

Pacific Masters Swimming
Conference Call Meeting

August 19, 2009

Call to order and introductions: The meeting was called to order by Michael Moore, Chairman, at 7:00 p.m.

Introductions: Michael Moore, Nancy Ridout, Caroline Lambert, Chris Campbell, Laura Colette, Bill Grohe, Glenda Carroll, Joel Wilson, Richard Smith, Joan Smith, Marcia Benjamin, Alan Levinson, John King, Jody Smith, Terri Maginnis, Leianne Crittenden, Cokie Lepinski, Kristy King, Joanne Berven, Kildine Harms, Peter Guadagni, Jim Clemmons, Joan Alexander, Arlene Proebsting,

Officers' Reports

Approval of the minutes for 07/15/09 MSA

Treasurer – Kildine Harms - (Financial statement included after reports.) **MSA**

- Banking is under control. I have added the maturity dates of the CD's on the Account Balance sheet. We have money!
- I would like to encourage everyone with outstanding expenses to submit them as soon as possible. (Attach expense report form that can be found at the end of the reports. Feel free to make copies.)

I added the Prior Year Information on the financial reports. It may not be a meaningful comparison at the moment due to several timing differences, with the Registration. USMS and convention. Nevertheless, I thought it might be a good idea for board members to become familiar with the comparison.

Chairman – Michael Moore – Michael announced that June Krauser is ill.

The USMS BOD has brochures and we will order some. Walnut Creek Masters are in a parade at the Walnut Festival September 19, and will hand out brochures.

There was discussion from USMS that Pacific should not promote the Tiburon Mile. It was **MSA** that Pacific will honor its current agreement. This will be taken up again at our September meeting for the 2010 schedule.

Pacific Masters Swimming will match dollars from the Save Our Shores swim. Joel would like to make it a part of the swim schedule. **MSA** to match the dollars. Joel will write a cover letter for the presentation.

Vice Chairman Administration – Leianne Crittenden –no report

Vice Chairman Operations - Barry Fasbender – The USMS Rules Committee is currently developing a recommendation for FINA Masters swimwear rules and interpretations. This recommendation will be sent to the US Masters Swimming Board of Directors for review and approval. The recommendation will then be sent to the FINA Masters Technical committee for their meeting September 25-26. We would like the new rules to be what's best for Masters swimming competitors of all ages, all levels, and all abilities. I am interested in hearing what PMS swimming competitors think should be included in or excluded from any new swimwear rules. Please e-mail me at BarryFasbender@comcast.net.

Attached is a chart comparing the current swimwear rules and interpretations for FINA, USA-S, NCAA, and NFHS (National Federation of High Schools). Most of these rules currently do not apply to Master swimming. (At end of Reports)

Secretary – Joan Alexander – No Report

At-Large – Bill Grohe – No Report

Committee Reports

Registration and Records - Registration – Nancy Ridout

As of August 17th, PMS has registered 10,221 swimmers and 126 clubs. Past data is as follows: 9,382 swimmers and 120 clubs as of 8/18/08; 9,431 swimmers & 112 clubs as of 8/22/07; 9,598 & 117 as of 8/19/06; 9,086 & 105 as of 8/20/05; 8,963 & 111 as of 8/21/04; 9,306 swimmers & 109 clubs as of 8/25/03; 9,573 & 119 clubs as of 8/28/02; 9,122 swimmers and 119 clubs as of 8/24/01; 8,537 & 111 as of 8/11/00; 8,144 & 101 as of 8/8/99; 7,927 & 101 as of 8/26/98; 7,716 & 107 as of 8/22/97; 7,159 & 108 as of 8/16/96; 6,378 & 97 as of 8/11/95; 6,171 & 93 as of 8/11/94; 5,938 & 88 as of 8/12/93; 5,847 & 80 as of 8/7/92). This is a new record for this point in the year! It indicates that our clubs and our programs are meeting the needs of swimmers.

Clubs may begin renewing for 2010 in September and I'll be sending out a message and the new form to that effect after the convention to ensure the information is correct and up to date. As of 9/1/09, new members will be able to pay a reduced fee of \$30 when joining. Any swimmers paying the full fee will be sent a \$10 voucher with their cards to use for reducing their 2010 fee. We need to determine the fee for 2010 in order to have our form ready and the software updated for online registration. Currently the club fee is \$65, and the transfer fee is \$3 for transfer within PMS and \$18 (the transfer fee plus the LMSC fee) for swimmers transferring to PMS from another LMSC. Registration materials will be sent out to each currently registered club in early October. After tonight's endorsements of the SCY, SCM, and LCM Championship meets, I will be able to draw up a meeting calendar for your approval at our September meeting. We should vote tonight on whether we want to remain at *this* facility for 2010.

Convention Report – We have approved 19 PMS convention delegates: 1-Chris Campbell, 2-Glenda Carroll, 3-Laura Colette, 4-Carolyn Cunningham, 5-Bill Grohe, 6-Stu Kahn, 7-John King, 8-Kristy King, 9-Cokie Lepinski, 10-Alan Levinson, 11-John Morales, 12-Amanda Oberacker, 13-Arlene Proebsting, 14-Linda Shoenberger, 15-Joan Smith, 16-Jody Smith, 17-

Richard Smith, 18-Eric van Boer, 19-Jim Wheeler. Several responses were received from Michael's announcement in the PMS weekly update. I have completed forms from Caroline Lambert (STAN) and Terri Maginnis (RAMS). Leon Kief has also expressed interest but must leave Saturday to be back for the SMMM SCM meet on Sunday. I recommend we approve Caroline and Terri to be delegates and find out more about Leon and his plans before we add him to the group as an alternate. Upon approval, I will register Caroline and Terri, along with Michael and Nancy who it turns out were not registered by USMS.

There are no refunds after August 30th so if you find you can't attend, please notify me before that date.

I will write the checks for the delegates this week. I apologize that it's taken so long to get all this sorted out, checks in hand, and time to sit down and get them off.

Top Ten/Records – Nancy Ridout

The Long Course Top Ten is being compiled. It will be ready by our next meeting.

Coaches - Chris Campbell – no report

Communications/Newsletter - Joanne Berven – Web Master-Michael Moore

1. **Newsletter** – The newsletters have been mailed and emailed. The next deadline is September 17th - to the publisher. Do we need to ask for an extension?

2. **Web Master** – No report

Fitness – Crittenden – absent No report

Facilities Coordinator – Alexander - I have booked the Community Center (our normal room) for our November Annual Meeting - 7-10pm as I was unable to reserve the Parkside Room.

Health and Safety – TBA, no report

Hospitality – Rotating: Sept – **Duggan**. November, potluck

Equipment – TBA

Scheduling – Marcia Benjamin, no report. Bids were slow for Championship meets. Santa Cruz was on time and won the Long Course Championship bid. Walnut Creek and Tri Valley are bidding for the Short Course Championships, and Walnut Creek is bidding for the Short Course Meters Meet in October. Dates will follow. The Executive Committee will vote on the forth coming bids.

Meet Operations – Barry Fasbender

Legislation/Rules – Alan Levinson – The current PMS Administrative Handbook and By-Laws (“PMS By-Laws”) has provided PMS organization and legal structure over the years, with occasional “tweaking” of its provisions. Any changes to the PMS By-Laws must be voted upon by the PMS Committee at the Annual Meeting in November. To view the current PMS By-Laws (revised 1/06), please go to the PMS website, then to the “Administration” link (at the bottom of the main page of the Web site), and under “Guide to Operations click “Administration”.

USMS has identified a number of provisions, some required and others recommended, that should be included or adopted in the by-laws of LMSCs (see Attachment, pages 1 – 5). A review of the existing PMS By-Laws has been undertaken, including discussions at PMS Committee meetings this year, particularly February 18, 2009 and March 18, 2009.

Earlier this spring, I provided the PMS Executive Committee with an initial assessment of areas where PMS is in – or out – of compliance with these guidelines (see Attachment, pages 6 - 8). I have also received suggestions for modifications. The following proposed changes are for consideration by the PMS Committee. According to the PMS By-Laws (Article 103.4) modifications to the PMS By-Laws must be: 1) submitted in writing; 2) to a member of the Executive Committee; 3) at least 60 days prior to the date of the meeting at which the proposals are to be voted upon; 4) must be called to the attention of the PMS Committee at least 30 days prior to the Annual Meeting at which amendments are to be voted upon.

This report and its attachments are presented tonight as the next step in the examination and discussion of the PMS Administrative Handbook and By-Laws and changes PMS should consider to conform to the “best practices” model recommended by USMS.

LMSC Bylaws

USMS requires that each LMSC be governed by a set of bylaws that are consistent with the goals and objectives of USMS (article 502.2). Each LMSC must meet the following requirements:

1. Bylaws must provide for the periodic election of LMSC officers (article 502.4); **OK**
2. Bylaws must require the LMSC to hold an annual meeting that is open to all individual members of the LMSC (article 502.3); **OK**
3. Each LMSC must keep a current copy of its bylaws on file with the USMS National Office (article 502.5). **?? I believe Nancy does this annually.**

If you are not sure whether your LMSC has bylaws, or if you think that it has adopted some but you don't know where to get a copy, contact the National Office.

USMS has a procedure for resolving disputes among its members (see USMS Rules, Part 4: Participation, Conduct, Hearings, and Appeals). This procedure provides that disputes arising within an LMSC are to first be addressed in the LMSC under the LMSC's rules. This means that each LMSC should have bylaws that contain procedures for handling disputes within the LMSC. If your LMSC does not have grievance procedures in its bylaws, the bylaws should be amended to add them. **** USMS has prepared a model grievance procedure on which you may base your LMSC's grievance procedure and they can be found starting on page 3 of this section.**

****PMS added Article 101.9 Dispute Resolution in Nov. 2005 (see page 5). Our provision is more descriptive than prescriptive (compared to the USMS sample) but I think it serves the purpose while allowing more flexibility to the Chair/LMSC.**

Do we need a legal (or parliamentary??) opinion regarding is placement in the Administrative Handbook section of the document?? NOTE: For reference, the USMS Hearings and Appeals section (Art. 403) is not located in the USMS Bylaws section of the Rule Book (Article 5).

In addition to meeting the requirements of USMS, LMSC bylaws are a valuable tool in the management and operation of your LMSC. They serve as a guide to newly elected officers and provide a framework from year to year that permits your LMSC to conduct its business in a consistent manner.

Some of the sections that can be found in LMSC bylaws include:

→ • Goals and objectives **Need to add**

Pacific Masters Swimming Mission Statement: Pacific Masters Swimming welcomes anyone who would like to gain and maintain fitness through swimming and encourages programs to foster this mission.

→ • Declaration of nonprofit status **Add new section to Article 103**

→ • Statement of purpose **review/revise (combine w/ Goals and objectives??)**

?? • Membership classifications **Not sure what this is.**

OK • Management structure, officer descriptions, and committees

OK • Election process

OK • Procedure for filling vacant offices between elections

→ • Selection of delegates to USMS House of Delegates **Move Art. 102.4 (if necessary)**

OK • Meeting requirements

OK • Grievance procedures (**see ** above**)

OK • Procedures to amend bylaws

In addition, if your LMSC wants to incorporate, applicable law will set forth certain requirements that you must follow. If you are seeking to incorporate your LMSC, you need to consult a lawyer or other expert in these matters concerning the required language in your bylaws and other necessary actions that you must take.

Changes I think we should consider:

- **Art. 101.3 (page 1) Registration of Swimmers:** our current language only refers to registration of swimmers or clubs intending to compete or participate in sanctioned events. I think we should broaden this section to require that all PMS swimmers be registered with USMS. While we're at it let's take a look at 101.3.A. and 101.3.B.
- **Art. 103.2 Purpose: Revise as follows and add revised PMS Mission Statement:**
Article 103.2 Purpose
The purpose of PMS is to encourage and promote physical fitness and enjoyment of swimming for adults 18 years of age and over ~~through an educational program that emphasizes competitive swimming activities.~~
Insert as new Article - Pacific Masters Swimming Mission Statement
Pacific Masters Swimming welcomes ~~anyone~~ **adults 18 years of age and over** who would like to gain and maintain fitness through swimming and encourages programs to foster this mission.
- **Art. 103 (page 9) Declaration of Non-profit Status:** Add a provision regarding non-profit status. I was expecting to "steal" language about non-profit status from the USMS Rule Book but I couldn't find any (?!&#?). Here's my attempt:

Add new article, Declaration of Non-Profit Status (between 103.2 Purpose and 103.3 PMS Committee):

Pacific Masters Swimming, Inc. shall be established as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code and shall maintain such status.
- **Art. 103.3.J.5 Meetings:** add to current language,
5. The Annual Meeting shall be held in November of each year and shall be open to all individuals registered with Pacific Masters Swimming, Inc.
- **Art. 103.4 – Amendment of By-Laws:** our by-laws can only be amended at the Annual Meeting. Is that usual and customary (seems restrictive)?? Should we add an alternate method that could take place at another time(s) of the year?
- **Financial Policies and Reporting Requirements (see next page).**

Marketing/Publications – Bill Grohe, No Report

Officials – John King – No Report

Scheduling – Marcia Benjamin

I have just a few replies about the schedule and I plan to pass it out as best I can, at the meeting on Wednesday. We will vote on Championship meets.

Open Water - Glenda Carroll

Synergy Race Timing has said that they will no longer time PMS swims. I've contacted the swims that they were scheduled to time (Lake Sonoma and Whiskeytown) and they have made other arrangements.

OW 101 was a success. 47 swimmers attended. A number of swimmers went on to swim the next PMS OW event -- Santa Cruz pier swim. One wrote me that the clinic gave her the confidence to do it and she had a blast!

Attached (at the end of the Reports) are the results to a short survey that I conducted after the swim.

The new OW swim, Hot August Chill, is a great addition to our schedule. 160 swimmers showed up and participated in 500 yd, 1/2 mile and 1 mile swim. Olympic medallist Debbie Myers was the master of ceremonies and did a fine job.

Trailer – Allan Cartwright, no report

New Business – None

Old Business - **New Award Proposal** – Nancy Ridout

The committee of Nancy Ridout, Cokie Lepinski, Peter Guadagni, John Morales, and Chris Campbell, have been communicating and developing the following concept for a new PMS award. This has been an active and responsive committee from which has evolved the following preliminary proposal.

Pacific Masters Swimming Hall of Fame

Eligibility Criteria

1. To be eligible, the recipient must be, or have been if deceased, a PMS swimmer and have participated in the Pacific Masters program during a minimum of 15 years and three completed age groups.
2. Selection will be based on outstanding achievement at the world, national, regional, and LMSC levels including records and placing over three or more age groups in pool and/or open water swimming. The emphasis will be on dominance in one or more strokes in pool swimming, and dominance in open water swimming including the variety of distances, locale, and environment.

The swimmer must have been an active and consistent participant in Pacific Masters events throughout the eligibility time period.

3. A swimmer may be nominated by a coach, any PMS registered swimmer, or the Selection Committee.
4. A category for Pacific Masters pioneers is also being considered.

Selection Criteria

1. A committee of not less than three nor more than five PMS members, appointed by the Chairman, shall review the performances each year of PMS swimmers and list swimmers who may, or may someday, fit the criteria for the award. If no swimmer meets the criteria in a given year, the list will be maintained and updated until a qualified

candidate is determined.

2. When a qualified candidate is determined and nominated for the award by the Selection Committee, it will be brought to the attention of the Pacific Masters Swim Committee for approval.
3. The Pacific Masters Swimming Hall of Fame candidate will be announced at one of the PMS Championship meets and an appropriate award presented there.
4. It is not anticipated that this award will be presented annually.
5. It is anticipated that at a future time, an installation ceremony will be held, a portable Hall of Fame booth be purchased and designed to honor the recipients and that this display will be brought to our championship meets for all our swimmers to view and appreciate.

Team Announcements – There were 750 swimmers attending the Senior Games at Stanford

Respectfully submitted

Joan Alexander
Secretary
Pacific Masters Swimming