

DRAFT Minutes
USA Triathlon Board of Directors
Teleconference
December 9, 2013

Board Members Present:

Barrett Brandon
Susan Haag
Jacqueline McCook
Vince O'Brien
Victor Plata
Steven Sexton
Barry Siff
Kevin Smeltzer
Kevin Sullivan
Jack Weiss
Bob Wendling, President
Mike Wien

Staff: Rob Urbach

Guests: Doug Beal, USA Volleyball CEO
Brian Wagner, Managing Director, Sierra Commercial Real Estate Inc.
Andy Schmitz, USAT High Performance General Manager

Call to order at 8:00 p.m. EST

Opening Remarks: Wendling called the meeting to order and stated that we have a full agenda tonight and three guests.

Treasurer's Report – Weiss discussed the financials that were previously distributed to the Board, legal fees related to various litigation matters filed by Sexton of \$88,466 through 11/23/13 and expected to total about \$120,000 for 2013 (compared to total legal fees of \$63,033 in 2012 and \$34,067 in 2011), and his recommendation to take those expenses out of the high performance budget since Sexton was elected to represent the elite athletes. Discussion suspended to accommodate guests' schedules.

New Business:

Building Transaction: Urbach discussed the property assessment's finding that the pavement, roof, windows may need to be repaired or replaced; a proposed \$15K reduction offered by seller to offset those items; the seller's need to complete the transaction before the end of the year for tax reasons. Beal discussed USA Volleyball's smooth and positive experience with the seller a few years ago with a similar transaction that was also brokered by Wagner. Urbach added that

the appraisal was expected today. The anticipated appraisal amount is \$6M, the proposed purchase price is \$3K (all financed, no cash), and the difference between the purchase price and appraised value will be the seller's gift/tax write-off amount.

Motion (by Siff and seconded): To approve the purchase of the building pending an appraisal in excess of \$5M.

Roll Call Vote:

Barrett Brandon	Y
Susan Haag	Y
Vince O'Brien	Y
Jacqueline McCook	Y
Victor Plata	Y
Steven Sexton	A
Barry Siff	Y
Kevin Smeltzer	Y
Kevin Sullivan	Y
Jack Weiss	Y
Mike Wien	Y

Motion passed Y-10, N-0, A-1

Treasurer's Report (cont'd): The discussion concerning the legal fees continued.

Office Update – Urbach advised that the focus for the rest of the year is on the NCAA vote in January, converting non-sanctioning race directors, reaching out to potential Foundation Trustees, features for the new membership build, and next year's Super Sprint Series. Accolades concerning the rankings platform continue to be received. Urbach, with Plata's assistance, selected Jeff Benz to replace Urbach to act as the elections administrator for the balance of the 2013 election. The election administrator agreed to serve and submitted his fee schedule. The Hearing and Appeals Panel appointed to determine Sexton's eligibility to be on the ballot has scheduled the hearing.

Motion (by Sexton and seconded): To approve Urbach and Plata's recommendation to have Jeff Benz take over the role as the elections administrator for the pending election.

Roll Call Vote:

Barrett Brandon	Y
Susan Haag	A
Vince O'Brien	Y
Jacqueline McCook	Y
Victor Plata	Y
Steven Sexton	A

Barry Siff	Y
Kevin Smeltzer	A
Kevin Sullivan	Y
Jack Weiss	N
Bob Wendling, President	Y
Mike Wien	A

Motion passed Y-7, N-1, A-4

8:55 Andy Schmitz joined the meeting

New Business: Schmitz discussed the 2014 Junior PATCO Championship election Criteria, 2014 Youth Olympic Games Athlete Selection Procedures, and 2014 Youth Olympic Games Staff Selection Procedures (attached) and the World Championship Elite Qualification Criteria (attached) and applicable approvals of those documents.

Motion (by Brandon and seconded): To approve the 2014 Junior PATCO Championship election Criteria, 2014 Youth Olympic Games Athlete Selection Procedures, and 2014 Youth Olympic Games Staff Selection Procedures (attached). Approved by unanimous voice vote.

Schmitz discussed the World Championship Elite Qualification Criteria (attached).

Motion (by Sullivan and seconded): To approve the World Championship Elite Qualification Criteria. Approved by unanimous voice vote.

Approval of Minutes:

Motion (by Weiss and seconded): To approve 11/16-17/13 Colorado Springs Minutes. Approved by unanimous voice vote.

New Business

Wendling discussed the draft 2014 USAT Board Meeting Schedule (attached) and invited follow up email discussions between Board members regarding a fourth meeting date.

Unfinished Business

Regional Supplemental Budget Requests: Smeltzer discussed the Regional incremental request documents and issues and confusion raised by them.

Motion: (by Sullivan and seconded): To table further discussion of the Regional incremental funding requests until the next meeting so that the Board can obtain and review the correct supplemental request documents. Approved by unanimous voice vote.

Collegiate Rules Change: Sexton discussed the Collegiate Committee's unanimous vote in favor of the proposal (attached) to remove the 28 year old age restriction. Siff mentioned that NCAA does not have any age limits. The Board also discussed adding a limitation on the number of years of competition and having the Collegiate Committee recommend a limitation on the number of years of competition for the Board to consider at its next meeting.

Motion: (by Sexton and seconded): To approve the Collegiate Committee's recommendation to delete Rule 5.5.3 from the Collegiate Competitive Rules. Approved by unanimous voice vote.

Procedural & Legal Summary: Urbach provided the following summary of 3 cases: Sexton's request for temporary restraining order (denied after 10/10/13 hearing), 11/1/13 preliminary injunction request (denied), access to emails (scheduled for 1/8/14 hearing).

Urbach also advised that Sexton filed a USOC Section 9 Complaint concerning his eligibility to be on the USAT ballot in October.

Motion: (by Siff and seconded) to go into Executive Session. Approved by voice vote.

Before going into Executive Session, Wendling reminded the Board that Executive Sessions are confidential and not recorded.

The Board went into Executive Session at 10:00 p.m. EST and returned from Executive Session at 10:16 p.m.

Motion: (by Weiss and seconded) to adjourn. Approved by unanimous voice vote.

Adjourned at 10:17 p.m. EST