position. MSA to close the nominations for each position. MSA to elect by acclamation each position: Jim Miller (President), Scott Rabalais (Vice President), Sally Dillon (Secretary), and Doug Church (Treasurer).

Internal Auditor: Jeanne Ensign explained the function of her position and the three recommendations for the auditor position that could be found in the convention packet (hereafter referred to as “packet”) and additional information she had distributed to the delegates. MSA to approve the report of the Internal Auditor.

Controller: Cathy Pennington noted that her full report was in the packet. She reported that the audit passed with flying colors and no adjustments but some administrative details needed to be resolved before it could be distributed. When the details are resolved the report will be posted on the web. Cathy will be leaving her position early in 2004. MSA to approve the report of the Controller.

Announcement: Tom Boak announced that the budget and narrative regarding the FINA World Championships had been distributed and he wanted to clarify that he was the author of the report.

National Office Administrator: Tracy Grilli noted that her report was in the packet.

National Sponsor Liaison: Mel Goldstein spoke about USMS success in getting National Sponsors and that we, as individuals and an organization, need to make a better effort to support the sponsors. It was noted that there is a link on the USMS web page for all of our sponsors. Mel also described the USMS traveling display and encouraged LMSCs to make use of it. In answer to a question about a sponsor’s inappropriate behavior, Mel responded that we do have the right to terminate a contract if a situation warrants it. It was noted that USMS sponsors have provided funding for coaches to attend the ASCA conference the past couple of years and that the help from the sponsors has been greatly appreciated. MSA to approve the report of the Sponsor Liaison.

Webmaster: – Jim Matysek noted that his report was in the convention packet. MSA to approve the report of the Webmaster. Jim was thanked from the floor for his efforts in having Internet check-in at nationals.

SWIM Magazine: Bill Volckening reviewed a few aspects of his report, which was in the packet. MSA to approve the report of the SWIM magazine editor.

USOC Liaison: Hill Carrow: noted that his report was in the packet.

YMCA Liaison: Stu Marvin noted that his report was in the packet. He would be meeting with the YMCA during the weekend and he asked for input.

FINA Liaison: June Krauser noted that her report was in the packet.

ISHOF Liaison: June Krauser noted that her report was in the packet.

IGLA Liaison: Chris Meier-Windes noted that his report was in the packet. He mentioned the multi aquatic sport championships recently held at Stanford University. The meet was very successful and the next championship event will be in Fort Lauderdale in October.

USA Triathlon Liaison: Cindy Sue Hawkinson noted that her report was in the packet.

USMS to USA-S Liaison: Ted Haartz noted that his report was in the packet.

USA-S to USMS Liaison: John Walker was not available but his report was in the packet.

Senior Games Liaison: Scott Rabalais noted that his report was in the packet. USMS is looking for a new leader for this position.

Announcements: Jim Miller recognized Joanne Tingley for her many years of excellent service as the head of our credential certifications at convention. She received a nice gift and a well deserved standing ovation. THANK YOU JOANNE!

MSA to recess at 9:59 am.

Friday, September 12, 2003

President Jim Miller reconvened the HOD at 8:33 am.

Continuation of Committee Reports:

Executive Committee: Jim reported on the action items contained in the minutes of the committee's meetings. MSA to approve the committee's minutes.

Board of Directors: Jim reported on the action items contained in the minutes of the committee's meeting. MSA to approve the committee's minutes.

Block 1: Championship, Coaches, International, Officials, and Rules committees. Leo Letendre reviewed aspects of the meeting. MSA to approve the committee's minutes.

Block 2: Convention, Finance, Legal Counselors, Legislation, and Planning committees. Doug Church reviewed aspects of the meeting. MSA to approve the committee's minutes.

Block 3: Communications, Marketing, Publications, and Registration committees. Hugh Moore reviewed aspects of the meeting that focused on a marketing plan. MSA to approve the committee's minutes.

Block 4: Fitness, Insurance, Long Distance, Safety Education, and Sports Committees. Julie Heather reviewed aspects of the meeting. MSA to approve the committee's minutes.

Block 5: ISHOF Nominating, History & Archives, Recognition & Awards, and Records & Tabulation committees. Scott Rabalais reviewed aspects of the meeting. MSA to approve the committee's minutes.

History and Archives: Carl House reviewed aspects of the meeting. MSA to approve the committee's minutes.

Insurance: Colleen Driscoll reviewed the action items from the meeting. MSA to approve the committee's minutes.

Planning: Betsy Durrant reviewed the action items from the meeting. MSA to approve the committee's minutes.

Publications: Meg Smath reviewed the action items from the meeting. MSA to approve the committee's minutes.

Records and Tabulation: Pieter Cath reviewed a rules proposal that the committee had submitted, details of which were in the convention packet. It was clarified that the issue referred only to meets recognized by FINA. He explained the background behind some of the action items from the meeting. MSA to approve the committee's minutes.

Registration: Anna Lea Roof reviewed the action items from the meeting. It was noted that even though we had a fairly large dues increase during a year of a weak economy, our membership has stayed constant. MSA to approve the committee's report.

TYR Newsletter of the Year Award: Bill Volckening noted that this is the 10th year that this award has been presented and the 3rd year it has been sponsored by TYR. This year's winner answered the question "How does a small LMSC generate frequent newsletter communications without incurring significant cost?" The 2003 Newsletter of the Year award was presented to the Doug Garcia, editor of the SPLASHMASTER from Inland Northwest LMSC. The winning newsletter is produced electronically with a minimum of printed copies.

Bill noted that discussion has taken place about this communications award as to how it can best represent accomplishment in the area of communications as our methods of communicating evolve.

MSA to recess the meeting at 9:20 am.

Friday, continued

President Miller reconvened the HOD at 4:00 pm.

Continuation of Committee Reports:

Coaches: Michael Collins reviewed items from the meeting. Michael noted a correction on item #6 in the minutes: Joel's last name is Wilson, not Thompson. MSA to approve the committee's minutes.

Communications: Hugh Moore reported that the committee had requested that the Recognition and Awards Committee consider restructuring the Newsletter of the Year Award into a Communications Award. He received word that the R&A Committee prefers that the Newsletter Award remain and that Communications produce a separate award. MSA to approve the committee's minutes.

Fitness: Pam Himstreet reviewed items from the meeting. She noted that Jani Sutherland would coordinate the Articles of the Month, which are posted on the web site. Committee member, Bill Volckening, presented the 2003 USMS Fitness Award to Margie and Paul Huting and the Florida Maverick Masters. MSA to approve the committee minutes.

Finance: Tom Boak reviewed items from the Finance Committee's business meeting. The budget discussion was scheduled for Saturday. MSA to approve the committee's minutes.

The meeting recessed at 4:30 pm

Saturday, September 13, 2003

President Miller reconvened the HOD at 9:05 am.

Continuation of Committee Reports:

ISHOF Nominating: Ginger Pierson recognized ISHOF recipients who were present at convention: Bill Mulliken (1984), June Krauser (1994), Graham Johnston (1998), Barbara Dunbar (2000), and Laura Val (2003). Nancy Ridout spoke about Laura's accomplishments and the moving presentation that Nancy was able to attend in Ft. Lauderdale when Laura was inducted into the International Swimming Hall of Fame. Ginger announced that Lavelle Stoinoff, (Multnoma Athletic Club, Portland, OR) will be the 2005 nominee for the ISHOF. She also noted that action item #4 in the minutes should be deleted (\$1000 to attend the ISHOF induction ceremony). MSA to approve the committee's minutes

Officials: David Diehl reported that one of the most significant accomplishments this past year has been the improved relationship with the USA-S Officials Committee. They have become proactive and six members of the USA-S committee attended the USMS meeting. David reviewed items from the meeting. MSA to approve the committee's minutes.

Recognition & Awards: Kathy Casey reviewed the action items from the meeting. She noted that the nominees for the 2003 Ransom Arthur award were Betsy Durrant, Leo Letendre, Meegan Wilson, and Sandi Rousseau. Sandi was the 2003 winner and she would be "duly honored" at the banquet.

Kathy Casey and Carolyn Boak presented the 2003 Dorothy Donnelly Award awards to 14 USMS members, recognizing them for their service to USMS. The recipients were: Harry DeLong (Virginia), Jack and Peggy Buchanan (Colorado), Pam Himstreet (Oregon), Michael Collins (SPMA), Mike Lemke (Kentucky), David Diehl (Potomac Valley), Adrienne Pipes (San Diego/Imperial), Margie Hutinger (Florida), Dave Radcliff (Oregon), Shannon Sullivan (SPMA), Melissa Rinker (Indiana), Kris Wingenroth (Gulf), and Patty Powis (Virginia).

Kathy also presented the David Yorzyck award for the outstanding 400 IM swim in 2003 to Bumpy Jones. Manny Sanguily sponsors the award. MSA to approve the committee's minutes.

Announcement: Lynn Hazlewood announced that three Zones elected new representatives as follows: Lucy Johnson (SPMA), Debbie Morin (Colonies), and Rob Copeland (Dixie). Continuing for two more years as Zone Reps are: Marcia Anziano (Breadbasket), Mike Lemke (Great Lakes), Doug Garcia (Northwest), Joan Alexander (Oceana), Marcia Marcantonio (South Central), and Wayne McCauley (Southwest).

Safety Education: Julie Heather noted that an action item in #6 of the minutes should be included in the action item section. MSA to approve the committee's minutes.

Sports Medicine: Jessica Seaton reviewed the action items from the meeting. MSA to approve the committee's minutes.

Championship: Barry Fasbender thanked the members of his committee for their hard work. He went over the action items that can be found in the minutes. Barry announced the bidders for 2005 LC Nationals as Mission Viejo, CA and Orlando, FL. The Championship Committee recommended Mission Viejo. A vote of the HOD was taken and Mission Viejo won with an obvious majority.

Barry explained that there was only one bid for Short Course Nationals (Orlando) and the bidder had failed to answer the concerns of the committee. It would be necessary to suspend rules 104.3.1D, 104.3.1E, and 104.3.1F for the 2005 Short Course Nationals and back out to bid for the event. After certification and review of the bids, the Championship Committee would recommend a site for 2005 and the BOD would be given the opportunity to vote to approve. It was clarified that we needed to approve suspension of the rules separately. It was MSA to suspend rules 104.3.1D, 104.3.1E, and 104.3.1F for the 2005 Short Course Nationals. It was MSA that the Championship Committee will accept new bids for the 2005 Short Course Championships, review the bids, and make a recommendation to the BOD for approval.

Mark Gill reported on the move to have a "distributed" Short Course Meters Championship. The meets would take place at as many as four sites, the results would be melded, and then the winners determined. A favorable vote was taken showing support for the committee to further pursue the idea.

A motion was made to approve the report of the Championship Committee. Barry was asked about the timing of the decision for the 2005 National Championship selection. He clarified that the BOD will see all of the bids that the committee certifies and he would like the vote to take place before the end of November. There was some discussion about the financial line items on the committee's report that were clarified by Controller Cathy Pennington. There was also discussion about the committee's suggestion that the 2006 LC Nationals not be held if we host the FINA World Championships that year. The item was pulled and it was suggested that the rules must be suspended for this to take place. Barry pointed out that the World Championships are expected to take place during the same month as our LC National Championships. It was MSA to table the discussion until after the International Committee report where a decision would be made as to whether we go forward with the World Championship bid.

MSA to approve the committee's minutes (not including the pulled item regarding the 2006 LC Nationals).

Legal Counsel: Patty Powis reviewed the action items from the meeting. MSA to approve the committee's minutes.

Marketing: Rich Burns noted that the committee is developing a strategic marketing plan in coming months and a draft will be submitted to the EC by their mid-year meeting. He also reviewed the action items from the meeting. Rich showed a tape of the commercial that was used during the ESPN World Championship coverage. MSA to approve the committee's minutes.

USA Swimming development: Rob Copeland took the podium to ask the HOD to discuss L26. The legislative proposal needed to be considered before the Rules Committee could give their report. The committee reported favorably on the proposal from the Rules Committee. MSA to approve L-26. MSA that the action take place immediately (suspending the normal rules that dictate that actions take place on January 1 of the following year).

Rules: Leo Letendre reviewed the action items in his committee's minutes which included a line item amount to send a member to a USA-S Rules Committee meeting. He reviewed the proposals to the rules as follows: R3 – the committee considered this an emergency. MSA to approve R3.

There were two housekeeping items from USA Swimming:

UH1 – regarding facility standards. The Rules Committee recommended it for adoption. Leo clarified that the word "terminate" was missing from the language. MS to amend UH1 to say that the width is "preferably" a minimum of 10" wide. Motion failed. MSA to approve UH1 as written.

UH2 – regarding adaptive swimming. MSA to approve UH2.

Leo presented the items that USA-S had passed that we traditionally adopt. They were not considered housekeeping.

U1 – start in the water instructions to starter. MSA to approve.

U2 – use of camera system for relay take-off. MSA to approve.

U3 – adapted swimming. Automatically adopted after previous passage of L-26. MSA to approve.

U4 – more on camera system for relay take-off. MSA to approve.

U5 – water depth. MSA to approve. It was noted that the vote was not unanimous.

U6 – allow in the water starts in depths less than 3 1/2 feet. MSA to approve.

U7 – number of lane lines between lanes in SCM competition. MSA to approve.

Leo noted action item #2 in the Rules Committee session #2. On behalf of the committee, Leo entertained a motion and a second "for the purpose of certifying a course for use in USMS competitions, pools measured prior to January 1, 2003 in accordance with the USMS policy applicable prior to that date shall be considered certified until such time as structural modifications are made that may affect the length of the course". Leo stated that the committee was not in complete agreement and he pointed out that this proposal does not affect pools that have a bulkhead, as they must be measured every time the bulkhead is moved. The motion would only allow pools with permanent walls to be "grand-fathered". Significant discussion ensued with opinions on both sides of the issue. With this proposal, anyone who has met the "previous standards" for pool measurement would not be required to do further measurements. The motion failed. There will be no "grand-fathering" of pool measurements.

Leo noted that the Rules Committee interpreted a ruling of FINA and that pools held under sanction of other FINA governing bodies will be acceptable. This parallels a legislative change that was coming up in the Legislation report. There was some discussion as to how the issue was worded and it was MSA to table Leo's report so he could correct the wording.

Introduction of the President of ASUA: President Miller introduced Orban Mendoza, President of ASUA. Mr. Mendoza, a good friend of masters, had just placed into ASUA, a masters governing body. He congratulated USMS as good swimmers and announced that ASUA intends to have masters swimming in the Pan American Championships beginning in 2005 and it will be in the Dominican Republic.

Long Distance: Peter Crumbine thanked Vice Chairs Marcia Cleveland and Randy Nutt, and his liaison Lynn Hazlewood. He reported that the Long Distance Committee received a record number of bids for the National Championships (28) and he announced the 2005 championship bid winners (see LD minutes). Peter reviewed actions of the committee and noted that a Safety Manual, Policy Manual, and Postal Swim Manual are all in the "works". MSA to approve emergency item LD-4, which was in the convention packet. MSA to approve the committee's minutes.

International: Miriam Pero noted that Phil Whitten was unable to be at the HOD meeting due to family matters. MSA to approve the annual report distributed at convention (not in the packet). MSA to approve the committee's minutes.

Rules, continued: MSA remove the item from the table for the Rules Committee. Leo Letendre presented the new wording for course documentation requirement as follows: "All meets held in the United States must meet the course measurement documentation requirement. Meets held outside of the United States under sanction of other FINA members shall not be subject to the course measurement documentation requirement." MSA to approve the Rules Committee minutes including this amendment (Action item #2 on session #2 minutes). Leo reminded everyone that they should contact him or David Diehl if they have questions about rules or scenarios that they'd like to have interpreted.

Legislation: Rob Copeland complimented his committee on the hard work put forth the past year to refine the legislative proposals. He reviewed the action items in the report that were not legislative proposals. Rob explained the procedures for approving the legislative proposals and proceeded through the various sections contained in the committee meeting minutes.

Section #1 (proposals reported favorably by the committee): items L-10 and L-15 were pulled. MSA to approve the committee's recommendation on all remaining items in section #1 (L's 1, 3, 5, 17, 18, 19, 20, 21, 25, 26).

L-10 – Discussion about recognized events and pool measurement. MSA to approve.

L-15 – It was clarified that the current zone chair would serve 5 years. MSA to approve.

Section #2 (proposals amended and approved in committee): L-24 was pulled. MSA to approve the committee's recommendation on all remaining items in section #2 (L's 2, 4, 6, 7, 9, 11, 12, 22).

L24- Discussion was had about whether the grievant would be refunded the filing fee if they won the case. It was noted that as per USMS rule 403.5.11 that the BOD has the ability to assess a fee. Legal counsel noted that if you use the process, you should pay for it and she anticipated it would be a nominal fee. The hearing panel should be able to determine who pays. It would restrict the discretion of the National Board of Review too much to refund the money. It was also noted that there would be guidelines elsewhere in the document that would provide details. It was MS to amend 403.5.11 to "assess costs and fees in favor of the prevailing party". Considerable discussion ensued.

MSA to call the question on the amendment.

MS to amend 403.5.11 to say "assesses costs and fees in favor of the prevailing party" (striking "against one or more parties"). The amendment failed.

MS to say "Assess or refund costs and fees." A friendly amendment was accepted.

MSA to amend 403.5.11 to say "Assess costs and fees against one or more parties or refund filing fees."

MSA to call the question.

MSA to approve L24 as amended.

Section #3 (proposals reported unfavorably in committee): L8 was pulled. MSA to approve the committee's recommendation on all remaining items in section #3 (L's 13, 14, 16, 23).

L8 – Regarding non-conforming events at meets. It was MSA to approve L8, a proposal that was defeated in the committee. The approved motion defeats the action of the committee.

MSA to approve the report of the Legislation Committee and the actions taken.

MS World Championships: Upon President Miller's request it was MS that the HOD agrees with the submission of the bid to FINA for the 11th World Masters Swimming Championships. Parliamentarian Jim Wheeler noted the rules so that the discussion would not extend on forever. Concerns were expressed that the delegates has not received enough financial information. Some felt rushed into the decision and that financial numbers were missing; i.e. hard costs like facility expenses. Positive comments were made as well concerning the value of having a World Championship in our "backyard" and the need for the HOD to have trust in the leadership.

MS to amend the motion to include the stipulation that "the surcharge shall be no less than \$48 and the per/swimmer fee no less than \$7". There was discussion for and against the amendment. Concern was expressed that the bid should not be hampered by constraints that would limit the negotiation with FINA. The motion failed.

MSA to table the discussion of the original motion for 5 minutes to enable interested parties to meet and discuss an amendment that would alleviate some concerns.

After a short break it was MS to amend the motion on the table to include that "the final written bid and any material negotiated changes to the bid shall be approved by the BOD".

MSA to call the question of the amendment.

MSA to approve the amendment.

MSA to call the question of the amended motion.

The motion was approved. USMS will go forward with its bid for the 2006 FINA World Championships.

Finance: Tom Boak complimented Rob Copeland and his committee on the outstanding work they put forth for the legislative changes and he complimented the HOD for their behavior in handling the World Championships discussion.

Tom noted the action items in his report regarding changes in FOG that can be found in his minutes. In session #2 it was MSA to change fees for clubs and LMSCs. Also in session #2 and #3 a number of changes were made to FOG. He noted specifically 1) items being reimbursed were defined and the lowest logical coach airfare shall be used when air travel is required, and 2) provided for submission of budget details and defined what needs to be done when emergency funds are needed. MSA to approve FOG as revised.

Tom explained the procedure for approving the budget and went through each page asking for items to be pulled. Budget Items pulled for further discussion were: 4020, 5102, 5270, 5280. MSA to approve the balance of the budget.

4020 – It was clarified that the fee change for clubs would be effective immediately. MSA to approve.

5102 – Barry Fasbender offered to decrease 5270 (Championship budget) by \$1500, reduce 5880 (miscellaneous) by \$1000, increase 5102 (National Office) by \$2500. (No change in total budget.) The reason was to move the entry processing for National Championships to the National Office as a "trial run" and the monies are intended to support the extra staff that will be needed. MSA to reconsider 5880 in order to complete the above motion. MSA to approve the changes brought forth by Barry.

5280 - MS to reduce the coaches budget by \$2000 so the expense for coaches at World Championships would be reduced from \$4500 to \$2500. Motion failed.

It was recommended that USMS seek a really good rate for conference calling that can be used by LMSCs and it was noted that this is already in place.

MSA to approve 5280.

MSA to approve the minutes from sessions 2 and 3 of the Finance Committee.

MSA to remove the item from the table for the Championship Committee report and the discussion of the 2006 Championship schedule. The item tabled was: "the Championship Committee recommends that we not host the LC National Championship meet in 2006 contingent upon FINA awarding the bid to USMS for the 2006 World Championships". MSA to approve. It was noted that we also need a motion to suspend rule number 105.1.2 for the purpose of not having a LC Championship in 2006 should we successfully receive the World Championship that year. MSA to suspend 105.1.2 as noted.

Announcements: Dave Miller expressed his appreciation to Tom Boak for the proactive work that he did to obtain the financial information for the World Championships decision. Ted Haartz announced that Jim Miller received the USA-Swimming's Glen Hummer Long Distance Swimming Award in recognition of his medical contributions to Long Distance swimming. Steve Schofield asked that we thank Dave Lamott and his crew for doing an outstanding job in the hospitality suite. President Miller reminded everyone to complete the green committee request forms. Jim Wheeler explained the procedures for the Ransom Arthur presentation that would take place at the banquet that evening. Finally, Jim thanked the BOD and Executive Committee for their hard work and he announced that a BOD meeting would take place immediately after adjournment.

MSA to adjourn the House of Delegates at 5:45 pm.

Respectfully submitted by:
Sally Ann Dillon
USMS Secretary