

Minutes to be Approved – April, June, July, August

Pacific Masters Swimming Conference Call April 21, 2010

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

Introductions: Michael Moore, Kildine Harms, Alan Levinson, Jody Smith, John Morales, Nancy Ridout, John King, Joan Alexander, Joanne Berven, Tracy Barbados, Caroline Lambert, Jim Clemmons, Laura Colette, Richard Smith, Joan Smith, Cris Campbell, Joel Wilson, Glenda Carroll,

Officers' Reports

Approval of the minutes of 3/17/10 MSA after addition of High Point winners.

Treasurer – Kildine Harms – Reports were forwarded as a pdf file as I was not able to copy them to the report.

- The e-Bank/Stearn Bank CD was successfully closed and money deposited in the WFB savings accounts.
- 2009 Federal, State and Annual Registration Fee Reports have been filed.
- Attached reports are for the 1st quarter 2010. The balance sheet is comparing this year to last year. The income statement is comparing actual to the annual budget.

Chairman – Michael Moore – Bill Grohe is recovering at home after his heart attack and doing well.

Coach of the Year is due at our May 12 meeting.

Awards: Dorothy Donnelly Award nomination are due Jul 1, The Committee discussed nominations for the award: names mentioned to be nominated included: Glenda Carroll, Joel Wilson, John King, Joanne Berven, Leianne Crittenden, Caroline Lambert, Linda Shoenberger.

Kerry O'Brien Coaching Award: The Kerry O'Brien Coaching award has the goal of recognizing coaches who are building our membership in communities throughout our country. The committee should think about nominating coaches from our LMSC for this award.

The June Krauser Communications Award is presented annually to an individual, or group, whose communicative efforts have contributed to the growth, improvement, or success of United States Masters Swimming.

Convention – The LMSC is entitled to 22 delegates, plus people who are delegates because of the committee they sit on for a total of 28 delegates to represent Pacific at Convention

We must propose any rule changes by July 1.

Ian Cribbs and Bernard Silver have passed on.

Vice Chairman Administration – Leianne Crittenden – No Report

Vice Chairman Operations – I don't have anything, as far as a report, but would like to thank Peter Guadagni and all of the other volunteers and officials that pulled off a very successful championship meet.

Secretary – Joan Alexander – Report attached

At-Large – Jody Smith – No Report

Committee Reports

Legislation Rules - Alan Levinson – By-Laws changes must be sent to the State)

New rule from FINA regarding water temp – 25-28 degree Celsius, (78-80 degree F.)

MST to approve revised Grievance Policy. Revised convention policy withdrawn for further consideration. The Grievance **Procedure** (not policy) was MSC with the modification of **Art. 104.2 Compliance with Rules and Regulations**, striking the words "*Amateur (International Federation of Amateur Swimming)*". As I recall, my verbal proposal to further amend the Grievance Procedure by adding time limits to the grievance steps was withdrawn for further consideration and future submission. **Full report attached.**

104.7 MSA to changes in step 2. **Report attached**

104.7 Step 2 – Appeal to Pacific Masters Chair and Hearing Procedure

A. If no agreement can be reached, the party who is subject to the complaint may appeal the complaint *by submitting a written statement of appeal within ten (10) days of receipt of the Step 1 decision to the Chair of*

Pacific Masters Swimming. *The appeal shall specify the factual or procedural objection(s) with the Step 1 decision. Upon receiving a timely appeal,* the Pacific Masters Chair ~~who~~ shall convene a hearing panel to resolve the controversy. The Pacific Masters Chair shall designate a minimum of three members of Pacific Masters Swimming to act as a panel to resolve the grievance and all matters related thereto. The Pacific Masters Chair shall designate one member of the panel to serve as a Hearing Chair to preside over the hearing and give counsel to the panel concerning procedural matters and Pacific Masters Swimming and USMS rules.

Legislation brainstorming - 107.6 Technical Suits

Registration and Records - Nancy Ridout – Report Attached. Help is needed putting data in excel. Clubs that get on-line get information back to Nancy.

Coaches – Cokie Lepinski –Report attached. Another club has been added to the SwimFest report bringing the total to 26.

Communications/Newsletter - Joanne Berven – Newsletter –.

Michael Moore – no report

Fitness – Shoenberger – no report

Facilities Coordinator – Alexander – report attached

Health and Safety –TBD

Hospitality – Rotating: May, Alexander, July ____ Sept - ____

Equipment – TBD

Scheduling – Marcia Benjamin, no report

Open Water – Glenda Carroll – report attached.

Meet Operations – Barry Fasbender – **2010 PacMasters SCY Championship.** Congratulations to the Tri Valley Masters and the Walnut Creek Masters for a very successful championship. According to my records, this is the largest SCY Championships we have ever held with 914 swimmers entered.

Hy-Tek Meet Manager. Version 3 was released on July 26, 2009. It has many new features, is easier to use, and has been reliable. I think is about time for PacMasters to move from version 2 to version 3. I will prepare a cost analysis of upgrading all of our club licenses for review at the May meeting. This will require an over budget approval.

Marketing/Publications – Bill Grohe, no report

Officials – John King – no report

Trailer – Allan Cartwright, no report

Old Business – New Award Proposal – Tabled

New Business –

Team Announcements –

Respectfully submitted

Joan Alexander

Secretary

Pacific Masters Swimming

April MEETING REPORTS – 04/21/2010

Chairman – Michael Moore

Vice Chair Administration – Leianne Crittenden, no report

Vice Chair Operations – Jim Clemmons

I don't have anything, as far as a report, but would like to thank Peter Guadagni and all of the other volunteers and officials that pulled off a very successful championship meet.

Secretary – Alexander

All minutes have been submitted.

Treasurer – Kildine Harms, reports attached.

- The e-Bank/Stearn Bank CD was successfully closed and money deposited in the WFB savings accounts.

<p>PLEASE NOTE Next Meeting will be May 12, 2010 At the Walnut Creek Community Center</p>
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- Attached reports are for the 1st quarter 2010. The balance sheet is comparing this year to last year. The income statement is comparing actual to the annual budget.

At Large – Jody Smith, no report

Meet Operations – Barry Fasbender

2010 PacMasters SCY Championships. Congratulations to the Tri Valley Masters and the Walnut Creek Masters for a very successful championships. According to my records, this is the largest SCY Championships we have ever held with 914 swimmers entered.

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Legislation/Rules – Alan Levinson

At our Feb. 2010 meeting (Conference Call) Pac Masters approved the Grievance Procedure as amended. At that time I raised a question about adding time limits to the appeal process. Attached are the approved Grievance Procedure and the proposed additions to Art. 104.6 and 104.7.

Revise Articles 104.6 & 104.7 to add time limits by which an appeal must be submitted:

104 PACIFIC MASTERS SWIMMING GRIEVANCE PROCEDURE

104.1 Standards of Conduct

Pacific Masters Swimming embraces the mission of USMS to promote fitness and health in adults by offering and supporting Masters swimming programs. The opportunity to participate in Masters swimming is made possible by Pacific Masters Swimming and USMS. Members accept that this opportunity to participate is a privilege and as such shall conduct themselves with integrity and in a sporting manner. In matters relating to Masters swimming, members shall respect and protect the privileges of others who share this mission; therefore, the privileges of membership and participation may be withdrawn or denied if the conduct of a member or prospective member is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it.

104.2 Compliance with Rules and Regulations

It shall be the responsibility of all members to comply with the rules and regulations of Pacific Masters Swimming and USMS and the applicable rules, constitution and bureau decisions of Federation International de Natation (“FINA”).

104.3 Enforcement

Any prospective member may be denied membership, and any member may be denied membership, censured, placed on probation, suspended, fined or expelled from Pacific Masters Swimming and USMS if such member engages in any unsporting conduct listed in article 104.4.

104.4 Grounds for Grievances – Unsporting Conduct

Any individual member of the Pacific Masters Swimming and/or any Club member of Pacific Masters Swimming may bring a complaint on any matter for which grievances may be heard under Part 4, Participation, Conduct, Hearings and Appeals of the USMS Rule Book (“Part 4”). Specifically, complaints may be brought alleging unsporting conduct, defined in Part 4 as:

- A. Violation of the opportunity to participate, as set forth in Part 4.
- B. Discrimination in violation of Article 501 of the Rules of USMS.
- C. Any act of fraud, deception or dishonesty in connection with any USMS related activity.
- D. Any nonconsensual physical contact, obscene language or gesture, or other threatening language or conduct directed toward meet personnel or other participants, in connection with a USMS event.
- E. Any act, conduct or omission that is detrimental to the image or reputation of USMS, an LMSC, or the sport of swimming.

104.5 Complaint Procedure

A. A complaint shall consist of a concise statement of the behavior or circumstance involved, shall be in writing, and signed by the person responsible for making the complaint. The complaint shall clearly identify the person or entity making the complaint and the person or entity against whom the complaint is made. The complaint shall be directed only to the Chair of Pacific Masters Swimming, or if the complaint directly involves the Chair, to the Administrative Vice-Chair, who shall appoint a Grievance Chair.

B. Upon receipt of a complaint, the Grievance Chair shall first make a determination whether the subject matter involves an issue for which a grievance may be brought under Part 4 and involves a person or entity which is part of Pacific Masters Swimming. If the Grievance Chair determines that the complaint does not meet such criteria, the Grievance Chair shall dismiss the complaint and notice of same shall be transmitted to the party bringing the complaint and to the Chair of Pacific Masters Swimming of this determination.

C. If the Grievance Chair does not dismiss the complaint, the Grievance Chair shall transmit a copy of the complaint to all other parties involved. The parties to any controversy shall be the USMS member or entity that made the complaint, the USMS member or entity that is the subject of a complaint, and, if appropriate, Pacific Masters Swimming. In the event there are multiple parties or varying interests, any interested person may ask the Grievance Chair to (or the Chair may of its own volition) realign the parties according to their interest in the matter.

D. The parties other than the complaining party shall have the right to make a written reply, which shall consist of a concise statement of any matter of defense to the complaint, and which shall be made within ten (10) days from the date the copy of the complaint is transmitted by the Grievance Chair. Replies shall be in writing and signed by the person responsible for making the reply. The Grievance Chair shall advise all parties in writing of their hearing rights under these guidelines, as well as their appeal rights under Part 4. The Grievance Chair, for reasonable grounds, including excusable neglect, may extend any time limit.

104.6 Step 1 - Mediation or Resolution by the Grievance Chair

A. After all parties have transmitted written statements to the Grievance Chair (or if the time for same has passed without a statement being transmitted), the Chair may attempt to resolve the controversy by mediation. The method of mediation shall be at the discretion of the Chair. Methods of mediation may include (without limitation) in-person contact, telephone contact, or communication by writing or e-mail. If mediation is successful, the agreement shall be reduced to writing, signed by the parties, and transmitted to the Chair of Pacific Masters Swimming and the matter shall be considered resolved and final.

B. If a party who is the subject of a complaint fails to make a reply, or if mediation is not invoked, then the Grievance Chair may act on the complaint as filed, or may take evidence or information from any source. The Grievance Chair shall make such findings as appear to be justified and reasonable to resolve the controversy. Findings shall be reduced to writing and transmitted to the parties and to the Chair of Pacific Masters Swimming. This shall constitute the Step 1 resolution of the complaint, **and shall be considered final unless the subject of the complaint files a timely appeal as outlined below.**

104.7 Step 2 – Appeal to Pacific Masters Chair and Hearing Procedure

A. If no agreement can be reached, the party who is subject to the complaint may appeal the complaint **by submitting a written statement of appeal within ten (10) days of receipt of the Step 1 decision to the Chair of Pacific Masters Swimming. The appeal shall specify the factual or procedural objection(s) with the Step 1 decision. Upon receiving a timely appeal,** the Pacific Masters Chair ~~who~~ shall convene a hearing panel to resolve the controversy. The Pacific Masters Chair shall designate a minimum of three members of Pacific Masters Swimming to act as a panel to resolve the grievance and all matters related thereto. The Pacific Masters Chair shall designate one member of the panel to serve as a Hearing Chair to preside over the hearing and give counsel to the panel concerning procedural matters and Pacific Masters Swimming and USMS rules.

B. The hearing panel shall take such statements and evidence as it deems necessary to resolve the controversy, and shall, wherever possible, take evidence from all persons identified by a party as having material information. A party to the controversy shall be responsible for making any such witness or evidence available. If the panel deems it necessary to hear testimony, then the Hearing Chair may appoint one member to take such evidence and report to the panel. Any cost of production of evidence shall be advanced by the party on whose behalf such evidence is taken.

C. Upon completion of presentation of evidence, the hearing panel shall deliberate among themselves and by majority vote, resolve the controversy in the form of a written decision. The decision, including any dissent, shall be reduced to writing and transmitted to all parties and the Chair of Pacific Masters Swimming. If the hearing panel does not dismiss the complaint, it may deny membership in Pacific Masters Swimming, censure, place on probation, suspend, fine or expel from Pacific Masters Swimming membership any member or any person participating in the affairs of USMS who has engaged in any unsporting conduct set forth in Article 4. If a person is expelled from Pacific Masters Swimming, such action shall be transmitted by the Grievance Chair to the National Board of Review for further action, if any, it deems necessary. This shall constitute the Step 2 (final) resolution of the matter at the LMSC level.

D. Upon rendering of a final decision, the Hearing Chair shall notify all parties in writing of their right to appeal to the National Board of Review under Part 4. The Pacific Masters Swimming may stay the imposition of any penalty pending appeal to the National Board of Review.

Rationale: In order to bring closure to complaints, set a time limit by which an appeal must be filed. The individual must

either file an appeal by that time limit or the matter will be considered closed.

Coaches – Cokie Lepinski

PROGRESS ON THE COACHES DATABASE. Club Assistant shows 119 clubs in our LMSC as of 4-19-10. Two new clubs were added since the last report, Aqua Caliente Aquatic Center (ACAC) and San Jose Aquatic Masters (SJAM). Neither club shows any registered members. There are four other clubs who show 1 or fewer members: Brentwood Masters (BMSP), Davis Athletic Club (DAC), El Dorado Hills Sports Club (EDHS), and SOLO Swim Club (SOLO) and no effort has been made to determine a coach.

16 clubs remain unaccounted for in their coaching staff (the six above) and the 10 listed at the end of this report. 7 other clubs have no coach (and some, no pool). I have emailed or made phone calls (or both) to the 10 in the listed table below and have not had any responses from those contacts or clubs. We now have 96 clubs represented in the database with 142 coaches or assistant coaches.

We are at the point where we definitely need to migrate this database over to Constant Contact which Michael says we have already funded. I'm awaiting instructions on how to proceed forward.

If you know any of the coaches or assistant coaches for the below listed teams, please feel free to put them in touch with me or pass on my contact information to them. Cokie Lepinski coaches@pacificmasters.org or swimnut@mac.com.

Unrepresented Team	Miscellaneous
1. Ellis Electric Eels EEE	5 registered swimmers. Emailed Michelle Lewis 3-19 and 3-23
2. Fremont Glenmoor Masters FGM	43 registered members. Emailed Dave Correia and called, left message 4-9
3. Fog City Masters FOG	38 registered swimmers. Emailed Diane Davis 3-15, 3-23
4. Hanford YMCA Masters HYM	8 registered swimmers. Emailed Jim Shoemaker 3-19, 3-23
5. City of Morgan Hill Masters MHSC	14 registered swimmers, emailed Jolie Hunter, 3-19 and 3-23
6. Santa Clara University Swimming SCUS	12 registered swimmers, emailed Whitney Anderson 3-23 and 4-9
7. SF Rec & Park Masters SFRP	6 registered swimmers, emailed Lin Joe 3-23, & 4-9
8. San Rafael Aquatics Teams SRAT	11 registered swimmers. Email sent to Denise Schwendener 4-9 (swimmer) and Phil Di Girolamo 3-23 (listed contact)
9. Univ of the Pacific Masters UOPM	4 registered swimmers. Emailed Megan Thompson 3-23 and 4-9
10. Scotia Swim Team SST	67 registered swimmers. Kirk Cesaretti? Emailed and phoned, left msg 4-15-10.

SWIMFEST '10. The 142 coaches I have in the database were all notified about SwimFest '10 and the sponsorships available to them as Pacific Masters coaches. As of April 14th, 23 Pac Masters coaches are registered, representing 19 teams. Two other teams hope to send a coach or assistant coach and will let us know if they plan to register. All who have registered have been given the reimbursement form that spells out what will be reimbursed at the conclusion of the clinic ("reasonable airfare" or mileage if driving at 50-cents per mile; hotel room covered if shared with another coach or 50% of the hotel room covered if staying solo or with family/friend) along with what receipts to provide and how to turn in the form.

SwimFest '10 Tracking				Registered SwimFest
	Team	Coach	Position	
1.	Temescal Aquatic Masters	Karin Hurley	Head Coach	Y

2.	Temescal Aquatic Masters	Monica Haddad	Asst Coach	Y
3.	Santa Rosa Masters	Hermine Terhorst	Head Coach	Y
4.	Manatee Aquatic Masters	Margaret Thompson	Asst Coach	Y
5.	Loch Ness Masters	Patricia LaSalle	Asst Coach	Y
6.	St Helena Masters Swimming	Kevin Twohey	Head Coach	Y
7.	Yuba City Masters	Merry Finch	Head Coach	Y
8.	Menlo Masters	Rick Peterson	Asst Coach	Y
9.	Marin Pirates Masters	Cokie Lepinski	Head Coach	Y
10.	Chico Masters	Regina Brittingham	Asst Coach	Y
11.	San Mateo Master Marlins	Scott Williams	Head Coach	Y
12.	El Cerrito Aquatic Masters	Claire Lavery	Asst Coach	Y
13.	Mountain View Masters	Jody Smith	Head Coach	Y
14.	Open H2O	Morgan Filler	Head Coach	Y
15.	Sierra Nevada Masters	Steve Lintz	Head Coach	Y
16.	Strawberry Canyon Aquatic Masters	Patricia Robak	Asst Coach	Y
17.	Sac Masters	Mark Blagdon	Asst Coach	Y
18.	Modesto Area Aquatic Masters	<i>tba</i>	Asst Coach	
19.	Rocklin Aquatics Masters Swimming	<i>tba</i>	Asst Coach	
20.	Fig Garden (also Asst Coach Clovis)	Jay Christiansen	Head Coach	Y
21.	Tuolumne County Aquatic Masters	Patti Scott-Baier	Asst Coach	Y
22.	Tuolumne County Aquatic Masters	Dave Fairfield	Asst Coach	Y
23.	Tuolumne County Aquatic Masters	Jon Miguel	Asst Coach	Y
24.	Peninsula Covenant Aquatic Masters	Mike Lynch	Head Coach	Y
25.	Peninsula Covenant Aquatic Masters	Tom Neuhold-Huber	Asst Coach	Y

Registration – Nancy Ridout

We have registered 8,151 swimmers and 119 clubs as of 4/21/10. Our past membership totals for this point in time include: 7,639 swimmers & 119 clubs as of 4/15/09; 6,643 swimmers & 116 clubs as of 3/31/08; 6,627 as of 4/4/07; 6492 & 108 as of 4/15/06; 6068 & 99 as of 4/13/05; 6420 & 99 as of 4/10/04; 6990 & 106 as of 4/7/03; 7620 & 108 as of 4/21/02; 7129 & 113 as of 4/19/01; 6801 & 108 as of 4/14/00; 6780 @ 98 as of 4/28/99; 6263 & 98 as of 4/16/98; 5904 & 97 as of 4/18/97; 5853 & 100 as of 4/24/96; 5194 & 83 as of 4/20/95; 5112 & 85 as of 4/22/94; 4645 & 84 as of 4/16/93; 4545 & 75 as of 4/22/92. Our membership is up even though the paper renewal invoices have yet to be mailed.

A check has been sent to Beyond Words for sending out 4500 renewals through the mail to those 2009 members who haven't yet renewed for 2010. They should be mailed very soon.

Top Ten and Records – Nancy Ridout

The 2009 Swimmer of the Year awards were ordered, along with the 2010 Service Awards, and were presented at the SC Championships last weekend. Letters of congratulations were sent to each recipient indicating the award they had won and when it would be presented.

All short course individual and relay records have been imported into the Hy Tek program.

Open Water – Glenda Carroll, no report

Scheduling – Marcia Benjamin, no report

Officials – John King, no report

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

Newsletter - The next newsletter deadline is May 6 for the July-August issue.

Web Master – no report

Fitness – Linda Shoenberger, no report

Marketing/Publications – Bill Grohe, no report

Ad Hoc Facilities – Joan Alexander

The May meeting will be held at the Community Center. The **July** meeting will be in the classroom at Heather Farm.

Health & Safety – TBD, no report

Equipment – TBD, no report

New Award Proposal – Nancy Ridout
Tabled to May meeting.

New Business