

DRAFT PENDING APPROVAL AT MAY 2009 HOUSE OF DELEGATES MEETING

MINUTES
2008 PVS HOUSE OF DELEGATES
McLean Community Center
McLean, VA
May 21, 2008 --- 7:00 PM

Call to Order: The meeting was called to order by the PVS General Chairman, Greg York at 7:07 PM.

Attendance: Greg York, General Chairman; Austin Auger, PVS; Art Davis, PVS; Mark Faherty, PVS; Dan Jacobs, PVS; Bill Marlin, PVS; Bill Stephens, PVS; Ron Whalen, PVS; Jim Thompson, PVS; Virginia Ratcliff, PVS; Ward Foley, AAC; Robert Walker, ASA; Kira Oliver, BWST, Tim Kelly, CUBU; Sean Link, DCPR, Manga Dalizu, FAST; Mike Kraeuter, FISH; Bruce Anderson, HACC; Scott Bryant, JCCW; Lynne Gerlach, JFD; Christian Doud, MACH; Dave Mengerling, MCSL; Chris Houtt, MSSC; Arvydas Barzdukas, NVSL; John Cyganieciewicz, OCCS; Terri Marlin, PM; Mark Eldridge, RMSC; Victor Abrahamian, SDS; Shelley Gesker, YORK; Steed Edwards, John Ertter, Brian Pawlowicz, Jim van Erden, Kerry Ellett, Tim Husson, Linda Klopfenstein, John Hirschmann, Jim Thompson, At-Large Delegates; Janene Gerlach, Alec Contag, Emily Duesterhaus, Elizabeth Kenis, Athlete At-Large Delegates; Deise Adams, Janet Auger, Ed Dona, Sumie Emory, Non-voting attendees.

Approval of 2007 House of Delegates Meeting Minutes: A motion was made to approve the [minutes of the May 23, 2007 Annual House of Delegates](#) meeting and the special House of Delegates meeting held on [July 24, 2007](#). These minutes had been posted to the website prior to the meeting. The motion was seconded and the minutes were approved unanimously.

Approval of Agenda for 2008 House of Delegates Meeting: A motion was made and seconded and the House approved without change the revised [agenda](#) that had been prepared by the Executive Director. The revised agenda had been prepared and circulated just prior to the meeting. The motion was approved unanimously.

Report of the General Chair:

Greg York welcomed everyone for coming. He extended a special acknowledgment to the following; Jim Garner, Janet Auger, Paris Jacobs, Terri Marlin and the entire Board for all their hard work throughout the year. Thanks to Brian Pawlowicz for serving as Meet Director or the

| PVS Junior and -Senior SC Champs held in March. Thanks to "Boots" Hall and Jim van Erden and the officials for working hard all year.

Report on the General State of the Corporation: John Ertter, Executive Director, addressed the meeting. The number of athletes and splashes are up, PVS is working with DCPR this upcoming season and also with John Cruzat, USA Swimming, to enhance the diversity program and the Black History meet..

PVS is a financially healthy organization with \$665,000 in assets,. Therefore, there is no need to increase meet entry fees at this time. Only 7% of our expenses goes toward administrative costs. Pool availability continues to be tight. Please follow all Policy and Procedures when asking for a sanction outside the LSC; Requests must go through the PVS office. . A question was asked concerning our rate of return on our cash John addressed that PVS has money in a \$10,000 in a non-interest account. The remaining assets are in CD's and a mutual funds, invested primarily in equities.. The increase in assets in the mutual fund is based on the independent auditor's recommendation.. Ertter asked the House to defer further questions to Bill Stephens at a later point in the meeting.

Art Davis asked the House to address one by-law amendment at this time as it would impact the election for Board of Review members that was about to be conducted. The by-law amendments to be voted upon by the House had been provided in advance – see http://www.pvswim.org/hod/hod080521_Bylaw_Presentation.pdf

By Laws Amendment: The following was approved:

Approved the following bylaw amendment (to the applicable Board of Review provision 10.2.2), with the accompanying implementation statement.

.2 MEMBERS The Board of Review shall have at least five (5) regular members and at least three (3) alternate members. The Board of Review, and any panel hearing a case, shall have a sufficient number of athlete members to constitute at least 20% of its membership. The House of Delegates may increase the number of regular or alternate members by resolution but subsequent to the adoption of these Bylaws may only decrease the number of regular or alternate members upon the expiration of the term of office of any incumbent members. When a matter is being heard by less than the full Board of Review, the panel hearing the case shall include a sufficient number of athlete members so as to constitute at least 20% of the hearing panel. No hearing shall proceed without the required athlete representation.

Implementation Statement: [PVS policies and procedures will be updated to provide that the Chair of the Board of Review has the discretion to select from the pool of 9 to determine which athlete(s) and which non-athlete(s) serve on any particular panel, subject to 20% or more athlete participation at all times] In response to a question, Davis stated that no Board of Review member needs to be formally designated as an “alternate member” and the Chair may choose as they feel appropriate from amongst the nine members when forming a panel – so long as at least 20% of any panel are athletes.

This replaces the following wording in 10.2.2

. 2 MEMBERS - The Board of Review shall have at least five (5) members. The House of Delegates may increase the number of members by resolution but, subsequent to the adoption of these Bylaws, may only

decrease the number of members upon the expiration of the term of office of any incumbent members.

At a subsequent point in the meeting, the House approved the following bylaw amendment applicable to the membership of the PVS nominating committee. (4.8.1)

MEMBERS OF NOMINATING COMMITTEE; ELECTION - The Nominating Committee shall comprise the Immediate Past General Chair and not fewer than four (4) Individual Members. The Nominating Committee shall be elected annually by the House of Delegates. If the House of Delegates does not act in a timely fashion the Board of Directors shall elect a Nominating Committee to serve until their successors are elected. A number greater than four may be designated from time to time by either the House of Delegates or the Board of Directors. Each Nominating Committee member shall be a member of the House of Delegates and no more than two (two-fifths if there are more than five (5) members of the Nominating Committee) shall be voting Board Members. If any member of the Nominating Committee resigns or otherwise becomes unable to participate in its affairs, the General Chair, with the advice and consent of the Board of Directors, shall appoint a successor to serve until the next meeting of the House of Delegates.

This replaces language found at 4.8.1 in our by-laws which currently states that:

.1 MEMBERS OF NOMINATING COMMITTEE; APPOINTMENT - The Nominating Committee shall comprise not fewer than three (3) Individual Members appointed by the Board of Directors. At least one (1) member of the Nominating Committee shall not be a member of the Board of Directors. Each Nominating Committee member shall be an Individual Member of PVS and USA-S. Section 6.5.3 shall apply to members of the Nominating Committee. If any member of the Nominating Committee resigns or otherwise becomes unable to participate in its affairs, the General Chair, with the advice and consent of the Board of Directors, shall appoint a successor.

The House did not take any action to create a Nominating Committee for the 2009 elections at this meeting.

NOTE: Both changes are consistent with current model LSC bylaws as approved by the USA Swimming HOD in September 2007.

Registrar's Report – Art Davis: Art acknowledged Sumie Emory for all her hard work and dedication keeping the PVS registration records up to date and always being helpful. Prior to the meeting, Art Davis distributed his report. He reported that PVS currently had an increase in its number of swimmers so it is now approaching a membership of 9,000 swimmers. Two new clubs joined PVS during the current registration year. He reminded all that swimmers must be registered with USA Swimming. He reported there are 3 clubs that might not be renewed for the 2009 registration year as they have not addressed issues related to having sufficient officials or paying a fine if they have not done so. The Board is working with these clubs.

Nominating Committee Report – John Hirschmann: Hirschmann referred to the report of the Nominating Committee which has been posted to the website prior to the meeting. Each candidate was given an opportunity to present a statement on their behalf which was posted if received. Hirschmann explained that the elections would be in two parts; one would be to fill six positions on the Board of Review and the other would be to fill four vacancies on the PVS Board of Directors. Hirschmann asked the group if anyone would like to be nominated.. No nominations were forthcoming so the nominations were closed. John reminded the group that for Board of Review two athletes must be selected – therefore at least two athletes will be declared elected even if they do not finish amongst the top six. Also, to assure the athletes have at least a 20% vote in the election, their ballots will be given additional weight to assure their votes receive the proper weight. outcome.

The ballots were collected and counted in a separate room. The results were subsequently announced as:

Board of Directors:

Art Davis, Administrative Vice-Chair

Karl Hellman, Operations Vice-Chair

Bill Marlin, Age Group Vice-Chair

Jim Thompson, Strategic Planning Vice-Chair

Board of Review:

Janet Auger

Manga Dalizu

Wall Dicks (athlete)

Mark Eldridge

Kerry Ellett

Virginia Ratcliff (athlete)

A determination will still have to be made which athlete will serve a one-year term.

A motion was made seconded and adopted to destroy the ballots.

Webmasters Report – Tim Husson: Prior to the meeting, the [Report from the PVS Webmaster](#) had been made available to the delegates, Tim acknowledged Janet Auger for all her hard work and dedication. Husson mentioned that the website hits continue to grow and are especially high right after a meet. Tim explained that Policy and Procedure allows for 5 days after a meet's completion to post results – in most cases results are received well before then. The new additions of the parents page FAQ's, officials newsletter, and search capabilities were warmly received. He added that all forms are now on the website. A question was posed regard why we still maintain the PVS database separate the USA-S's SWIMS data base that started to include almost all times since September 2003.. Tim explained that its existence predates SWIMS, it allows for 25Y individual events, 100Y relays, and splits to be available as SWIMS does not include them. It was acknowledged that it takes considerable additional effort to maintain this second data base . He will bring the suggestions to the Board to do away with the database.

Age Group Chairman – Bill Marlin: Marlin briefly summarized the items included in the [PVS Age Group Report for 2007-08](#).

Greg York acknowledged Bill for all his hard work bring the Eastern Zone LC meet to Potomac Valley, and the challenges he faced in finding a venue for both the primary meet and the Open Water meet.

Marlin informed the House of Delegates that Competition Committee decided that since the meet is local to recommend to the Board that PVS not travel as a “team” and therefore they would not be housed or eat as a team., However, PVS would be blocking rooms for a limited period of time for those athletes wishing to stay near the venue rather than come from home each day. In order to know who would be available to participate on relays at the meet; a question will be included on the application form asking if the athlete would be available for such events. Marlin wanted to make note that the shape of the open water meet course was now a rectangle and that the event was open to all PVS swimmers even if they did not participate in the EZ Age Group Championship meet. They would still be required to register for the event ahead of time and they could not pay on site. He asked the coaches to please encourage all swimmers to come and try open water swimming.

No announcements were made by people wishing to run for either Coaches Representative or Athlete Representative – the elections for which will be held at the PVS Senior, Junior and Age Group Championships in July.

Coaches Representative - Dan Jacobs and Mark Faherty: Dan and Mark discussed that based on the Competition Committee meeting held the prior week that the B/BB meet would like to add 15-18 year olds giving those swimmers an avenue to archive further cut times. They also discussed that the Meet Director should use their best judgment during warm ups.

Athletes Representatives – Virginia Ratcliff and Austin Auger: Virginia discussed the "Ask Kate" section of the website. It has been positively accepted and she will continue with her interviews.

Operations Report - Ron Whalen: All is well. No questions posed.

Officials Report- Jim van Erden: prior to the meeting the [Officials Report](#) was posted. Jim wanted to make a note that there has been a 16% increase in officials this year

Safety Committee Report - Bill Stephens addressed that PVS Safety Chairman, Peter Nichols, could not attend the meeting. Nichols did want to note that the open water meet insurance was up because of outside issues. Please look for more info in the fall.

Strategic Planning Committee – Jim Thompson: Since Thompson could not the meeting he asked that all questions be addressed to him based on the published

[Strategic Planning Report](#) . Greg York want to make a note that Prince William and Loudoun counties had the 3rd and 4th largest number of athletes registered in our LSC – after Fairfax and Montgomery Counties and before Arlington, Prince Georges Counties and the District of Columbia. A question was posed on how the clubs could use the report -- Jim Garner answered that Thompson in looking into different avenues. Unfortunately, because of the growth of Fairfax County it is harder to get pool time and thus PVS has to find pool space in other areas.

Finance and Treasurer Report – Bill Stephens: The House had been provided in advance of the meeting the proposed [2008-09 budget](#) .

Stephens reported that the 2006-07 financial statements had been audited by an outside independent auditing firm and PVS had again received a clean opinion for the fourth consecutive year. The [audited financial statements](#) are available on the website.

John Ertter discussed the fact PVS had switched to using an accrual basis during this fiscal year and that PVS's fiscal year ends in August. There will be one modification to the travel assistance budget. He reported that since the Board voted on the 2008-09 budget to recommend to the House for adoption, it had learned that a USA Swimming Short Course Junior National Meet to be held in December 2008 had been added. Therefore, he was recommending that the budget be amended to add a line item for travel assistance for this meet in the amount of \$3,000. This is the same amount as has previously budgeted for the US Open when it was held in late November or early December.

Ertter also addressed the policy of paying most PVS Official's non-athlete registrations provided the PVS Officials Committee certifies they have worked sufficient meets in the prior year. A question was posed as to why the PVS entry fee into LC Eastern Zone Meet was so high considering there would be no housing or bussing costs.. The answer given that there has not been a meeting since Competition and that that number would be probably decrease. It was asked if Bill Marlin could keep expenses at a minimum for the meet. He stated he will do everything he can.

PVS will provide a travel assistance to the clubs of all PVS athletes qualifying for Olympic Trials who satisfy the other requirements to receive assistance. Since PVS has now moved to accrual accounting, this will be a FY08 expense rather than a FY09 expense. \$24,000 has been budgeted which means up to 30 athletes can receive the maximum of \$800 per athlete That per athlete dollar amount is dependent on whether more than 30 PVS athletes satisfy the requirement to have their club reimbursed for travel assistance to this meet.. Greg York asked that HOD take this budget in good faith.

A mention was made and a vote taken to increase the amended the budget by \$3,000 to provide funding for the newly added US Short Course Junior Championship. A motion was then made and seconded to adopt the recommended budget as it had been amended. The motion passed with one person voting not to approve the budget; Mark Eldridge, RMSC.

New Business: Ward Foley inquired about paid contractors or employees having votes at the House of Delegates meeting and therefore being able to vote on issues involving the budget. York answered that he will review the subject for next year. Others also acknowledged that this practice should probably change.

Linda Klopfenstein addressed USAS Convention travel planning needs and asked that those from PVS who planned to attend email her.

Special awards were given to Ron Whalen and John Hirschmann for their service to the PVS Board of Directors and as officials and to, Riley Eaton and Victor Abrahamian, who were retiring as coaches after many years of service to their clubs. All were thanked for all their years and dedications to PVS. Each man was given a standing ovation and a moment to express their thanks.

Adjournment: The meeting was adjourned at 9:43 PM.

Respectfully submitted,
Colleen D'Anna
PVS Administrative Assistant