Meetings APBA

Board of Directors

Saturday, January 25, 2020

1. The meeting was called to order by the President, Chris Fairchild.

2. Roll call was taken. The following were in attendance: Chris Fairchild, Steve Compton, Mary Williams, Adam Allen, Kyle Bahl, Fred Hauenstein, Jean Mackay-Schwartz, Abby Pond, Jan Shaw, Robert Wilson, Matt Yarno, Aaron Stephens, Mark Wheeler, Bob Wartinger, Patrick Gleason, Rachel Warnock, Richard Fuchslin, Sheri Greaves, Dutch Squires, Kristi Ellison, Jeff Brewster, Robin Shane, John Krebs, Rich Luhrs, Pete Nichols, Richard Shaw, Jeff Titus, Tom Johnston, David Hale, Ernie Dawe, John Runne, and Rebecca Nichols.

3. Bylaw changes to the election process were presented by Mark Wheeler. (attached at end of this document). Motion to approve by Mark Wheeler, seconded by Matt Yarno. The motion passed unanimously.

4. Old Business:

a. Additions to Committees and Council

1. Mark Wheeler motioned to approve Kelly Hannon to fill the vacancy on Council, seconded by Jean Mackay-Schwartz. The motion passed unanimously.

2. Mark Wheeler motioned to approve the appointment of Mark Weber to fill the vacancy as National Commissioner, seconded by Fred Hauenstein. Motion passed 7 in favor, 4 against.

3. Mark Wheeler motioned to approve the appointment of Adam Allen to fill the vacancy as Vice-President, seconded by Kyle Bahl. Motion passed 7 in favor, 3 against, 1 abstention.

4. Vintage Committee – Committee approval was tabled by the President.

5. Scoring Committee requested the addition of Missi Diamond. Motion by Aaron Stephens to approve, seconded by Matt Yarno. The motion passed unanimously.

6. Digital Committee requested the addition of Katelyn Glossner. Motion by Aaron Stephens, seconded by Matt Yarno. The motion passed unanimously.

b. Code of Conduct. The proposed Code of Conduct was presented by Fred Hauenstein. Discussion produced a change in wording in Item #1 (Document in final form is attached at end of this document). Motion to approve by Mark Wheeler, seconded by Abby Pond. Motion passed unanimously.

6. No new class requests were presented.

7. Race Management presented two rule change requests:

a. Changes to GRR 26.14 to modernize language. (Complete change to rule is attached at end of this document). Motion to approve by Fred Hauenstein, seconded by Jan Shaw. Motion passed unanimously.

b. Changes to GRR 30 as requested by the Scoring Committee. To delete Rule #’s 30-3, 30-4, and 30-8 and to change the first word in Rule # 30-7 from “shall” to “may”. Motion to approve all changes by Jan Shaw, seconded by Aaron Stephens. Motion passed unanimously.

8. Approvals:

a. 2020 Racing Commissions – no action required

b. The 2020 APBA Budget was presented by Steve Compton. Motion to approve by Adam Allen, seconded by Mark Wheeler. The motion passed unanimously.

c. The 2020 Category Budgets were presented by Steve Compton. Motion to approve as submitted by Adam Allen, seconded by Kyle Bahl. PRO Chairman, Kristi Ellison, requested that the PRO budget be changed to include $500 additional donation to the Annual meeting/HOC. Motion to approve by Adam Allen, seconded by Kyle Bahl. The motion passed unanimously.

9. Committee Rule Changes

a. J Classes – Mark Wheeler presented 3 items for approval. (1) a rule establishing 3 levels of inspection to ensure consistent inspection across the country, (2) a clarification on prop distribution at divisional races, and (3) a change to the tie breaker rule for Hall of Champions induction. Motion by Adam Allen to approve all, seconded by Matt Yarno. The motion passed unanimously.

10. Category rule change approvals are not needed

11 Update on future Annual Meetings:

a. 2021 will be held in Orlando, January 27 – 30, 2021 at the Doubletree at SeaWorld. This is the same hotel as in 2019.

b. 2022 – currently scheduled to return to Seattle. But all members’ comments will be taken into consideration.

12. Other matters

a. President Fairchild thanked Jan Shaw for all her efforts in raising funds for the event and for the fantastic “Night to Remember” held at the Hydroplane Museum.

b. President Fairchild introduced Holly Jones as APBA’s newest employee and gave a brief update on Holly’s background and duties.

c. Tom Johnston asked if the Region voting process will be tweaked so that it will work correctly this year. Chris Fairchild reported that an instruction page will be sent out on how to do nominations. Once these are in, a voting sheet will be created and sent to Region Chairs and Secretaries for review, and then the election will be held online. Question from the audience on category rule changes going to ballot. Rebecca Nichols, Director of Operations, reported that these will be done electronically if requested by the categories.

d. Jean Mackay-Schwartz presented a request from the Government Affairs Committee to express support for H.R. 5434/S. 2602, Recognizing the Protection of Motorsports Act of 2019 (RPM Act). Motion by Jean Mackay-Schwartz, seconded by Robert Wilson to approve the request. The motion passed unanimously.

e. President Fairchild thanked everyone who came from across the country and paid for their flights, food, etc. to attend the annual meeting.

13. Motion to adjourn by Fred Hauenstein, seconded by Aaron Stephens.

14. Meeting adjourned.

Respectfully submitted,

Mary Williams

APBA Secretary

# ARTICLE VI - MEETINGS, QUORUM, VOTING, RULES OF ORDER

**Section 6.1. Meetings**

**6.1.2 -- Annual Meeting of the Association for Election Purposes.** A meeting of the Association shall be held on the second business day following September 8 ~~September 19~~ of each year for purposes of conducting elections for directors of the Association. Such meeting shall be held at the Association’s National Headquarters and the President of the Association shall preside at such meeting.

# Section 6.2. Notices.

* + 1. **Association Meetings.** Notices of Annual and Special Meetings of the members of the Association shall be sent by the Association to each person entitled to receive the same. Such notices shall be sent not less than two (2) weeks before Association Meetings. All notices of Annual Meetings for the Conduct~~tion~~ of Business shall specify the business to be transacted at each meeting. However, this shall not be construed to preclude the introduction and transaction at an Annual Meeting of other business not so specified. Notices of any Special Meetings shall state the purposes for which they are called, and no other business shall be in order at such meetings. Notices for the Annual Meeting for the election of Directors shall be sent ~~mailed~~ along with ballot/proxy forms for such elections.

# ARTICLE IX - ELECTIONS.

**Section 9.1.** Nominating Committee. The Nominating Committee shall consist of the Board of Directors of the Association, Category Chairs, and Region Chairs. Members of the Nominating Committee may nominate candidates for elective offices, but must do so prior to August 10 ~~July 1~~ of the year of the election.

# Section 9.2. Elections

* + 1. **Annual Elections.** Each year, an Annual Meeting of the Members shall take place on the second business day after September 8 ~~September 19~~ for the purposes of conducting elections for directors. Such meeting of the Association shall take place at the National Headquarters in Eastpointe, Michigan and the APBA President shall preside thereat.
    2. **Candidates.** A person may be a candidate for one office only and must be a member in good standing as of August 10, in the year of the election. In the case of multiple nominations candidate must notify ~~the~~ National Headquarters on or before August 15 ~~July 15~~, which single office he/she is seeking. Any candidate listed on the ballot shall be ineligible for write-in candidacy for another office.
    3. **Voting Rights.** Except as provided in 9.2.4, Paragraph (b), each member and all member clubs in good standing as of August 10, of the year of election regardless of whether a club, individual, partnership or corporation, that are otherwise entitled to vote shall be entitled to one vote for each vacancy for member-elected offices.

# Voting Procedure.

**(c)** Members may “write-in” a member’s name on the ballot/proxy form. The write-in candidate must be a member in good standing as of August **10** ~~30~~, in the year of election.

**(d)** The Election shall be held only after the certification has been received by the President. Any member entitled to vote may vote in the election for directors as described in these Bylaws. ~~and may do so in person or by proxy as described herein.~~

1. The President shall certify the results of the elections and APBA HQ ~~the Secretary~~ shall notify the members of the results.

# ARTICLE XVII – REGIONS

* + 1. Each member of the Region shall be entitled to one vote for all the members of the region Board of ~~or~~ Directors and all Regional Officers.
    2. For each Region, APBA will conduct an election of its Directors, Officers and Commissioners. Elections will be conducted on a survey platform via email. ~~by the 1st of October~~. This will ensure all Region Members have a voice in Region elections. There shall be no alternative Region Bylaw or rule adopted for Region elections.
    3. Regional Elections: The election of Regional Directors and Officers~~, regional elections~~ shall be conducted as follows:

1. **Nominations** for Region Directors, Officers and Category Commissioners shall be sent to APBA HQ ~~must be received~~ by the current Region Secretary no later than September 10. All candidates must be a member in good standing by August 10 of the election year. An official ballot, in survey platform, shall be transmitted by APBA via email to each member in good standing, **~~Election~~** ~~of Region Chair, region officers, and category commissioners Ballots will be~~ ~~sent via email only, in survey platform, by APBA~~ no later than September 15. Ballots must be received by APBAno later than September 22. ~~30th~~. Each election shall be decided by a majority vote tabulated by ~~on~~ the first business day following October 1 ~~September 30th~~ for all positions for the next year. The ballot, or notification of the survey platform, will be sent to the members’ email address on file at APBA. Members may correct or verify their email address with APBA prior to August 1 preceding the elections.
   * 1. Vacancies that occur in elective offices after the election shall be filled by majority vote of the Regional Board of Directors. All regional officers and committees shall hold office until the next regional annual meeting or until their successors are elected or appointed, as the case may be.
2. Each Region shall have the following Officers. ~~Those Officers'~~ Duties include but are not limited to the following.

# Region Chair

1. Attend and represent the Region at the APBA annual meeting Preside over all Region Meetings
2. Attend and represent the Region at all Council meetings and conference calls

# Region Vice Chair

1. Assist the Chair in fulfilling their duties

# Secretary

1. Keep the minutes of each Region Meeting
2. Send notice of meetings to the APBA HQ for member notification Facilitate the election of region officers.

# Treasurer

Keep an accounting of region funds

Submit invoicing to clubs for payment of region ~~dues~~ fees accrued at an event

Provide an accounting of region funds to its members at each fall meeting or upon request of the Region Chair.

# Directors – 3 members

1. **Committees** of each Region shall consist of:

Safety and Rescue Committee

Officiating Committee

Category Activity Committee

The members of these committees will be appointed by the region chair and should include a member from each active category in the region. The committees so appointed will elect their chair.

* + 1. In the event ~~that~~ the Regional Annual Meeting is not held prior to November 20, or that a region is left without a Region Chairman and successor, the APBA President ~~Board of Directors~~ shall appoint a temporary Region Chairman for the region in default. Within 15 days of this appointment, the temporary Region Chairman shall appoint a Nominating Committee and shall designate a Chairman thereof. The Chairman of the Nominating Committee shall file his report within 10 days thereafter, and the temporary Region Chairman shall call and conduct the annual regional meeting within 30 days thereafter.
    2. By November 20~~th~~, or within 2 weeks after Elections have closed, whichever is earlier, the Region Secretary or ~~Regional~~ Chairman shall furnish ~~the~~ APBAHQ ~~National Office of the Association~~ with a list of ~~showing~~ the names and titles, ~~and addresses~~ of the new Region Officers, ~~the names and addresses of~~ and ~~the~~ Region Board of Directors. ~~and duly elected~~ c~~ategory~~ c~~ommissioners~~.

# 17.2.15 - Additions

* + - 1. Each region may submit additional bylaw requests for their region. All additions to these By-Laws must be approved by 2/3 majority of region members voting. ~~conducted in the manner described in section 17.2.7 and completed no later than the annual fall region meeting.~~ All additions must be submitted to the APBA BoD for final approval.

**APBA Code of Conduct**

As the USA member national authority of the UIM, APBA is obligated to follow the UIM’s Code of Conduct, which may be read at the UIM web site ([www.UIM.Sport](http://www.UIM.Sport)) in each UIM rule book. APBA will adopt a Code of Conduct as follows:

The APBA Code of Conduct comprises five pillars. It imposes obligations in terms of respect and responsibility to competitors, teams, promoters, participants and all other APBA accredited persons.

This Code shall apply to all APBA members, APBA staff, and other individuals engaged in APBA activities, including drivers, competitors, team managers, team members and any other involved persons (collectively referred to herein as “**participants**”). It shall also apply to consultants and contractually connected persons/firms, including those representing or serving APBA.

Unless otherwise specified, infringements are punishable regardless of whether they have been committed deliberately or negligently.

**THE ETHICAL PILLARS OF THE APBA**

**1 Equality**

Discrimination and harassment against others on grounds of race, disability, marital status, sex, sexuality, age, political or religious conviction are not condoned.

All forms of harassment, be they physical, mental, professional or sexual, are strictly prohibited.

Powerboating promotes the inclusion of men, women, and other gender identities equally.

**2 Fair Play**

Fair play is the guiding principle in the sport of powerboating. All participants taking part in powerboating shall behave with fairness and honesty.

All participants shall operate within and abide by the rules of the sport.

All doping practices at all levels are strictly prohibited.

**3 Respect**

Powerboating shall be characterized by mutual respect and self-responsibility. All participants involved in

powerboating shall be treated with dignity.

The contribution that people make to the sport shall be recognized.

In pursuing the sport’s goals, the governance of powerboating shall be mindful of the physical and psychological well-being of its members.

Violence and abusive behavior are not tolerated.

**4 Integrity**

All persons subject to this Code shall use due care and diligence in fulfilling their roles for, and on behalf of, the APBA or powerboating in general.

Decisions by the APBA will be made in accordance with established procedures, objectively, fairly and with honesty and integrity.

***Potential conflicts of interest must be declared.***

**5 Environment**

The APBA is committed to raise environmental performance of powerboating and make our sport an example of environmental protection and sustainable development.

APBA looks to youth to breed a future for sportsmanship and safety while nurturing a passion and respect for water and its environment.

The APBA will promote the optimal use of resources and materials, efficient logistics and transport, reduction of polluting discharges to water and emissions to air.

**RULE PROPOSAL GRR 26.14**

**CURRENT RULE:**

14. The APBA Racing Commission will not approve a sanction for a Time Trial for a single boat or for certain specified boats. Any person or persons wishing to hold a time trial for a certain class or classes of boats may do so, but such a time trial must be conducted by a member club of APBA in accordance with the rules for Time Trials and shall be advertised by means of a race circular mailed and/or e-mailed to all members of the classes involved no later than thirty 30 days before the event, display advertised in the Propeller or on the APBA’no later than thirty (30) days before the event, and open to all registered boats in the class or classes to be invited. The parties conducting such an invitational time trial shall be responsible for all of the expenses of sanction and conduct of the event, and any entry fee charged to participants shall not exceed $300 per boat except Offshore. Requests for higher fees must be sent to the Race Management Committee at least 60 days prior to the date of the time trial.

**PROPOSED RULE:**

14. ~~The APBA Racing Commission will not approve a sanction for a Time Trial for a single boat or for certain specified boats.~~ Any person or persons wishing to hold a time trial for a certain class or classes of boats may do so, but such a time trial must be conducted by a member club of APBA in accordance with the rules for Time Trials and shall be advertised by means of a race circular mailed and/or e-mailed to all members of the classes involved no later than thirty 30 days before the event, **or** display advertised in the Propeller or on the APBA’**s web site, or announced in a universal email to all APBA Racing members** no later than thirty (30) days before the event, and open to all registered boats in the class or classes to be invited. The parties conducting such an invitational time trial shall be responsible for all of the expenses of sanction and conduct of the event, and any entry fee charged to participants shall not exceed $300 per boat except Offshore. Requests for higher fees must be sent to the **Rules and** Race Management Committee at least 60 days prior to the date of the time trial. **An** APBA Racing Commission will not approve a sanction for a Time Trial for a single boat or for certain specified boats. **Such events will be governed and approved by the Special Events Committee.**