

**Minutes of the Alberta Chess Association
Red Deer, Alberta
August 24, 2002**

In attendance: President Ron Hinds (RH),
Vice-President Roy Yearwood (RY),
Treasurer Dave Gomboc (DG),
Directors: Arthur Odachowski (AO),
Mark Cole (MC),
Ford Wong (FW),
Tom McKay (TM),
Alex Kazakevich (AK)
Invited Guest Walter Watson (WW), Chairman of Conduct Committee and acting
"Rules of Order" advisor.

Ford Wong volunteered to record the minutes.

Note: DG was not at first allowed to participate as he was not a board member.

Meeting was called to Order by RH.

1. ADOPTION OF PREVIOUS MINUTES of JULY 6, 2002.

The following amendments were approved for the minutes of the JULY 6, 2002 board meeting:

FW had the following changes:

Page 4, Paragraph 4 should read as "Ford Wong recommends . . ." instead of
"Dave Gomboc recommends . . .".

Page 2 Paragraph 4 should read as "Ford Wong mentioned that Alex
Kazakevich . . ." instead of "Alex Kazakevich . . ."

DG had the following changes:

Add the following paragraph to Page 3 between paragraph 8 "The ACA
condemns . . ." and paragraph 9 "Dave Gomboc advises. . .":

Dave Gomboc motions the ACA appoint a conduct committee to
investigate the complaint against VE, further commenting that the two
complaints should be treated separately and this would allow her a
chance to respond to the complaint and that if the motion was successful,
he would make a similar second motion w.r.t JJ. Motion was not
seconded.

Page 3 Paragraph 12 beginning with "Dave advises that the ACA ..." be stricken
from the record.

Add the following paragraph to Page 4 between paragraph 2 "A similar letter . . .
and paragraph 3 "Ford Wong would like . . .":

Dave Gomboc expressed concern that letters sent to persons or
organizations other than VE and JJ, respectively, could be considered
defamatory.

Add the following to Page 4 Paragraph "Roy Yearwood submitted . . .":

Dave Gomboc noted that the tournament had not yet been rated so he
could not do that.

There was discussion between RH and AO as to adding details as to who said what and
what wasn't said, etc (arguments) to the minutes. The issue was dropped when RH said
that this was a meeting of reconciliation and both agreed to drop the issue.

Each of the changes to the minutes were individually voted on and passed.

MOTION: 2002.08.24.1: Accept the minutes of the July 6, 2002 Meeting as changed.
Moved TM seconded MC.
Passed 4 For 2 Abstain. Note: DG did not participate.

2. EMERGENCY BUSINESS: vacated Executive Positions.

There are currently two vacant executive positions on the ACA Board of Directors: Secretary and Treasurer. RH stated that these positions could be filled by appointment of the board or could wait until the AGM. It was decided that filling the vacant Secretary position could wait until the AGM. RH stated that DG ceased to be a normal member 3 months after expiration of his normal membership (i.e. the CFC still considers everyone as a member for three months after their membership changes. Dave became a life member) and was not a member of the association up to the time of his membership renewal since then. DG mentioned that he recently paid his membership dues and was willing to stay Treasurer.

MOTION: 2002.08.24.2: Dave Gomboc be appointed ACA Treasurer effective immediately.
Moved TM seconded MC.
Passed 6 For

DG was welcomed back to the board and joined the meeting. FW questioned the duration of the motion 2002.08.24.2 and whether how long DG was to be Treasurer needed to be specified. WW stated that the bylaws were binding and DG could not serve out a duration beyond the normal term for his position.

3. OLD BUSINESS

This began with RH stating that it was unfortunate that he did not RECUSE himself from a perceived conflict of interest at the last meeting and for not recognizing that fact WW said prior to any discussions that people should always state their conflict of interest and that this does not cut them off from participating in the discussions. RH mentioned that RY could have a conflict of interest due to his business relations with AO, etc.

RH announced that he was going to step down as chair for this part of the meeting and would pass the chair to vice president RY. RY declined. DG was asked and declined. It was decided that WW would become interim chair and took over.

3a. CONDUCT COMMITTEE RESULTS:

Before any discussion got started, AO told that board that he had additional information for the complaint against RH that he wanted to give to the conduct committee. A discussion followed as to whether dealing with the complaints against RH was new business or part of this item and a somewhat lengthy discussion ensued. AO motioned to move agenda item 15 to this point so the board could discuss it here. There was no seconder. With no visible signs of making progress and for the sake of moving on,...

MOTION: 2002.08.24.3: Conduct Committee Agenda Items and action items resulting from recommendations be deferred and dealt with under agenda item 15 new business that will be dedicated to conduct issues.
Moved DG seconded MC.
Passed 4 For 2 Abstain.

WW now passed back the Chair to RH.

3b. ACTION ITEMS RESULTING FROM RECOMMENDATIONS:

This item the agenda was moved to item 15 as per motion 2002.08.24.3 above.

3c. ASRPWF Funding

FW gave a quick review of the meeting with Lynn Horbashenko of ASRPWF and RH, DG, and FW. FW mentioned that prior to the meeting a lengthy questionnaire (two in fact) was completed by DG and himself. Lynn was very impressed with the ACA's Plan which was done by John Quiring. At that meeting, there was some discussion about whether chess was a sport or a recreation. There may be additional funding next year with the closure of the Community Lottery Boards but how ASRPWF plans to allocate additional funding is yet to be decided. As usual there are organizations hoping to get in, etc. Over-all the meeting went quite well.

4. ALBERTA JUNIOR

RH said that he had discussions with Bruce Thomas about concerns they had at the AYCC plus that he was interested in getting junior chess going but he needed information from the ACA. The concerns of the EJCC needed to be addressed. AO stated that his recommendations were not due until end of August.

A lengthy discussion ensued regarding all aspects of the Alberta Junior with plenty of ideas tossed around as to format, time control, etc. The various ideas presented were not included in these minutes.

RH told the board, that the EJCC was willing to host a qualifier on Sept 21/22 weekend. However the board felt that it was improper to change the adopted rules for this year.

During the discussion, it was duly noted that the ACA has no jurisdiction whatsoever over the EJCC and CJCC or any actions within the clubs themselves.

MOTION: 2002.08.24.4: For the Alberta Junior in Subsequent Years:

1. Notification of the event: shall be given in the ACA Webpage, CFC En Passant, Alberta Chess Report and a letter sent to clubs.
2. Format: Six Player Round Robin consisting of two highest finishers from two Qualifiers (A Northern and Southern Qualifier), the Defending Champion and one player from the rating list.
3. To play in the Alberta Junior, players must have 1 and a half participation points. One half participation pt will be awarded from the Qualifiers and one half for playing in "regular ACA weekend events, ECC and CCC club events. No pts will be given for playing in the previous years Alberta Junior.
4. Two qualifiers will be held that are open to anyone. The two qualifiers cannot be held on the same dates.
5. Time Controls: 35/90 Game/30
6. Tie-breaks shall be done first by the Sonneborn-Berger system, then if a tie still remains, the results of the games between the players, then if a tie still remains then coin toss(es).
7. Prize Fund: Travel (airfare, not accommodation) and entry fee to the Canadian Junior up to a maximum that is determined in the budget for that year.
8. Entry Fee: \$10.00 for Qualifying Tournament. \$2.00 for Alberta Junior.

Moved FW seconded AO.

Passed 7 For.

MOTION: 2002.08.24.5: For the 2002 Alberta Junior:

1. Notification of the event: shall be given in the ACA Webpage, CFC En Passant, Alberta Chess Report and a letter sent to clubs.
2. Format: Open

3. Time Controls: 35/90 Game/30
 4. Tie-breaks shall be done first by the Sonneborn-Berger system, then if a tie still remains, the results of the games between the players, then if a tie still remains then coin toss(es).
 5. Prize Fund: Travel (airfare, not accommodation) and entry fee to the Canadian Junior up to a maximum of \$600.00.
 6. Entry Fee: \$10.00
- Moved FW seconded MC.
Passed 7 For.

Responsibilities of Organizer:

- Find and book a tournament site.
- Find a Tournament Director
- Determine details for the event.
- Send written notifications about the event to clubs, etc. Arranges advertising.
- Coordinate expenses with ACA Treasurer.
- Ensure that the tournament equipment (ACA if possible) gets to the site and back.
- Should make appearance at tournament if possible.
- Provides financial statement.

Responsibilities of Tournament Director:

- Is direct representative of the ACA and must be ACA member.
- Collect registrations
- Does pairings, cross tables
- Resolves disputes at tournament.
- Sends in tournament report
- Provides report for Alberta Chess Report.

5. MONTREAL CYCC

DG told the board that the U10, U12, and U14 cheques had been distributed, but that the U16 and U18 had not yet been. DG said he has been in touch with them and they know they need to send in a photocopy of their electronic airline ticket receipt or equivalent, after which their cheques will be sent out.

DG further noted that Chris Gilkinson, the Grade 12 representative, had not yet claimed his Grade 12 travel subsidy, that he contacted the family while Chris was away and was assured Chris would contact him (DG) when he returned, but that this had not yet happened.

There was a discussion about moving the Alberta Junior Chess Championship. AK had a timetable conflict, AK also stated that the website had the wrong date.

MOTION: 2002.08.24.6: Set the Alberta Junior Chess Championship To November 2-3/2002.

Moved AK seconded TM.

Passed 4 For. 2 Against

Note: AK's original vote was disallowed due to conflict of interest.

6. MAPLE LEAF JUNIOR CHESS CLUB

FW told the board that people were trying to start a new club in Brooks Alberta and it seemed like it had a some solid parents backing and had requested help from the ACA. They were looking for a dozen sets, etc. Ford promised them that if successful in getting sets, he would try to get the sets to them (if approved) by the end of August.

MOTION: 2002.08.24.7: ACA lend 12 plastic sets along with cardboard boards to the Maple Leaf Chess Club in Brooks, Alberta.
Moved TM seconded RY.
Passed 7 For.

RH mentioned that ACA members were invited to the opening ceremonies. The 12 chess sets will be taken from those in Vonnie Eng's possession. AO will pick them up on Tuesday night and FW will provide AO with address as to where to send them. AO and RY will ensure that the sets get sent to the Maple Leaf Junior Chess Club. AO asked about whether or not clocks should be provided but it was decided that clocks would not be considered.

7. GOVERNMENT ISSUES

DG read aloud portions of a letter the ACA received from the Alberta Government which indicated that the ACA had not completed appropriate paperwork for neither 2000 nor 2001, and that inattention to these matters would lead to the ACA's dissolution after 6 months. Lists of the boards of directors and financial statements for 2000, 2001, and 2002 are required.

ACTION ITEM: DG will investigate audit requirements and get back to the board.

8. QUALIFYING TOURNAMENTS.

This agenda item was already discussed in a previous item and was skipped.

9. ACR PUBLICATION.

There has been a major concern over lack of ACRs this year. Greg Beebe has been having computer problems and this is one of the reasons why there hasn't been an ACR. RH mentioned that Micah Hughey offered to become ACR Editor for \$150.00 an issue. However, this would depend on his personal commitments as he is going back to school in the fall. AO offered to become Editor. FW stated that he felt that \$150.00 per issue was too much and this would add up in the long run given how tight the ACA budget is. The board felt that \$150.00 per issue was too much and may consider a lower amount like \$100.00 per issue.

ACTION ITEM: RH will talk to Greg Beebe to get a situation update.

10. TD's AT ACA TOURNAMENTS.

The overall feel was that TDs should be ACA members with a chess rating. Experienced TD's should mentor new TDs and inexperienced TDs should not be put directly in charge of a tournament without supervision.

MOTION: 2002.08.24.8: ACA requires its Tournament Directors be CFC and ACA members and have an established rating.
Moved DG seconded AO.
Passed 7 For.

11. ACA FUNDING TO ALBERTA CHESS CLUBS

Discussion revolved around "Do we attach strings when providing funding to clubs". WW felt that there should be some kind of financial accounting from the clubs which the ACA gives money or equipment to. DG noted that the ACA lacked proper inventory control. There was an overall feeling that there should be accountability for equipment and funding. It was felt that this was a complex issue that should be deferred to a committee.

ACTION ITEM: DG will investigate the ACA adopting tighter and stricter inventory controls and provide recommendations.

12. HARASSMENT POLICY (ASRPWF)

RH mentioned that this happens to be a new topic of discussion at the ASRPW and that the ACA was explicitly asked about various kinds of policies. It was mentioned that the ACA does have a code of conduct which is given in the Policies and Guidelines.

MOTION: 2002.08.24.9: ACA strike a committee consisting of Roy Yearwood and Tom Mckay to investigate the creation of Harassment Policy.
Moved RY seconded TM.
Passed 5 For 2 Abstain.

They could look at Government laws and bylaws. TM mentioned that he could supply a copy of his company's harassment policy which could serve as a starting point.

13. ADDRESSING PREVIOUS BUSINESS WHERE NON-MEMBERS WERE PARTICIPANTS

The chair was passed to WW. It was stated that as VE and DG were not ACA members while conducting board business since the 2001 AGM, the validity of decisions made since that time might be called into question. It was proposed that the board should pass a motion as per Grant Brown's suggestion to ratify all such motions made during that time.

MOTION: 2002.08.24.10: Since Dave Gomboc and Vonnie Eng were not ACA members at the time they were elected as Treasurer and Secretary, all board decisions made since the 2001 AGM be ratified.
Moved TM seconded RY.
Passed 6 For 1 Abstain.

The chair was now passed back to RH.

DG stated for the record that "I was not aware of the bylaws with regards to eligibility for election onto the ACA board at the time of the last AGM and I would like to apologize to the ACA for any inconvenience that I may have caused.

The apology was accepted by the board.

14. ALBERTA TOURNAMENT AND EN PASSANT

Discussion centered around coordinating information with En Passant to advertise ACA tournaments. It was felt that there was a lack of information about the ACA in the En Passant and that people may be missing ACA tournaments because the ACA had not been advertising them. DG noted that people from British Columbia and Washington had expressed interest in attending the occasional ACA tournament, but did not know when they were because they were not listed in En Passant or on the CFC's Website.

ACTION ITEM: TM will forward all ACA Tournament information to En Passant.

15. NEW BUSINESS

15a. CONDUCT COMMITTEE RESULTS:

This was the part of 3a. OLD BUSINESS that was moved to here that was discussed previous.

The chair was now passed to WW.

RH reiterated that "It is unfortunate that I did not RECUSE myself and did not realize that there might have been a conflict of interest during proceedings at the last board meeting.

AO mentioned that he had additional information regarding the complaint against RH and gave it to WW and a copy to RH. RH demanded that the additional information be given to him via double registered letter. However, RH refused to return the copy given to him earlier. The secretary was not provided a copy for the records.

There was some discussion about eligibility of board members to be part of the conduct committee as per ACA bylaws but nothing was decided.

RH requested that the part of the meeting regarding any complaints against himself be done in camera (i.e. be recorded). A mini recorder was presented and he stated that this was only to be used for his defense and was not going to be used against anyone. There was discussion regarding who would get a copy of the tape. RH was not willing to give a copy to Roy but was willing to give it to DG. Note: prior to WW making a ruling, RH didn't actually agree to distribute the tape. RH stated that he had the right to defend himself and that the board had no jurisdiction over personal matters between Mr. Odachowski and himself. AO stated his objection to this and expressed his concern that the tape might be used for other purposes. RH commented that he might need the tape if he was slandered.

RH reiterated that RY had a perceived conflict of interest due to other business. RH saw himself in a perceived adversarial position with the board as to who keeps the original recording. Discussion centered around whether the meeting would be recorded and as to how copies of the tape were to be made and who would be in possession of the tape. The situation was a bit confusing.

After some deliberation, WW was about to rule that RH was entitled to tape the meeting, but only under the understandings that a copy of the tape must be provided to the board and that the taping could be used only for defensive purposes with regard to the conduct complaint against RH, in accordance with RH's earlier stated intent. But then he deferred his decision.

RH assured the Board that the tape will be used for defense only but mentioned his concern that it may be needed if he was slandered, that if he felt that his rights as a Canadian Citizen were violated. He mentioned an alternative about a secret meeting.

Walter pointed out that if taping was allowed under the conditions stated, he thought it unlikely that a court would rule the tape as admissible evidence should RH sue for slander. WW said that evidence other than the tape of what was said at the meeting likely would be admissible.

MC mentioned that perhaps the tape was useful to recall conversations and one could possibly remember everything that was said and that some people suffered from short term memory problems such as RH who had earlier stated such.

AO stated that if this was to be an equal playing ground that if people would known in advance that the meeting was to be recorded that they could have brought their own recorders.

At this point, RY suggested that WW give a summary of the findings and recommendations of the conduct committee. This would give people time to think about whether or not the meeting should be recorded, etc. See Appendix A: Conduct Committee findings. A summary of the findings and recommendations by the conduct committee was given by WW.

One of the recommendations from the conduct committee was that a "Board of Inquiry (BOI)" be used to investigate the complaints against Alex Kazakevitch and Ron Hinds. Discussion now

centered around the formation of a BOI. When asked if they were agreeable to a BOI if suitable guidelines were found, both RH and AK declined to comment. The BOI would only work if everyone agrees to the guidelines.

RH stated that he wanted to hear from the board so that he could make an informed decision as to whether or not a BOI would be appropriate (i.e. who is on the committee?). He said that defendants should be aware of any change of procedure which might involve them having a hand on the noose that hangs them.

It was felt that a BOI was a less confrontational approach to addressing the complaints. The consensus was a BOI was the way to go so during the discussion DG undertook writing the following motion which took some time to finalize:

MOTION: 2002.08.24.11: Based on the advice of the previously struck ad-hoc conduct committee, I move that the ACA board appoint an ad-hoc committee consisting of Walter Watson, Grant Brown and Adrien Regimbald to suggest parameters for a board of inquiry, and facilitate negotiations between complainants and complainers of the submitted complaints against Alex Kazakevitch and Dr. Ronald Hinds to establish such a board in lieu of the conduct committee process described in the ACA bylaws. The ad-hoc committee should report back to the board within 30 days so as not to unduly delay resolution of the complaints. If agreement has not been reached by this time, the board of inquiry avenue will be abandoned unless all complainants and complainers express interest in the continuation of negotiations.
Moved DG seconded TM.
Passed 3 For 1 Abstain. 3 Ineligible to vote.

FW proposed a similar motion for discussion instead of or to be added to the end of the above motion. "In light of exceptional circumstances (ineligibility of many board members), the ACA form a conduct committee consisting of Walter Watson, Grant Brown, Adrien Regimbald, Adam Tassone, and Bob Davies to investigate the complaints against Ron Hinds and Alex Kazakevich. FW felt that this could be used as a contingency should the concept of a BOI fail to save time. After some discussion, no interest was given and the idea was dropped.

The board moved on to discuss the complaint against Vonnie Eng and Jovette Joliceur. There was some discussion as to who was eligible to vote on the following motion.

MOTION: 2002.08.24.12: Based on the advice of the ad hoc conduct committee, the ACA rescinds the ultra-vires disciplinary motion against Vonnie Eng and Jovette Joliceur that was passed at the last board meeting and that they be notified of this.
Moved DG seconded TM.
Passed 4 For. 3 ineligible to vote.

Discussion followed regarding what to do about Jovette Joliceur and Vonnie Eng but nothing was decided.

The chair was now passed back to RH.

16. ADJOURNMENT.

MOTION: 2002.08.24.13: Motion to Adjourn.
Moved TM seconded MC.

Passed.