

Unapproved draft minutes

UTAH YOUTH SOCCER ASSOCIATION
MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
April 8, 2004

CALL TO ORDER

The regular monthly meeting of the Board of Directors of the Utah Youth Soccer Association was called to order by President Paul C. Burke at 8:02 p.m. at the State Office of Utah Youth Soccer Association in Salt Lake City, Utah. The following Board members were present:

Paul C. Burke, President
Jodene Smith, Risk Management Director (Proxy for Vice President)
Bruce Cuppett, Director of Development
Jodi Wells, Secretary
Dave Malchenson, Boys Competition Director
Debbie Haycock, Girls Competition Director
Arnold Wilcox, Chairman of District 1 (Salt Lake City)
Eric Blommer, Asst. Chair of District 2 (West Salt Lake County) (Proxy for District 2)
John Lowery, Chairman of District 3 (Sandy/Draper)
Dave Mills, Chairman of District 4 (North Davis & Weber County)
Mike Tate, Chairman of District 5 (Utah County)
Richard Messenger, Chairman of District 6 (Davis County)
Linda Kay Messenger, Rules Committee Chair (Proxy for District 7) (Cache County)
Günther Haidenthaller, State Youth Referee Administrator

Also present were Mark Drown (Utah Spiders), Bryce Flannery (Inter FC Representative), John Johnson (Vice President, Blitz F.C.), David Josse, Paul Ludlow (Inter FC Coach), Teresa Ortiz (State Cup Chair), Dave Packham (Inter FC Representative), Jamie Schock (Utah Spiders), Brenda Taylor (League 26 President), Mike Taylor (League 26), Glen Vawdrey (Highland City Council/Parent), Laurie Vawdrey (Inter FC U-14 Girls team administrator), Felicity Tate (District 5/League 26 Secretary), M.J. Tate (Technical Director-Inter FC), and Richard Yoder (Discipline Committee Chairman).

Board Members who were excused or absent included Scott Maxfield (Vice President) and Delon Brower (District 7 Chairman) (Cache County).

WELCOME

President Paul C. Burke opened the meeting by welcoming those present and thanking them for their prompt attendance. Burke apologized for starting the meeting a few minutes behind schedule as the Board packets were still being copied and assembled. Burke explained that this meeting would be bifurcated so that the Board would first address items of business and then sit as appellate body to hear the appeal of a decision of the Protests & Appeals Committee.

REPORTS

EXECUTIVE DIRECTOR

President Paul C. Burke announced that Executive Director Scott Harward had been excused from the meeting so that he could attend to a family emergency. Harward had been scheduled to report on the collection of registration and tryout dates by the State Office. Information about the registration drives of the recreation leagues will be published both in newspaper advertisements in May and in an upcoming newsletter from the Association. Tryout information for competition teams will be published in the newsletter and also made available on the Association's websites. Member organizations wishing to submit information for publication had been asked by Harward to do so by April 8th, but late submissions may be accepted so long as time permits.

DIRECTOR OF DEVELOPMENT

Director of Development Bruce Cuppett reported on preparations for the spring portion of the 2004 State Cup Tournament. Cuppett announced that a record number of teams, 162, entered the tournament. Owing to the large number of entrants and the growing scarcity of available fields, Cuppett said that it would be necessary to hold preliminary round matches at several satellite locations. The semi-final and final matches will be played at the West Jordan Complex over Memorial Day weekend.

Cuppett expressed concern that the growth of the State Cup tournament may have caused a dilution of competitive balance as it appears likely, on paper, that there will be an increased number of mismatches this spring. Cuppett encouraged the Board to explore options in the coming months that might preserve the competitive quality of the tournament for the 2005 State Cup.

Cuppett also reported that he had been absent from the last meeting of the Board of Directors because of his military obligations.

ADOPTION OF MEETING RULES

Motion was made by John Lowery and then seconded to adopt the meeting rules to govern the conduct of the meeting. These rules required that reports and consideration of business be completed during the time allotted by the meeting agenda or the meeting rules; that reports not exceed ten minutes without permission from the Chair; that discussion of action items not exceed fifteen minutes without permission from the Chair; that the Chair be authorized to call for either a subsidiary motion or a vote on the pending motion; that, during the hearing of the appeal, that each side be limited to 30 minutes to make its presentation; and that, following the hearing of the appeal, that the Board enter Executive Session with a decision due upon return from Executive Session. The meeting

rules also set 11:00 as the time for adjournment. The motion to adopt these rules for the meeting was adopted by unanimous consent.

ADOPTION OF MMINUTES FROM PREVIOUS MEETING

Secretary Jodi Wells deferred review and approval of the minutes from the March 18, 2004 meeting of the Board of Directors because copies of the draft minutes were inadvertently omitted from inclusion in the Board packets.

CONFLICT OF INTEREST DISCLOSURES

Secretary Jodi Wells reported that several members of the Board of Directors had not submitted the Conflict of Interest Disclosure form and that many had not properly completed the form. Wells explained that Board members are required to disclose potential conflicts arising from the affiliation and employment of spouses and children of Board members. Wells distributed another set of disclosure forms to the members of the Board. Wells also announced that the completed disclosure forms will be made available for public review.

DISCUSSION ITEMS

VACATION OR MODIFICATION OF TOURNAMENT POLICIES

President Paul C. Burke reported that he had asked the Rules Committee to conduct a review of the Association's policies for tournaments. Burke explained that the existing tournament policies appear to be cluttered with unenforceable recommendations. He also expressed concern that existing policies may both inhibit the growth of new tournaments and impose unfair prejudice on soccer communities near the state's borders. Burke encouraged the rescission of such provisions.

Rules Committee Chair Linda Kay Messenger will supervise the review and revision of the Association's tournament policies. Burke encouraged interested members of the Association to volunteer to help with this process. In addition, comments or suggestions about the Association's tournament policies may be submitted to Ms. Messenger.

ACTION ITEMS

CLARIFICATION OF PLAY-UP POLICY

President Paul C. Burke introduced this subject by noting that the addition of the phrase "or younger" would eliminate any ambiguity about the applicability of the Play-Up Policies to players younger than the threshold age. Burke noted that Blitz F.C. Vice-President John Johnson deserved credit for recognizing the potential ambiguity and for proposing a solution. Motion was made by District 7 Proxy Linda Kay Messenger, seconded, and approved by unanimous consent to amend the Play-Up Policy to read as follows:

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GENERAL PLAY UP POLICY

No player in the U-10 or younger age group may be registered to a team that competes in an age group more than one year older than the player's age group. Upon consent of the player's legal guardian and the president of the member organization with which the player is registered, a player who is U-11 or older during the current seasonal year may be registered to a team of an age group not more than two years older than the player's age group.

PLAY-UP POLICY FOR STATE COMPETITION PROGRAM

No player in the U-9 or younger age group may be registered to play in the State Competition Program. A team in the State Competition Program may not roster more than five U-10 players. Upon consent of a player's legal guardian and the president of the member organization with which the player is registered, a player who is U-11 or older during the current seasonal year may be registered to a team of an age group up to two years older than the player's age group. Except by waiver granted at the sole discretion of the State Technical Director, no player in the State Competition Program may be registered to a team of an age group more than two years older than the player's age group. An application for a waiver under this policy must be submitted by the player's legal guardian and must be accompanied by a recommendation from the president or technical director of the member organization with which the player is registered.

RELATIONSHIP WITH UTAH SPIDERS

President Paul C. Burke introduced Mark Drown, General Manger of the Utah Spiders, and Jamie Schock, the Director of Marketing for the Utah Spiders Jamie Schock. The Utah Spiders is a non-profit organization whose mission is to promote the development of women's soccer in Utah. Its flagship team, the Utah Spiders, competes in the Women's Professional Soccer League (WPSL) and is the defending national champion. Although the Spiders compete in a professional league, its players are not paid and thus maintain their amateur status. The vast majority of the Spiders' players are products of the Utah Youth Soccer Association.

Drown made a presentation to explain the mutual benefits to the Utah Youth Soccer Association and the Utah Spiders of a strategic partnership. Drown explained the terms of the Memorandum of Understanding (MOU) that he had negotiated with Executive Director Scott Harward. Under the terms of the MOU, the Association will contribute \$5,000 to the Spiders' budget for the 2004 season. In exchange, the Spiders will wear the Association's logo on their uniforms and will grant free admission at their games to youth players wearing uniforms indicative of UYSA membership. Furthermore, the Association's member organizations will have the opportunity to host Spiders' games in venues around the state, thereby affording the Association's young players with better

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access to the highest level women's soccer league currently in existence in this country. The Association will also appoint a member to the Spiders' Board of Directors.

Drown explained that he hoped to forge a long-term partnership between the Spiders and the Utah Youth Soccer Association. With the demise—or, at the very least, the deferment—of the Women's United Soccer Association (WUSA), the WPSL becomes the highest level women's league in the nation. Drown expects that several members of the U.S. Women's National Team will visit Utah this season in the uniform of a Spiders' opponent. Drown said that the Spiders' opening games on May 22nd and May 23rd will be hosted by the University of Utah, but that other games could be held in any community willing to assist with game operations. Drown expressed hope that Utah's young players will take advantage of this opportunity by attending Spiders' games this summer.

Girls Competition Director Debbie Haycock asked Drown to describe what would be expected from any local organization that hosts a Spiders' game. Drown answered that the local organization would need to help secure a venue, ensure that the field is properly marked, and provide water and basic necessities for the bench areas. The local organization could also set the gate price, run concessions, and keep the profits.

District 6 Chairman Richard Messenger asked whether a process or application procedure had been established to determine where Spiders' games would be held and which of the Association's member organizations would have the opportunity to host them. President Paul C. Burke responded that no formal procedure has been established. Burke said that both the Spiders and the Association are committed to giving every area an opportunity to host the Spiders, but the first priority this season is to fill the schedule. Consequently, host assignments for the Spiders will be considered on a first-come, first-served basis. Drown and Burke encouraged the Association's member organizations to consider taking responsibility for hosting a match; those interested should contact Executive Director Scott Harward as soon as possible.

State Youth Referee Administrator Günther Haidenthaller asked Drown to describe the process by which referees will be assigned for Spiders' games. Haidenthaller also asked whether referees will receive an extra travel stipend when games are held in sites around the state. Drown responded that the officials for Spiders' games are procured through local processes but that the officials are paid by the league. Drown did not know whether any travel stipend would be available, but he and Schock pledged to make the league aware of the issue.

Motion was then made by Bruce Cuppett, seconded, and approved by unanimous consent to ratify the Memorandum of Understanding between the Utah Youth Soccer Association and the Utah Spiders.

AUTHORIZATION OF CONTRACT FOR DATABASE MANAGEMENT SERVICES.

President Paul C. Burke reported on the progress of contract negotiations with Affinity Development Group. Burke reported that the parties had reached a tentative agreement on financial terms, and that the projected costs to the Association were within the guidelines provided to him last month by the Board of Directors. Burke also said that the financial package had been structured over a three-year period in recognition of the fiscal and administrative challenges ahead. Burke reported that negotiations were ongoing on the remaining terms of the contract. Burke expressed hope that the remaining terms could be hammered out quickly in the days ahead.

Girls Competition Director Debbie Haycock asked if the draft contract included termination provisions in the event that the web-based management system proved ineffective. Burke responded that the termination provisions remained under negotiation but that he was committed to obtaining adequate protections for the Association.

Director of Development Bruce Cuppett inquired whether the management system would be directly tied to law enforcement databases in order to provide background checks on an ongoing basis. Discipline Committee Chairman Richard Yoder responded that the system would collect, process, export, and store risk management information, but it would not be directly tied to law enforcement.

District 4 Chairman Dave Mills asked whether the Association has explored other alternatives to this system. He also asked whether a district could avoid paying for the system by opting out from using the system. District 3 Chairman John Lowery then reviewed the numerous options that his committee had explored before recommending that the Association move forward with Affinity's system. Burke then explained that the agreement is being negotiated for the benefit for the entire Association, and its financial terms are being structured to encourage participation by the whole Association. Any member organization that failed to participate in the new system would simply be sacrificing a benefit for which its members pay through membership dues.

Boys Competition Director David Malchenson asked when the system would become operational. Burke said that it would depend on the execution date of the contract, but that features would be phased in over a series of months. Burke also said that training for registrars and other key personnel would likely begin in May.

Richard Messenger then made the following motion, which was seconded and adopted by a vote with a single dissent:

Be it resolved that the Board of Directors authorizes President Paul C. Burke to execute a multi-year contract on behalf of the Utah Youth Soccer Association with Affinity Development Group for database management services; provided that the Association's

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judicial officer first reviews the contract and notifies the Board of Directors in writing of his approval of the form of the contract, and further provided that, during the 2004-05 and 2005-06 fiscal years, sufficient funds shall be designated from the Association's reserves to cover under deficit in operating expenses that may be attributable to the financial obligations of this contract.

ACCEPTANCE OF DISTRICT 1 PROXY

Motion was made, seconded, and approved by unanimous consent to recognize the proxy of District 1 Chairman Arnold Wilcox to John Johnson. Wilcox departed the meeting at 9:00 PM.

HEARING OF APPEAL

The Board of Director heard the appeal of District 5 of a decision by the Protests & Appeals Committee that granted relief to Inter F.C. This appeal was titled District 5 v. Inter F.C.

The dispute arose after District 5 assigned teams affiliated with Inter F.C. to practice and play at Orem Junior High School during the spring season. Dissatisfied with this assignment, Inter FC filed an appeal of this administrative decision. Citing the unsafe condition of the field and its distance from the area where the team's players reside, Inter F.C. alleged that the assignment violated three bylaws: (1) 2:02:01(I), which requires the district chair to support of the programs within the district; (2) 6:02:02, which establishes the registration rules for competition teams; and 2:16:01(a), which prohibits conflicts of interest. Inter F.C. alleged that more suitable fields were available in closer proximity to its players, and that its field assignment had been motivated by impermissible animus on the part of the district.

In turn, District 5 defended its decision to assign the Inter FC teams to Orem Junior High. Citing a scarcity of available fields and the district's responsibility to serve the players within the populous recreation program of League 26, District 5 contended that no viable alternative existed. In addition, District 5 accused Inter FC representatives of subverting the district's field procurement procedures by independently negotiating with municipalities and school districts in an effort to secure access to a field. District 5 and League 26 also argued that Inter FC's interference undermined important relationship and jeopardized access to fields needed for the recreation league.

Inter FC's appeal of the field assignment by District 5 was heard by the Protests & Appeals Committee on March 10, 2004. Two days later, the Committee rendered its decision. The Committee purported to deny the appeal but then provided equitable relief to Inter FC by ordering District 5 to provide Inter FC with "suitable field(s), within a reasonable proximity of the homes of the players on the Inter FC teams registered in District 5." The order continued, "The identification of the field(s) MUST BE ACCOMPLISHED as soon a possible but no later than March 17, 2004 to allow

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completion of the State Competition League schedule.” District 5 ultimately designated Allred Field in Lehi to serve as the home field for the Inter F.C. teams during the spring 2004 season.

Timely appeal of the decision of the Protests & Appeals Committee was filed by District 5. District 5 Chairman Mike Tate and League 26 President Brenda Taylor appeared at the hearing and argued the appellant’s cause. Inter F.C. Representatives Bryce Flannery, Dave Packham, Laurie Vawdrey, Eric Shumway, and M.J. Tate appeared and make points on behalf of Inter F.C. After hearing from each side for thirty minutes, during which Board members asked questions of both parties, President Paul C. Burke closed the hearing and the Board entered Executive Session.

DECISION OF THE BOARD OF DIRECTORS IN THE MATTER OF DISTRICT 5 v. INTER F.C.

Upon returning from Executive Session, the unanimous ruling of the Board of Directors was announced in the matter of District 5 v. Inter F.C. The Board of Directors affirmed in part and reversed in part the reasoning of the Protests & Appeals Committee. The Board of Directors held that the Protests & Appeals Committee had erred by granting relief to Inter F.C. after purporting to deny the merits of the original appeal. However, the Board of Directors also found that the Protests & Appeals Committee had erroneously denied the original appeal. The Board held that there had been a violation of Bylaw 2:16:01(a). Accordingly, having found that the original appeal should have been sustained, the Board then affirmed the final order of the Protests & Appeals Committee to the extent that it required the assignment of Allred Field in Lehi, Utah for the use of the Inter F.C. teams during the spring 2004 season. N

ADJOURNMENT

President Paul C. Burke announced that the Board of Directors will host a strategic planning meeting on Thursday, April 29, 2004 at 8:00 PM. The next business meeting of the Board of Directors will be Thursday, May 20, 2004 beginning at 8:00 PM. Both of these meetings will be held at the State Office of the Utah Youth Soccer Association. Motion was finally made, seconded and approved to adjourn at 11:30 PM.

*These draft minute were prepared by Secretary Jodi Wells.
Please direct any correction or clarifications to ewells@networld.com*