

USA SWIMMING BOARD OF DIRECTORS

January 21-22, 2005
Colorado Springs, Colorado

Minutes

1 **CALL TO ORDER**

2 USA Swimming President Ron Van Pool called the meeting to order at 5:45 p.m. on
3 Friday, January 21, 2005 at the Doubletree World Arena Hotel with the following in
4 attendance:

5
6 **Board of Directors and Ex-Officio:** Lindsay Benko, Wayne Burrow, Peter Carney, Ed
7 Dellert, Duffy Dillon, Tom Dolan, Pete Gannon, Jeff Gudman, Ted Haartz, Bryan Jones,
8 Michael Lawrence, Vicki Marsh, Bill Maxson, Dan McAllen, Arlene McDonald, Eric Nelson,
9 Dale Neuburger, Jason Prince, Jamie Rauch, Jim Ryan, Linda Riker, Mike Saltzstein,
10 Leanne Spletzer, Trent Staley, Mary Jo Swalley, Ron Van Pool, Tom Wilkens, Jim Wood.

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12 **Board Members and Ex-Officio Not Present:** Sandy Baldwin, Janet Evans, Julie
13 Gorman, John Kinney, Wells O'Brien, Ross Wales, Carol Zaleski.

14
15 **USA Swimming Staff Members:** Brenda Adams, Tom Avischious, John Burbidge,
16 Carol Burch, Rod Davis, Cathy Durance, Ruth Flint, Rowdy Gaines, Jim Harvey, Larry
17 Herr, Pat Hogan, Ira Klein, Candi McConaugha, John McIlhargy, Stacy Michael, Peter
18 O'Neill, Kathy Parker, Dave Thomas, Everett Uchiyama, John Walker, Chuck Wielgus.

19
20 **Guests:** Sandi Blumit, Lynn Wetmore, Rich Young - Legal Counsel. General Chairs and
21 Committee Chairs were also in attendance.

22
23 Ron Van Pool welcomed the General Chairs, Committee Chairs, and guests present for
24 this meeting.

25
26 **MOMENT OF SILENCE**

27 A moment of silence was observed for the following individuals:

28 Nick Porter – Montana
29 Teddy Ebersol – New York
30 Belva Wilcox – Missouri Valley, Official
31 Holly Leonard – Receptionist, USA Swimming
32 Ted Burgar – Oregon, Coach
33 Samantha Hatch - San Diego Imperial, Athlete
34 Stephanie Turner – Oregon, Coach at the Multnomah Athletic Club
35 Robert Smiddy - Florida Gold, Athlete

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37 **AGENDA REVIEW**

38 *(Attachment #1)*. The following additions to the agenda were made:

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DECLARATION OF CONFLICT OF INTEREST

"Is any member aware of any conflict of interest (that is, of a personal interest or direct or indirect pecuniary interest) in any matter being considered by this meeting which should now be reported or disclosed or addressed under the USA Swimming Conflict of Interest Policy?"

Tom Wilkens has accepted a position with a company where he will be involved with underwriting Directors and Officers Liability insurance. This may be a conflict of interest when voting on items regarding USSIC.

RECOGNITION OF RECORDS

Mike Saltzstein reported that there were no World or American records set since the last Board meeting, but the following Age Group records were set:

Age Group Records

Girls

11-12 SCY

Chloe Sutton	1000 Free	10:04.22	11/15/2004
Hoover Blue Thunder	1650 Free	16:46.58	12/2/2004

15-16 SCY

Katie Hoff	200 IM	1:56.71	12/17/2004
North Baltimore	400 IM	4:05.62	12/17/2004

Boys

11-12 SCY

Bryan Offutt	1000 Free	9:58.53	11/12/2004
Green Terror Aquatic Club	1650 Free	16:31.65	11/12/2004
	400 IM	4:17.47	12/17/2004

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TREASURER'S REPORT

Peter Carney presented the following items to the Board.

Investment Performance Update

A verbal report was provided on the USA Swimming investment portfolio performance for the year ended December 31, 2004. A summary was received from the financial consultants. All accounts combined earned an 11.81% for the year, and the target that was attempted to exceed was 9.26%; exceeded our target by 2.55%.

Investment Committee Policy Statement Revisions

67 **MOTION:** To approve the investment policy statement with a few minor housekeeping
68 items. Second. **APPROVED.** (Attachment #2)

69

70 **Financial Update**

71 Peter Carney presented the financial statements as of December 31, 2004 and 2003.
72 (Attachment #3)

73

74 **Foundation Financial Statement**

75 Jim Harvey presented the financial report on the USA Swimming Foundation.
76 (Attachment #4).

77

78 **MOTION:** To assist in getting the Foundation up and running, the recommendation is
79 to waive the overhead and required payments to USA Swimming for the first year.
80 Second. **APPROVED.**

81

82 The Foundation by-laws mandate that the Foundation make the offer of payment to
83 USA Swimming, and this Board of Directors can either accept or waive this.

84

85 **Sarbanes-Oxley**

86 The purpose of Sarbanes-Oxley is to assure financial responsibility. Peter Carney
87 suggests that the National Administrative Vice President (Jeff Gudman), Treasurer
88 (Peter Carney), and an athlete (TBD) be a part of the audit committee for a Sarbanes-
89 Oxley type approach. This will be addressed again in May. Ron Van Pool has requested
90 that Bryan Jones, Peter Carney, and Mike Saltzstein discuss this before the next Board
91 of Directors meeting.

92

93 **Certificate of Corporate Resolution**

94 For many years, USA Swimming has provided a cafeteria plan for its employees, which
95 enables child care and out of pocket medical expenses to be paid on a pretax basis.
96 The attached Certificate of Corporate Resolution contains various resolutions to adopt a
97 new plan document in conjunction with a new service provider. The resolution
98 references voluminous plan documents that are available upon request.

99

100 **MOTION:** To approve the resolutions contained in the attached Certificate of
101 Corporate Resolution for the USA Swimming Cafeteria Plan. Second. **APPROVED.**
102 (Attachment 5)

103

104 **IT Upgrade**

105 At the November 2004 Board of Directors' meeting, a request was made by the Board
106 for headquarters staff to come back in January 2005 with a list of SWIMS/web-related
107 items urgently needing attention, and other general fund programs that could be
108 considered for funding with the surplus from the 2004 quadrennial budget.

109

110 Immediately after the November Board meeting, USA Swimming staff created an
111 internal working group to develop a list of items to be considered by the Board. This
112 group included the division directors, along with a technology-related task force with
113 representation from each of our divisions. The headquarters task force consisted of
114 Cathy Durance, Larry Herr, Peter O'Neill, Lindsay Murdock, Tom Avischious, Robb
115 Hinds, and John Burbidge. Before any item could be marked critical, the entire group
116 had to agree on this assessment.

117
118 The goal was to develop and/or fine tune programs that met the criteria outlined by the
119 Board: 1) projects that were necessary; and 2) one-time expenses.

120
121 **MOTION:** *To embrace the recommendations listed. Second. (Attachment #6)*

122
123 **MOTION:** *That the Board of Directors approve the funding for the critical priority*
124 *programs and projects. Second. **APPROVED.** (Attachment #7)*

125
126 **MOTION:** *To authorize the Executive Director to make use of up to \$500,000 for the*
127 *high priority items identified on the high priority and projects list (Attachment #8) or*
128 *directly related to implementing these items that he and the USA Swimming Senior Staff*
129 *determine. Second. **APPROVED BY COUNT.***

130
131 If a higher monetary amount is determined to be needed, this would be brought back
132 to the Board for additional approval. It will not be necessary to bring the projects back
133 to the Board for prior approval.

134 135 **NATIONAL ADMINISTRATION**

136 Jeff Gudman submitted a written report. *(Attachment #9).*

137
138 Jeff asked that USAS Convention input be given to Cathy Durance by February 20,
139 2005.

140 141 **ATHLETES EXECUTIVE COMMITTEE**

142 Bryan Jones reported on the difficulty in getting athletes involved with the committees,
143 and with submitting reports. The Athletes Executive Committee are attempting to work
144 on this issue.

145
146 The AEC has been working with Jim Wood, and Everett Uchiyama on financial details
147 involving the athlete programs.

148 149 **TECHNICAL**

150 Jim Wood asked if there is an official USA Swimming comment concerning the fact that
151 FINA has pulled the 2005 World Championships from Montreal. Our official comment is,
152 "We have no comment and are waiting to hear."

153 FINA is going through a shortened bid process. The assurance is that the event will
154 take place and will be on the same dates (July 17-31, 2005).

155

156 **PROGRAM OPERATIONS**

157 Mike Saltzstein submitted a written report. (*Attachment #10*)

158 **CENTRAL ZONE**

159 Arlene McDonald and Eric Nelson submitted a written report. (*Attachment #11*)

160

161 **EASTERN ZONE**

162 Ed Dellert and Pete Gannon submitted a written report. (*Attachment #12*)

163

164 **SOUTHERN ZONE**

165 Duffy Dillon and Dan McAllen submitted a written report. (*Attachment #13*)

166

167 **WESTERN ZONE**

168 Vicki Marsh and John Kinney submitted a written report. (*Attachment #14*)

169

170 Alaska has vacated their bid for the 2006 Western Zone Swimming Championship Meet.

171 There will be a conference call among the Zone Officers, the General Chairs of the

172 Western Zone LSCs, and the Zone Meet Officials during the week of January 31 and

173 February 4, 2005 to discuss this issue.

174

175 **NCAA**

176 Wayne Burrow reported verbally to the Board. The NCAA group is beginning to view

177 the sport of swimming on a professional level and will research club swimming

178 internationally.

179

180 On the FINA bib issue, the NCAA legislative group is against this and will continue to

181 meet on this subject.

182

183 **YMCA**

184 Ron Van Pool officially welcomed Jim Ryan to the Board of Directors. During the

185 morning of Friday, January 21, a group of representatives from the YMCA met at USA

186 Swimming headquarters with Chuck Wielgus and Ron Van Pool:

187 Jeff Allen OIOC YMCA Representative

188 John Mendell Rules and Regulations Committee YMCA Representative

189 Augie Mendoza Associate Director of Sports, YMCA of the USA

190 Jim Ryan USA Swimming Board of Directors YMCA Representative

191

192 The YMCA is committed to working with USA Swimming.

193

194

195

196 **FINA BUREAU**

197 Dale Neuburger reported verbally on FINA's decision to move the World Championships
198 from Montreal. A decision will be made on a new location by February 15. Hotel
199 deposits will be returned. Additional funds for travel will now be needed, presuming
200 that the location for this event will be further away.

201
202 **MOTION:** *The USA Swimming Board of Directors authorizes the USA Swimming*
203 *Executive Committee to determine the additional amount needed to send a team to the*
204 *2005 World Championships. Second. APPROVED.*

205
206 **FINA PRESS COMMISSION**

207 Gregory Eggert submitted a written report. (*Attachment #15*)

208
209 **USOC**

210 Bryan Jones reported that the USOC AAC will be meeting next weekend in Colorado
211 Springs, and electing the AAC Board of Directors. Mark Henderson, the past USA
212 Swimming AAC representative is running for the chair position.

213
214 The Liaison to the USOC Board has been chosen, Chris Duplanty. Chris has indicated
215 that it has yet to be determined when the USOC Assembly will meet; will probably not
216 be in March as originally scheduled.

217
218 **USOC / NCAA TASK FORCE**

219 Chuck Wielgus is a member of this task force. This initiative was started late last
220 summer, as the result of many discussions over the last few years. The NCAA and the
221 United States Olympic Committee each appointed representatives to the task force to
222 be charged with the mission of determining recommendations to help preserve and
223 perpetuate Olympic sports programs. The task force is to present its final report with
224 its recommendations next September.

225
226 The NCAA representatives have brought an extremely high level of commitment to the
227 table with high level executive involvement. The enthusiasm effort from the USOC side
228 is a little disappointing. There seems to be a lack of recognition from the USOC of what
229 the opportunities can be.

230
231 **USA SWIMMING FOUNDATION**

232 Ron Van Pool recapped the Foundation meeting that occurred on Monday, January 17
233 in Colorado Springs. (*Attachment #16*)

234
235 Lindsay Benko commented that all of the awards given at the Golden Goggle Awards,
236 except one, were based on performance. She feels it is important that other awards be
237 given that are not necessarily performance based. Chuck Wielgus clarified that 7
238 awards were performance based and 3 were impact awards. There is the opportunity
239 to present recommendations.

240 The Foundation Board will participate in a conference call March 7. A business plan will
241 be created. The Foundation President (Susan Keating) will present to this Board at a
242 future meeting (May or September).

243

244 **USADA**

245 Annette Salmeen will now be serving on the USADA Board as an athlete representative.
246 Bryan Jones reported that Mark Henderson was co-chairing the committee to find an
247 athlete representative and he had put forth Annette's name.

248

249 **MALES IN SWIMMING**

250 Pat Hogan reported that this task force was established 12 months ago. The task force
251 is entering into the final stages. A report will soon be submitted. Also being submitted
252 will be a separate document that will be an implementation handbook to outline specific
253 ideas.

254

255 **BACKGROUND CHECKS**

256 Mike Saltzstein reported that the background checks pilot project is complete. Murray
257 Stephens was chairing this project. The pilot program took place in Florida, with
258 approximately 80 people volunteering to participate. Out of those 80, only about 49
259 submitted fingerprint cards. Need to ask those participating what the process was like.
260 Will look into other options besides fingerprinting and will also get input for other
261 organizations to see what they are doing.

262

263 A letter was submitted to the USOC with the suggestion that a Background Checks
264 policy be implemented. The letter was sent in October and responded to last week.

265

266 **LEGAL REVIEW**

267 A group consisting of Wells O'Brien, Ross Wales, and Barney Favaro has met via
268 conference call. One of the items being discussed is the utilization of outside legal
269 counsel. Barney has been asked to describe the role of the Secretary / General
270 Counsel.

271

272 **TASK FORCES - BOARD APPROVAL**

273 **MOTION:** *To approve the formation of the following five task forces and their*
274 *members. Second. **APPROVED.***

275

Governance - Committees

Julie Bare – Chair

Mark Hesse

Joanne Faucett

Ron Ross

Michael Lawrence

Ross Wales

Kathy Stephens

Jeff Gudman

Arlene McDonald

Mike Saltzstein

Jeff Gudman

Peter Carney

Athletes (2) - TBA

Tom Avischious – Staff Liaison

Governance – House of Delegates

George Breen – Chair
George Block
Bill Schalz
Joy Russell
Richard Pockat
Carol Zaleski
Clint Benton
Jim Wood
Duffy Dillon
Anneliese Eggert
Athletes (2) - TBA
Carol Burch – Staff Liaison

Governance – Board of Directors

John Kinney – Chair
Bryan Jones
Murray Stephens
David Braun
Marci Callan
Bill Maxson
Bob Eisele
Mary Jo Swalley
Eric Nelson
Jim Crampton
Athletes (2) - TBA
Chuck Wielgus – Staff Liaison

Open Water

Mike Saltzstein – Chair
Dave Ferris
Terry Laughlin
Bill Rose
Chris Thompson
Duffy Dillon

McCall Dorr
Steve Munatones
Denny Ryther
Megan Ryther
Rod Davis
Pat Hogan
Everett Uchiyama

Outreach

Bill Maxson – Chair
Tanica Jamison
Alison Terry
Shaun Jordan
Cay Andres
Vanessa Richey – San Antonio Sports Corporation
Matt Ryan – Atlanta Boys & Girls Club
Patrick Escobar – Amateur Athletics Foundation
Yolanda Jackson – Women's Sports Foundation
Peter Westbrook – New York City
Alicia McConnell (USOC)
Don Walker
Peter Maloney
Sue Nelson – Staff Liaison
Pat Hogan

276 **2008 OLYMPIC TRIALS**

277 Chuck reported that five bids have been received for the 2008 Olympic Trials. The
278 deadline has now passed. The bid review committee will be meeting in New York in a
279 couple of weeks to evaluate the bids.

280

281 **FLUME STATUS**

282 The task force is still working on determining various details on decommissioning the
283 Flume; cost involved, etc. The Flume will continue being used in its current capacity
284 through December 31, 2005 and be de-commissioned in January 2006. If anyone
285 would like a copy of the final report submitted by the study group, please notify Kathy
286 Parker.

287

288 **ATHLETE AGREEMENT**

289 This is tentatively scheduled to be addressed in May.

290

291 **CHINA STRATEGY AND FUNDING**

292 Ron Van Pool reported that during the International Relations Committee meeting in
293 September 2004 at USAS, it was suggested that a group be formed to look into the trip
294 to China; hotels, transportation, contacts, etc. John Walker and Everett Uchiyama will
295 be going to Beijing in a few weeks.

296

297 **NATIONAL TEAM HONOR CODE UPDATE**

298 Bryan Jones reported on the National Team honor code update. This is included in the
299 OIOC Section 6 of the policy manual. It has not changed extensively, and would like to
300 continue to work to improve the code. With the need to have an honor code in place
301 for the World University Games and World Championships, would like to offer the
302 following:

303

304 ***MOTION:** To approve this National Team Honor Code for use during the World
305 University Games and World Championships. (Attachment #17). Will continue to work
306 on improving the code, so this will not be the final version. Second. **APPROVED.***

307

308 **RECESS**

309 The Friday session of the meeting was recessed at 8:50 p.m.

310

311 The Executive Committee moved to closed session to discuss the Executive Director's
312 compensation package.

313

314 **SATURDAY CALL TO ORDER**

315 The Saturday, January 22, 2005 USA Swimming session was reconvened at 8:15 a.m.

316

317 **MINUTES**

318 ***MOTION:** To approve the minutes from the September 17-18, 2004 House of
319 Delegates Meeting. Second. **APPROVED.***

320 **MOTION:** To approve the minutes from the September 19, 2004 Board of Directors
321 Meeting. Second. **APPROVED.**

322
323 **MOTION:** To approve the minutes from the November 14, 2004 Board of Directors
324 Meeting. Second. **APPROVED.**

325
326 **LEGAL UPDATE**

327 Rich Young gave a report on current affairs of USADA and WADA. Virtually all of the
328 federations involved in the Olympic movement have signed on with the code, and have
329 adopted rules in relation to the code.

330
331 **FINA BIBS**

332 Ron Van Pool and Chuck Wielgus have both talked to Cornel Marculescu and Mustapha
333 Larfaoui concerning the advertising bibs, and the decision is firm. There may be some
334 opportunity for discussion on what is on the bibs and the size of the advertising.
335 Dale Neuburger suggested that the athletes come up with a proposal to present to FINA
336 for suggestions for use of the funds being raised by the bibs to go back into a program
337 directly related to the athletes.

338
339 The bibs will not be required at the World Cup meets.

340
341 **DISASTER RELIEF FUNDS**

342 Pat Hogan and Dave Thomas have been working with the Southeastern and Florida
343 LSCs to determine what assistance can be given on a temporary basis, to the families
344 affected by the hurricanes, so that members are not lost, and to keep the kids
345 swimming. Each LSC determines their own guidelines for the Outreach Program, so
346 lower registration fees can be offered to these families on a temporary basis.

347
348 **STRATEGIC ISSUE DISCUSSION ACTION PLANS 2005 – 2008**

349 A Power Point presentation was made by the Division Directors (*Attachment #18*)

350
351 Overview of Planning Process & Philosophy, Chuck Wielgus
352 Build – Club Development, Pat Hogan
353 Promote – Business Development / Events, Rod Davis
354 Achieve – National Team, Everett Uchiyama
355 Business Operations & Member Services, Carol Burch presented for Mike Unger
356 Financial Affairs, Jim Harvey
357 Fundraising and Alumni Affairs, Rowdy Gaines

358
359 Chuck Wielgus submitted a written report to the Board. (*Attachment #19*)

360
361 **FACILITY LICENSING / CERTIFICATION**

362 Pat Hogan spoke briefly on this and will be brought back in May.

363

364 **ADJOURN**
365 This meeting was adjourned at 10:10 a.m.

366
367 **RESPECTFULLY SUBMITTED:**

APPROVED BY:

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373 Kathy Parker, Executive Coordinator

Ron Van Pool, President

**The next USA Swimming Board of Directors meeting will take place
April 23-24, 2005 in Colorado Springs, Colorado.
Please have meeting materials to Kathy Parker before April 11.**

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Attachments List
January 21-22, 2005
Board of Directors Meeting
Colorado Springs, Colorado

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Attachment #2 Page 2 – Investment Policy Statement
Attachment #3 Page 3 – Financial Update
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Attachment #5 Page 3 - Certificate of Corporate Resolution
Attachment #6 Page 4 – Memo Detailing Board Request for Programs
Attachment #7 Page 4 – Critical Priority Programs and Projects
Attachment #8 Page 4 – High Priority Programs and Projects
Attachment #9 Page 4 – National Administration Report
Attachment #10 Page 5 - Program Operations Report
Attachment #11 Page 5 – Central Zone Report
Attachment #12 Page 5 – Eastern Zone Report
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Attachment #15 Page 6 – FINA Press Commission Report
Attachment #16 Page 6 – USA Swimming Foundation Meeting Notes
Attachment #17 Page 9 – National Team Honor Code
Attachment #18 Page 10 – Strategic Issue Discussion Action Plans 2005–
2008
Attachment #19 Page 10 – Executive Director’s Report to the Board
Attachment #20 Page 10 – Facilities Development Build a Pool Conference