

**Masters Swimming Ontario
Board of Directors Meeting
Saturday, October 26, 2002
Wayne Gretzky Centre, Brantford, ON, Noon**

Please post the minutes for club members' information.

PRESENT

Board Members

Ralph Chown Mary Brinklow Darlene Brown Claus Koch
Charlie Lane Shona MacLachlan Lesley Mason-Ward Sue Weir

Support

Brian Croker – Registrar; Heather Davies – Secretary; Barrie Malloch – Webmaster

Absent with Regrets

Guests

Geoff Camp, Chris Smith, Michael Stroud

1. CALL TO ORDER

Ralph Chown, acting as chair, called the meeting to order at 12.10pm.

2. WELCOME TO GUESTS

Ralph welcomed the three guests.

3. ACCEPTANCE OF AGENDA

- I. Three items, time permitting were added to the agenda;
- nominations for the AGM
 - clinics
 - the SNC meeting in Halifax

MOTION: Charlie Lane/Sue Weir

To adopt the agenda as amended

CARRIED

4. CORRECTIONS AND ACCEPTANCE OF MINUTES OF September 22, 2002

- I. Some minor typographic errors were corrected.

MOTION: Lesley Mason-Ward/Darlene Brown

To adopt the minutes as amended

CARRIED

5. Business arising from the minutes not covered elsewhere on the agenda

None, for now; perhaps later, time permitting.

6. COMMITTEE REPORTS

A) REGISTRAR'S REPORT BRIAN CROKER

- I. Stats:

As of October 25, 2002	
Number of Clubs:	44
Number of Club Swimmers:	796
Number of Unattached Swimmers:	18
Total number of registered swimmers:	818
Mail Memberships:	7
Honorary Members:	3

- II. Brian noted the following:
 - Out of 818 swimmers
 - 582 are returning swimmers
 - 67 are returning after one or more years away from Masters
 - 169 are new swimmers
- III. Also, Vaughan has returned as a club this year.

B) INSURANCE: CLAUS KOCH

- I. The assumed number of swimmers used for the 2001-2002 season's insurance, now needs to be "topped up" to the actual number of swimmers registered. There will be an invoice coming for the 2002-2003 season, plus this "top up". The invoice will most likely reflect a 20% increase (to \$2.40/swimmer) coming as of December 1, 2002.
- II. A condensed version of the policy will be posted to the Website after clarification of a few items.
- III. Claus has received a verbal assurance that sanction is not an issue for our insurer. Our coverage extends to any event "organized" by MSO and/or its affiliates. The extent of this coverage will be one of the items clarified. Claus will request this assurance in writing.

C) FINANCE TREASURER – TEMPORARY – DARLENE BROWN

- I. Darlene presented an updated profit and loss statement that shows a loss. This is normal for this time of year as most of MSO's income, (registrations), has not been received yet. She also presented an updated balance sheet.

D) SWIM ONTARIO REPRESENTATIVE: CLAUS KOCH

- I. At the Swim Ontario strategic planning meeting, a plan to develop a swim centre in Toronto was introduced. Claus thinks MSO should think of ways to be involved and perhaps support this plan.
- II. Claus has copies of the Swim Ontario planned budget and financials as of October 31, 2002 and will distribute them to the Directors
- III. The Federal Government is introducing a new Sports Policy.

E) SWIM ONTARIO NEGOTIATION COMMITTEE: SHONA MACLACHLAN

- I. Ralph began this section with a recap of what has happened with Swim Ontario so far.
 - i. Before 2001, Masters Swimming Ontario paid a fee of \$2.80 /swimmer to Swim Ontario, of which \$1.94 covered insurance. In 2001, MSO purchased its own insurance that came into effect December 1, 2001 and as a result stopped paying Swim Ontario
 - ii. In November 2001, Swim Ontario introduced a fee of \$1.00/swimmer and sent a "draft" invoice to MSO.
 - iii. In January 2002, Swim Ontario sent an invoice of \$1.00/ swimmer
 - iv. MSO invited Swim Ontario to the February MSO Board meeting. Three members attended. At this meeting, Bill Thomas, President of Swim Ontario stated that the fee was for "access to their officials" and "right of sanction." After this meeting, Swim Ontario sent MSO an invoice for \$2.00/swimmer plus interest.
 - v. An informal meeting with the presidents of Swim Ontario, SNC, MSC and MSO was held in Ottawa. At that meeting Geoff Camp expressed his concern that the \$2.00/swimmer fee reflects 20% of MSO's net operating budget.
 - vi. In March, Swim Ontario announced that if MSO did not pay their invoice before Provincials, meet sanction would be withheld.
 - vii. In April, on the Saturday of Provincials, the MSO Board held a special meeting and agreed to pay Swim Ontario a voluntary amount of \$0.86/swimmer. This amount reflects the difference between the total amount and the insurance portion paid by MSO in 2001 to Swim Ontario. This amount was paid to Swim Ontario and in the transmittal letter a meeting was requested to discuss the situation. There was no response from Swim Ontario.

- viii. At the May MSO Board meeting, a Swim Ontario Negotiation Committee was set up.
- ix. In June, a notice was sent to Swim Ontario advising them of the creation of the committee and again requesting a meeting with Swim Ontario. Again, no response.
- x. On September 4, Shona MacLachlan, chair of the negotiating committee, again requested a meeting with Bill Thomas, President of Swim Ontario.

II. Here Shona took over;

- i. Bill Thomas of Swim Ontario responded on September 12 as follows:
 - o there will be no meeting until the outstanding invoice for 2001/2002 and a soon to be sent invoice for 2002/2003 is paid
 - o payment of invoices is not optional or voluntary
 - o if both invoices are not paid by November 1, all meet sanctions will be withdrawn
- ii. At the September 22 MSO Board meeting, the Board requested clarification on the following points. If Swim Ontario sanctioning is withdrawn:
 - o would National records set at MSO sanctioned meets still stand?
 - o would MSO's insurance still be valid for events?
 - o would officials still be available for MSO meets?

III. At this point, Shona turned the floor over to Geoff Camp, President of Masters Swimming Canada, to respond to the question, Would National Records still stand? Geoff's written response to the Board is as follows:

*Ralph Chown
President,*

*November 5, 2002
Toronto, Ontario*

Masters Swimming Ontario

Ralph:

I acknowledge your request for an opinion on continuing recognition of sanction of Ontario masters swimming competition. Although it appears that you and your Board have made every effort to negotiate with Swim Ontario, they seem unable or unwilling to come to the table, or even to evince interest in your point of view. The President of SNC, Rob Colburn, and I had agreed early on in this discussion to keep our distance and let what was a provincial issue work its course.

However, as President of MSC I have a responsibility to all masters swimmers in the country, and as such I have consulted with the Chair of the Rules committee (Michael Stroud), the MSC statistician, (Christian Berger), the MSC rulebook and all my experience with other National and International rules. The results of these consultations are as follows:

1. The current version of the MSC rulebook accepts only those swims attained in sanctioned competition for records and top 10. Sanction is obtained "according to the procedures established in their province." Since sanction covers safety, insurance, pool length, standard officiating, agreed rules of conduct, and other such administrative requirements, and these will not change through actions of Swim Ontario, MSO will not materially change anything in the process that would affect recognition of sanction by MSC. Under the current rules, sanction would continue to be recognised by MSC.

2. Christian Berger as statistician has indicated that he will continue to recognise swims at Ontario meets sanctioned by MSO for records and top 10, so long as the material requirements for sanction do not change.

3. Other countries, notably the US, in the USMS rulebook, provide for recognition of times swum in competitions other than sanctioned. Article

105.1.1 (2002 USMS Rulebook, page 45) allows recognition of times from “sanctioned meets or recognised events.” This continues to permit USMS to recognise as National records (and pass on for world recognition) times swum in events not sanctioned by the local jurisdiction but recognised as approved by USMS. (ie World Police and Firemen’s Games, where not all competitors are registered masters swimmers, preventing sanction, but where in all administrative respects the competition meets sanctioning requirements). Michael Stroud has indicated that he and his committee are considering a similar provision for the next MSC rulebook.

4. In any event, provision of certified officials is paramount, as they form the backbone of assurance of standards in meet conduct. Regardless of the outcome of your discussions, you must ensure that SNC-certified officials are on deck and officiating. Without their presence, sanction is jeopardised. I strongly suggest that you reach written agreement with the Officials’ organisation in Ontario of their continued support.

I hope that this answers your questions, and wish you success in your efforts to support and grow the sport of Masters Swimming in Ontario.

Regards,

Geoff Camp
President
Masters Swimming Canada

Geoff also noted that MSC is categorized as a “special interest membership” by SNC and that SNC therefore has the option of not renewing the membership of MSC

- IV. Next, Claus Koch spoke to the question of valid insurance. MSO’s insurance is definitely valid independent of Swim Ontario. Sanction is not mentioned in our insurance policy. Claus will request a specific letter to this effect from the insurer.
- V. Chris Smith of the Ontario Swimming Officials’ Association addressed the question of availability of officials. Chris’s opinion is that while there is dissention, the majority of the high level officials are themselves dissatisfied with Swim Ontario, and tend to support MSO. Chris feels that given the officials are volunteers and that there is a growing shortage of high level officials, Swim Ontario would not have any leverage to force them to disassociate with MSO.
- VI. Shona took the floor again.
 - i. By October 15, 2002 the committee had all its options reviewed and ready.
 - ii. On October 22, 2002, Chris Smith of the OSOA sent a letter to Swim Ontario which prompted the call, by Swim Ontario, for a teleconference on October 24. The call included, Bill Thomas, President of Swim Ontario, Lea Bredschneider, Executive Director of Swim Ontario, Shona **MacLachlan**, Chair of the MSO Swim Ontario Negotiation Committee, Ralph Chown, **President of MSO, and committee member**, Claus Koch. Highlights of the call included:

The MSO committee tried to explain that it is *NOT* the money that is the issue. *It is the process (or lack of) and how MSO has been treated.*

Finally, Bill Thomas declared that *if* MSO paid the remaining unpaid portion of \$3,425.28 due for 2001-2002, Swim Ontario will postpone its deadline of November 1 to give the MSO Board time to go to its membership at the AGM on December 15, 2002. *IF* on December 15, MSO develops a “reasonable payment plan” for the \$5,998.42 for the 2002-2003 season, Swim Ontario will remove the threat of removal of sanction. Lea Bredschneider is willing to meet with the committee after November 1 if the remaining \$3,425.28 is paid. It is to be noted that *at no time* has Swim Ontario ever agreed to commit to writing what these fees are for.

- IV. The committee presented its two recommendations following all of this:

1. That MSO pay nothing, noting that Swim Ontario has said it will immediately advise SNC of its removal of sanction from Masters Swimming Ontario.
2. That MSO a) pay the remaining unpaid portion of \$3,425.28, "for past services" (the 2001-2002 season) and b) go to the membership at the AGM and come up with a plan there.

MOTION: Shona MacLachlan/Charlie Lane

The board authorizes payment of the mandated Swim Ontario affiliation fee for the 2001-2002 season as invoiced at \$3,425.28 on or before November 1, 2002.

This payment does not recognize the legitimacy of the fee, but only the ability of Swim Ontario to impose fees for affiliation.

For: Charlie Lane, Claus Koch, Mary Brinklow, Sue Weir, Ralph Chown, Lesley Mason-Ward, Shona MacLachlan

Opposed: Darlene Brown

Abstentions: none

CARRIED

MOTION: Ralph Chown/Shona MacLachlan

The MSO Board requests that the President of Masters Swimming Canada clarify the requirements of affiliation with Swimming Natation Canada (SNC), through Swim Ontario, for FINA recognition.

CARRIED

- V. The committee will send out two letters. One will go to all the club contacts to advise them of this important issue at the AGM. The letter will urge them to attend and vote or send in their proxy vote. The other will go to each member, describing the history of this situation, **outlining what sanctioning is and** the need for an increase in fees and urging them to talk to their club contact and/or attend the meeting.

F) COMPETITION: CHARLIE LANE

- I. Charlie has received four new meet applications for sanction; Variety Village for November 9, 1000 Islands for December 1, Alderwood for January 26, 2003 and St. Marys for September 7, 2003.
- II. He has not yet sanctioned the North York Gators Pentathlon as they have yet to get a referee
- III. He reported on the Provincials draft package. **NOTE:** the 2003 Provincials will not be seeded by gender. The meet will be swum doubled-ended, with mixed gender heats, odd-numbered heats at one end of the pool and even-numbered heats at the other. Events will not proceed until all heats in the previous event have been swum. The meet will be swum in seven lanes with lane eight, double lane-marked and available for continuous warm-up and cool down. Some minor changes were recommended for the package.

MOTION: Charlie Lane/Mary Brinklow

The MSO Board approved the OSOA 2003 Provincial Meet Package with the suggested amendments and sanction the 2003 Ontario Masters Championship, Ottawa, ON, April 4,5,6, 2003.

CARRIED

G) COMMUNICATIONS: RALPH CHOWN for CLAUS KOCH

- I. Ralph requested a clarification on the minutes procedure as follows:
 - i. Draft 1 of the minutes will go out to the Board within one week of a meeting; comments must be received by the secretary within one week.
 - ii. Draft 2 will then be posted to the web and the registrar will advise clubs of the posting
 - iii. A response form will be included with the minutes
- II. Barrie will check on the whereabouts of the still-missing minutes from 2001 – 2002.

7. OTHER BUSINESS

A) Swimming Natation Canada meeting in Halifax GEOFF CAMP

- I. With time running out on the room rental, Geoff requested time to report on the SNC meeting. At the meeting, the subject of the Swim Ontario/MSO situation was raised and the president of SNC stated that this was a "provincial issue" and not for SNC.

8. NEXT MEETING

AGM, Douglas Snow Aquatic Centre, North York on December 15, 2002.

ADJOURNMENT

MOTION: Mary Brinklow/Lesley Mason-Ward
To adjourn the meeting at 4.10 p.m.

CARRIED

Please send your comments and/or opinions on the minutes to:

Brian Croker, Registrar Masters Swimming Ontario
msoreg@sentex.net