

**Minutes of the Alberta Chess Association
Red Deer, Alberta
November 30th 2002**

Minutes of the Alberta Chess Association Board Meeting, held November 30, 2002
at the G.H. Dawe Centre in Red Deer, Alberta.

In attendance: President Ron Hinds (RH), Treasurer: Dave Gomboc (DG), Secretary: Tom McKay (TM), Directors: Grant Brown (GB), Archie Robertson (AR), Ford Wong (FW), Arthur Odachowski (AO), Webmaster and ACA Membership Secretary; Juraj Pivovarov (JP), Alberta Chess Report Editor: Greg Beebe and guest Riana Hinds.

The meeting was called to order by President Ron Hinds at 11:20 a.m.

1: The minutes of the last ACA Board meeting were discussed, it was suggested that initials be used as there was some confusion between Dave Gomboc and David Ottosen.

Tom McKay moved the minutes of the last ACA Board meeting be accepted. GB seconded and the motion passed.

2: DO moved acceptance of the Agenda. AO seconded and the motion passed.

3: Presidents report: RH advised that according to e-mails Past President David Ottosen and Vice President Micah Hughey would not be attending any ACA Board meetings until the next Annual General Meeting in October 2003. RH appointed FW to be the acting Vice President until Micah Hughey decides to return.

4: Secretaries Report: The secretary read aloud an e-mail complaint against GB received from Nelson Elsheman, the message is pasted below:

443 Riverdale Ave. S.W.
Calgary, Alberta
T2S 0X8

November 14, 2002

The Alberta Chess Association
Box 11839 Main P.O.
Edmonton, Alberta
T5J 3K9

Attention: Mr. Tom McKay, Secretary, Alberta Chess Association

Dear Sirs,

Re: Complaint against grant brown

I am writing to register a complaint against grant brown concerning a profane and derogatory e-mail ("Appendix "A") which he recently sent to my wife, Vonnie Eng, through a family e-mail address which is shared by my wife, myself and my two sons.

In this e-mail, brown as much as called my wife a "vile, nasty bitch" and a "troll", much to our chagrin.

As brown had just served as the Alberta Chess Association Board of Inquiry ("BOI") Chairman when he sent this e-mail and that he has been recently elected as a Director of the Alberta Chess Association ("ACA"), I am calling on the ACA to uphold the same standards for its officials as it

does for other members of the public who use profane and derogatory language in e-mail communications touching on sensitive ACA matters.

As a chess parent subjected to this profanity and unpleasantness, I would ask that brown, as in a recent ACA precedent, be banned from any and all ACA events until the ACA Secretary receives full written apologies from brown addressed individually to Vonnie Eng, Brandon Eshleman and Lucas Eshleman and myself for subjecting us to the profanity and general unpleasantness of this attack. If he had any integrity, he would also resign from the ACA board.

I am requesting that Walter Watson chair any committee which considers this complaint, and that ACA directors brown, Ford Wong and Chairman Ron Hinds be excluded from debating or voting on this complaint because of the potential for bias. Hinds was recently the subject of an acrimonious complaint supported by my wife, and Wong, during the period of his tenure as an ACA director, recently evidenced bias by sending my wife an e-mail in which he indicated she had a "vile personally" (sic) while a complaint concerning my wife was under consideration by an ACA committee but in advance of the actual decision on that matter by the ACA board.

Thank you in advance for the fairness and justice we have come to expect from the ACA .

Nelson Eshleman

This message had previously been forward to the ACA Board members.

5: Treasurers Report: DG advised recently the Alberta Gaming and Liquor Commission agreed to our using Casino funds for Alberta Chess Report expenses, printing, photocopying and mailing. Approval was also given to use Casino funds to purchase chess books to supply 5 rural libraries. FW plans on giving a more detailed request for funding for the 2005 Canadian Open as the AGLC requested more details. GB and FW audited the books and found everything in order. The audit was forwarded to the Alberta Government.

6: Director Vacancy: FW moved we accept Dr. Bill Taylor's offer to fill the vacant Directors position on the ACA Board, (Article 6, part B). AO seconded and the motion passed.

7: FW agreed to act as Vice President until Micah Hughey returns. There were no objections to this.

8: ACR/ACA Website: There was discussion concerning funding ideas about the ACR photocopying expenses etc. DG and FW advised they could not find a store that would accept an ACA cheque to pay for the batteries they purchased for the digital clocks that were recently purchased, so they had to be bought using general revenue funds instead of casino funds. DG to investigate a way to do it. FW moved: The ACA Board authorize Dave Gomboc to do whatever is necessary to facilitate the use of Casino Funds for purposes approved by the AGLC. AR seconded and the motion passed.

9: Discipline: AR advised he wants this issue to die, he does not care who is right and who is wrong. If discussion goes on beyond 30 minutes he will leave the room and play chess.

DG advised the non-board members should leave the room for the discipline issues. A vote was taken and they were asked to leave.

FW took over the chair. The secretary advised letters were sent to Vonnie Eng, Jim Daniluk, Nelson Eshelman, Jovette Jolicoeur and Arthur Odachowski as per motions passed at the last Board Meeting. No letter was sent to Alex Kazakevich because an apology was received from him.

DG moved the secretary write a letter to Alex Kazakevich accepting his apology and thanking him for it. AR seconded and it passed by a vote of 5 - 0.

2 e-mails from Nelson Eshelman dated November 16, 2002 were read aloud by the secretary. They are pasted below:

To the Alberta Chess Association

Attention: Mr. Tom McKay, Secretary, Alberta Chess Association

Dear Sirs,

Thank you for your letter of last week informing me of an ACA motion to ban me from tournament sites.

I object to the motion and take the position that the motion is invalid for the following reasons:

1. The fundamental legal principle of "audi alterum partem" was violated in that I was not formally notified that I was the subject of a complaint and not formally given an opportunity to make representations concerning conduct attributed to me or the extent of any penalty against me;
2. The complaint was in relation to an e-mail which was clearly addressed to grant brown in his personal capacity and not sent to the Alberta Chess Association, therefore it is not a matter within the power of the Alberta Chess Association to consider and is therefore "ultra vires".
3. The ACA Board of Inquiry was also acting beyond its scope as it had been established up to deal with a matter separate from the issue concerning me, therefore its recommendation was "ultra vires". I was neither a subject nor a complainant in relation to that Inquiry.
4. The e-mail in question was critical of grant brown personally because of the inappropriate and highly personal tone of his e-mail communications with my wife and his poor judgement in participating in spreading innuendo concerning the relations between another lady and myself. As such, brown was most certainly biased and should not have been involved in writing any decision or participating on any panel/committee/board which is ruling on an e-mail attributed to me. Moreover, as it is alleged that I was unfairly critical of the processes or integrity of that Board, none of the members of that Board of Inquiry should have been involved in making recommendations concerning conduct attributed to me.

My impression is that the ACA should not be taking on the role of an internet policeman guiding the content of private e-mail communications, but if that is how it chooses to expend its efforts, such enforcement should apply to everyone and cannot be taken without adhering to basic elements of procedural fairness. To this point, the ACA has proved incapable of following this logic and has been willingly blind in ignoring such procedural fairness. I ask that the invalid motion concerning me be formally rescinded at the next ACA board meeting.

Nelson Eshleman

Unfortunately I have lost the other message from Nelson Eshelman where he provided a fifth reason why he feels the ACA motion banning him from tournament sites is invalid. The text reads:

"5. grant brown could not have voted on the motion with impartiality, neutrality or objectivity as he had authored the recommendations considered. He was therefore biased and should have been excluded from the vote. Ford Wong should also have excused himself from the vote on account of the perception of bias in view of unpleasant e-mails which were exchanged between our households immediately prior to the vote. The fact that brown and Wong moved and seconded these motions comes as no surprise.

Thank you for considering this additional point."

AR left the room at 12:45.

There was considerable discussion.

AO moved we rescind the previous motion banning Nelson Eshelman from ACA tournaments. DG seconded.

The motion was ruled out of order as AO was in conflict of interest on the original motion.

GB moved the ACA Board send Nelson Eshelman a letter explaining we took into account his objections when we passed the original motion and our view has not changed. DG is to write the letter. TM seconded and the motion passed with 3 in favor and 2 ineligible.

The complaint against GB was discussed next. GB resigned from the Board at 13:04. A five minute break was called then.

FW does not see any merit in the complaint from Nelson Eshelman so it is dropped.

RH advised he will voluntarily not speak to Brandon Eshelman any more. AO will ask Brandon not to speak to RH any more.

DG moved Tournament players under 18 years old be required to have a chaperone to play in ACA tournaments. There was no seconder.

AR returned to the meeting room.

AR moved: If any parent or guardian banned from ACA tournaments steps into an ACA tournament site, their children will be removed from the tournament and forfeit any games in progress. TM seconded. The motion passed with 3 in favor and 1 opposed.

RH apologized to the ACA Board for the incident at the Southern Alberta Open.

The meeting then had a 15 minute break and was called back to order at 14:02.

The board agreed that the definition of "tournament site" for the purpose of clarity for the previous motion is the tournament room, skittles area and the area between the two.

RH resumed the chair at 14:20.

10: ACA Casino: The dates for the next Casino will be April 21 and 22, 2003 at Casino Calgary. We now need to sign up volunteers.

FW nominated Riana Hinds as our Casino Coordinator for the 2003 Casino in Calgary. AO seconded. Riana accepted. It was voted on with 4 in favor and 1 not paying attention.

FW moved: Riana Hinds be given legal authority to sign casino contracts on behalf of the Alberta Chess Association for the 2003 Casino in Calgary. AO seconded. The motion passed with 4 in favor and 1 opposed.

The Casino documentation must be returned by February 21, 2003. We also have to provide the ALGC a plan for how we are going to be spending the money. Board members are invited to make suggestions.

11: 2004 Canadian Junior Championship: A rumor that Vonnie Eng was organizing the 2004 Canadian Junior Championship Tournament was discussed.

The ACA Board decided not to act on the rumors and wait until we hear something official.

12: Junior Clubs: Bill Taylor in Medicine Hat has sent out chess equipment sets to 11 schools in Medicine Hat so far. The equipment sets include 17 chess school tubes, 1 clock and 1 demo board. He still has 9 more to distribute. He requested 100 extra copies of the most recent Alberta Chess Report, (the one with the Medicine Hat Open article) to distribute to the schools in Medicine Hat.

FW Moved: The ACA give Bill Taylor 100 extra copies of the ACR to distribute to the Medicine Hat schools. AR seconded. The motion was thoroughly discussed and it was passed with 4 in favor and 1 opposed. Greg Beebe is to take care of it.

We now have the Saitek digital clocks to lend to the junior chess clubs. The issue of responsibility for the clocks was discussed.

The 12 that are to be sent to the CJCC have serial numbers SZ2910192, SZ2910334, SZ2910821, SZ2910340, SZ2910831, SZ2910336, SZ2910331, SZ2910848, SZ2910806, SZ2910338, SZ2910799 and SZ2910811.

The 12 that are to be sent to the EJCC have serial numbers SZ2910809, SZ2910332, SZ2910846, SZ2910339, SZ2910832, SZ2910197, SZ2910836, SZ2910335, SZ2910856, SZ2910337, SZ2910211 and SZ2910807.

The other 6 have serial numbers SZ2910833, SZ2910851, SZ2910812, SZ2910835, SZ2910805 and SZ2910857.

13: \$1,500.00 is to be used to purchase chess books for 5 rural libraries. DG is to buy the books and distribute them.

Discussion about possibly aligning the CCC, CJCC and CSCC into one location rented 24/7. Action item to get a meeting between the 3 groups plus DG representing the ACA.

14: FW and RH to finalize ASRPWF questions.

15: Budget: TM moved a budget cap of \$27,000.00 for 2003. FW seconded. The motion passed with 5 in favor and 0 opposed.

16: The 2003 tournament schedule was decided.

January 11 & 12 January Calgary Open in Calgary – JP
January 18 & 19 Trumpeter Classic in Grande Prairie – Phil Lefkowitz
February 22 & 23 Northern Alberta Open in Edmonton – Adrien Reginbald
March 15 & 16 March of Kings in Calgary – AR
April 18 – 20 Alberta Closed in Calgary – John Quiring
April 19 & 20 Alberta Reserves & Women's Championship in Calgary – John Quiring
May 10 & 11 U of A in Edmonton – DG
June 7 Alberta Youth CC in Red Deer – JP/Kim Nguyen
June 28 & 29 Canada Day Open in Calgary – Riana Hinds
July 26 Alberta Active Championship in Edmonton – Greg Beebe
August 16 Battle of Alberta in Red Deer – RH
August 30 & 31 Over/Under 1800 in Calgary – Riana Hinds
September 13 & 14 Medicine Hat Open – Bill Taylor
September 27 & 28 Northern Alberta Junior Qualifier in Edmonton – Greg Beebe
October 4 & 5 Southern Alberta Junior Qualifier in Calgary – AO
October 11 – 13 Alberta Open in Edmonton – FW
November 15 & 16 Southern Alberta Open in Calgary – JP

November 22 & 23 Alberta Junior in Red Deer – JP/Kim Nguyen
December 13 & 14 2 weekends before Christmas in Edmonton – FW

17: New Business: DG moved: The ACA Treasurer will have the responsibility of booking all ACA sites including Board Meeting sites and Tournament Sites. TM seconded and the motion passed.

If a tournament organizer books a site then they will be stuck with the bill.

Riana made known concerns about getting volunteers transportation to the Casino.

DG moved JP be appointed to the vacant ACA Directors position contingent that GB does not reconsider his resignation by the end of 2002. This is only until the next AGM. AO seconded and the motion passed.

FW moved: Juraj Pivovarov and Kim Nguyen be reimbursed \$167.12 in extra expenses for directing the Alberta Junior tournament that was held in Red Deer in November. TM seconded. The matter was discussed and the motion passed with 4 in favor.

DG moved adjournment, AR seconded and the meeting closed at 5:20 p.m.

The next ACA Board meeting will be January 25, 2003.