

SOUTH TEXAS SWIMMING, INC.
HOUSE OF DELEGATES MEETING

Meeting Minutes-----Saturday, July 11, 2009-----
Palo Alto Natatorium, San Antonio, TX

MEETING CALLED TO ORDER by Frank Swigon, General Chairman at 11:30 AM

TEAMS PRESENT: AAAA, MSC, CBA, BEAT, WFLY, CPS, GOLD, SASA, PFST, CISD, HSC, CCA

APPROVAL OF MINUTES: Frank Swigon

The minutes from the February, 21, 2009 HOD Meeting have been posted to the South Texas website. A motion was made and seconded to accept the minutes as written. The motion was approved.

REPORTS OR OFFICERS AND DIRECTORS: Frank Swigon

Nominating Committee: Per our bylaws, Frank has contacted Don Walker, previous General Chair, and received his agreement to serve as chair of the Nominating Committee. This will be the first odd numbered year election per the new Bylaws. The exact offices to be nominated and voted upon will be published prior to the meeting in October.

LSC Membership Award: A committee has been appointed, composed of Larry Hough, BJ Allenstein, Roxanne Balducci, and Leslie Murray. The committee will choose a person to receive a Lifetime Membership from nominees submitted to them. To date, four nominations have been received. They are: Annette DuVall, Trey Kohlhausen, Ray Pierce, and Don Walker. Any additional nominees need to be submitted to the STSI Office no later than midnight, July 12, 2000.

Registration Legislation: Angella Woodard presented a two part legislation which was approved by the STSI Board of Directors and posted to the STSI website in advance of this meeting. The legislation imposes a fine on clubs who register late. The second part of the legislation includes a stipulation that clubs must be registered for the upcoming year before the Annual HOD Meeting in order to vote on legislation impacting the registration year. After discussion, it was decided to begin the late registration penalty for the 2010 registration year. The voting component of the legislation will be voted on by the body at the 2009 Annual HOD Meeting with an implementation date of 2010 Annual HOD Meeting. Dave Johnson made a motion to approve, which was seconded by Denny Ryther. The motion passed by acclamation.

USAS National Convention: Frank Swigon outlined convention plans. Angella will send in the registrations for STSI funded delegates. STSI will pay one half of the cost of the room. Delegates need to select a roommate, book their own hotel rooms, and book their own flights. Flights need to be booked at least three weeks in advance. Meals and incidental reimbursements require receipts and will be reimbursed up to the published per diem rate for Chicago. All STSI funded delegates are required to attend both Zones Meetings and the HOD Meeting. A written report of all meetings attended must be submitted to and posted on the STSI website prior to any reimbursement being made. STSI funded delegates this year are: Frank Swigon, Linda Ballo, Larry Hough, Trey Kohlhausen, Mark Parshall, Leslie Murray, David Johnson, Denny Ryther, George Block, Lee Willing and Angella Woodard.

Sr. Chair Report: Larry Hough requested that all teams planning on hosting meets in the remainder of 2009 and all of 2010, send the meet name, site, date, and meet classification to him at lough@neisd.net as soon as possible. Larry will develop a preliminary meet calendar for presentation at the Annual HOD Meeting.

Technical Chair Report: Frank Swigon reported that this was the first year of the new Championship Meet formats, 12 and under STAGS, 13 and over Sr. Champs, three Junior Olympics, and the Long Course TAGS/Sectional Qualifier Meet. We will discuss how this is working in more detail at the Annual HOD Meeting in October.

Age Group Report: Adam Scott, Head Coach of BEAT, announced that BEAT is planning to host an In-Pool Open Water Clinic in conjunction with the Corpus Christi Open Water Festival that will be held in Corpus Christi in late September. The free clinic will be open to any USA Registered Swimmer and will be held on Friday, September 25th. Information for both the Clinic and the Festival will be posted on the South Texas Website. The Open Water Festival is currently sanctioned under a US Masters Swimming Sanction. A question was raised in regards to getting an additional USA Sanction/Approval for the meet so that USA Swimmers would be covered by USA Insurance and their times would count as USA times. Denny Ryther suggested that STSI might want to use this meet as the South Texas Open Water Championship Meet. Adam Scott will investigate with the meet sponsors to see if they are agreeable in getting an additional USA Sanction for the meet.

Audit Committee: Roxanne Balducci reported the Audit Committee met on July 10, 2009 to review the STSI books. The following members were present: Roxanne Balducci, Chair, Frank Swigon, BJ Allenstein, and Angella Woodard. These members looked through a random selection of checks and receipts. All was in order however a couple of receipts were missing from the LSC Camp expenses. The payments made for these missing receipts were to the appropriate vendors. Roxanne recommended that Annette develop a stipend report form to be used by the LSC whenever coaches' stipends are requested.

Registration Report: Angella Woodard reported to date we have registered 6,000 athletes, which is an LSC record. Additionally, 206 coaches, 121 officials and 72 others have been registered for a total year to date registration of 6396. By comparison, registration totals for previous years were: 5870 in 2008, 5315 in 2007, and 5276 in 2006.

Angella reported items of interest from the USA Swimming Safety and Risk Management Conference held in Oklahoma City in June. The complete report is attached to these minutes and posted to the STSI website.

2010 applications for Athletes, Seasonal Athletes, Non-Athletes and Clubs will be posted to the STSI website early next week. 2010 registration fees are: \$66.00 for Athletes; \$46.00 for Seasonal Athletes, \$7.00 for Outreach Athletes, \$61.00 for Non-Athletes, and \$95.00 for renewing clubs.

Officials Committee Report: Frank Swigon reported that the Officials Policy and Procedures have been updated and posted to the website. There will be an Officials Workshop held in San Antonio at the Grand Hyatt Hotel on October 8-10, 2009. We will send representatives to this meets.

The lack of officials in STSI is an issue. We need to continue to address ways to increase the number of active officials within the LSC.

Diversity Committee Report: Frank Swigon announced that there will be a Diversity Workshop held in Colorado Springs, November 12-14, 2009. STSI will send a representative to this workshop. Frank will pass all of the information along to Committee Chair, Monica Rosales.

Treasurers Report: Annette Duvall reported that STSI is doing well financially. We are coming into the season where we have most of our major expenses, i.e. Nationals Reimbursements, Convention Reimbursements, and All Stars. Since we did not send a team to Zones this year, we have a little more cushion in the budget than we normally would have had. The STSI Reserve Funds are invested in CD's. Following the model used by Gulf Swimming, we want to build our reserves so that in the future we can fund a 100% of Nationals Reimbursements from the interest paid on the reserve accounts. The consensus from the floor was that we need to continue to build our reserve funds to guard against unforeseen problems that may arise.

NEW BUSINESS:

Team Redistricting: Frank Swigon reported that two teams have contacted STSI with request for a change of LSC. According to policy, a change from one LSC to another LSC must be approved by a 2/3 vote of both LSCs.

HEAT in North Texas is requesting to become a member of STSI. HEAT is located in Waco, TX and geographically is in close proximity to many meets hosted in South Texas.

BBSC a new club in South Texas is requesting a transfer to Gulf Swimming. BBSC is located in Brenham, TX and geographically is in close proximity to many meets hosted in Gulf Swimming.

After some discussion, Dave Johnson moved to allow both of these redistricting changes. Denny Ryther seconded. The motion was approved by acclamation.

IMX Extreme Games: Dave Johnson announced that this fall IMX Extreme Games will be held in six locations across the USA. One of the venues will be Palo Alto Natatorium, which will host a meet the second weekend in December. The meet will be open to swimmers ages 11-14 and acceptance into the meet will be based upon IMX Scores. This will be a fast meet and will provide swimmers the opportunity to make some cuts. It is anticipated that about 400 swimmers will be eligible to participate in the meet.

Meeting adjourned at 12:48 PM

RISK AND SAFETY MANAGEMENT REPORT

REPORT OF OCCURANCE:

It is important that **all** reports of occurrence for anything, no matter how small, that might potentially result in a claim down the road be reported in a timely manner to USA Swimming. When completing the report, the date of the injury, the LSC, Athlete/Non Athlete ID Numbers, and description of the incident are required. For over-use injuries, you should use the date a swimmer first sought medical treatment from a doctor, chiropractor, or physical therapist and not the point of initial complaint. While coverage is not provided for guest or spectators, a report of occurrence should still be submitted.

USA Swimming is self-insured and rates do not go up based on the number of reports received. The data from the reports of occurrence is used to measure the kinds of risk involved in the sport of swimming. Additionally, the insurance company is mandated by law to report any and all injury claims from individuals over the age of 65 or any age if a Medicare or Medicaid recipient.

FACILITY RENTAL AGREEMENTS:

When entering or renewing a rental agreement with a facility for use as a meet venue or as a practice site, please do not sign the agreement if the wording says that the facility owners will be held harmless for “any and all claims.” There needs to be an exception written into the rental agreement – “except for those claims resulting from negligence on the facility’s part.” USA Swimming Insurance provides coverage for USA Swimming activities, primarily in the water activities. The insurance does not provide coverage for facility maintenance or sole negligence issues such as over-chlorination, potholes, etc. For wording specific to your facility, please contact Sandi Blumit with United States Sports Insurance Company. sblumit@theriskpeople.com

Teams renting or owning facilities should perform a safety check list. Renters should present the safety check list to the pool owner along with a request to correct any noted deficiencies on the check list. A Facility Safety Checklist is available in the Safety/Loss Control Manual (pgs 42 and 43) posted on the USA Swimming website. <http://www.usaswimming.org/USASWeb/Rainbow/Documents/9e11ff6e-a83b-441a-8d1c-dcbf7215e4ab/SAFETY-LOSS%20CONTROL%20MANUAL%20REV%20Dec%202008.pdf>

When requesting certificates of additional insurance be sent, please be sure to enter the address of the pool owner which is not necessarily the same as the address of the facility.

USA SWIMMING CLUB COVERAGE:

In order for USA Swimming Insurance Coverage for a team, all three of the following conditions must be met:

1. The club is a member in good standing of USA Swimming.
2. All participants swimming for the club are athlete members of USA Swimming.
3. All coaches are coach members of USA Swimming with current certifications, education and background checks.

Any type of coaching, including, but not limited to, swimming and dry land training, must be provided by a registered USA Swimming member Coach. USA Swimming provides no insurance coverage for an individual or entity that provides services on a fee for service basis. This means that if you are treating your coaches as independent contractors or your team has contacted with an individual or entity to provide dry land training programs for the club, the individual or entity is responsible for providing liability and property insurance for their business operations.

USA Swimming is strongly encouraging member clubs, which do not provide medical benefits to their employees, to purchase Workers’ Compensation Insurance. In Texas, Workers’ Compensation coverage is generally optional for private employers. If any Texas employer elects not to obtain Workers’ Compensation Insurance, that employer is subject to common-law negligence claims by its employees (i.e., “non” subscriber claims) and may not assert certain defenses, including contributory negligence, assumed risk, or that the injury or death was caused by a fellow employee. Tex. Lab. Code Ann. § 406.033. Workers’ Compensation Insurance is available at a state regulated rate and is an inexpensive alternative to potential suits arising from job related injuries. Coverage is provided for medical expenses, lost wages and disability resulting from an on-the-job injury. When purchasing Workers’ Compensation Insurance the rate classification for swim clubs is 9063.

MEET RELATED INSURANCE ISSUES:

Non-USA Registered Athletes swimming in a USA Approved Meet must provide private proof of insurance to the meet host.

There have been several claims filed as a result of photographers being allowed on deck at venues. USA Swimming feels it is incumbent upon the clubs to take reasonable precautions. Anytime a paid photographer is on deck at a meet, USA Swimming strongly recommends that release waivers be signed by the parents of **all** swimmers attending the meet, who are under the age of 18. Meets planning to allow photographers on deck should put a release statement in the meet information saying “There will be a photographer on deck at the meet. If you have problems with pictures being taken of a swimmer, please contact the Meet Director.” USA Swimming will provide an official statement for photographers.

Local photographers, who are allowed on deck at USA Swimming Sanctioned Meets, must have their own general liability insurance.

Teams taking their swimmers on international trips need to purchase travel insurance. The recommended vendors are Travel X or Med X. The insurance vendor needs to be notified that the swimmers will be participants at a competition, if you are attending a foreign meet.

Coaches are **solely** responsible for completing the mandated diving certifications. These certifications provide a layer of protection against suits by providing additional documentation that the accident was not a result of negligence on the part of the coach. It is recommended that the short form, with swimmers name and dates of certification, be stored on a zip drive and available at swim meets should a diving accident occur. As a point of interest, every athlete member who served on the committee responsible for implementing the diving certification requirements, voted for this legislation. Meet Hosts, Officials, or the LSC have no responsibility for policing that dive certifications have been completed.

GENERAL SAFETY TRAINING:

USA Swimming is recommending that coaches talk to swimmers at least 15 minutes a week about a safety related topic. 85% of all accidents are preventable.