

EMPIRE RFU GU
MEETING OF THE EXECUTIVE BOARD
January 16, 2014

The Executive Board met via conference call on Thursday, January 16, 2014, at 9:00 p.m.

ATTENDANCE

Voting Board Members: Mike Crafton (President), Steve Lewis (VP Operations), Matt Winard (VP Finance), Ken Pape (ED Men), Sarah Rutman (ED Women), Brad Kleiner (ED Referees)

Ad-Hoc Members: Gary Heavner (Congress Rep to USAR Board)

Administrator: J.C. Whipple (Administrator)

Membership: Frank Rotovnik (Danbury), Paul Silverman (PAC)

Board Candidates: VP Communications: Robert Mayers, Scott Marinich; ED Sevens: Sean Horan

CALL TO ORDER

The meeting was called to order at 9:06 p.m.

Mike Crafton (President) opened the meeting by providing an overview of his plans for the Board. While everyone has not had an opportunity to meet in person, there will be a discussion of roles and what is forthcoming for EGU.

Mike would like Matt Winard (VP Finance) to review fund allocation and look at what has worked and shape plans for future. Mike will look to meet with Steve Lewis (VP Operations) at the Las Vegas 7s. Sarah Rutman (ED Women) said that previous director, Ashley Belline, has been a good resource and they plan to speak again next week.

BOARD POSITIONS DISCUSSIONS

Robert Mayers asked if this was an Executive Board meeting, or a meeting of the Members. Mike Crafton responded that it was an Executive Board meeting, called by him.

Robert Mayers then asked how he and Sean Horan were not currently Board members. Mike Crafton responded that Robert and Sean were not CIPPed at the time of the Board elections at the AGM, which is a Bylaws requirement. This fact was brought to the attention of the Board following the AGM. After discussing with many people and a review of Robert's Rules, Mike determined that neither Robert Mayers nor Sean Horan should be seated as Board members. Mike also pointed out that both Robert and Sean completed CIPP registration immediately after the meeting.

Gary Heavner said that in reading Robert's Rules (Secs. 46, 47), the Rules do not provide an opportunity to undo an election after the members have voted and no point of order has been raised before the conclusion of the meeting. The mistake and oversight are not enough to cancel out the election if a point of order was not raised and irregardless, the Executive Committee did not have the authority to overturn an action of the members, only the members have that authority.

Mike Crafton said his interpretation (Section 23) was that there was an exception for when a "continuing" breach arises related to a violation of the constitution/by-laws of the organization. In such cases, the Rules provide an opportunity to correct the action and it is never too late to take action. Mike Crafton made the judgment decision that this was a continuing breach and therefore refused to seat the two candidates, done in order to protect the overall interests of the membership.

Steve Lewis (VP Operations) asked when the meeting was called. Gary Heavner stated that the meeting was called on Tuesday, January 14. J.C. Whipple (Administrator) said the meeting was originally called on Saturday, January 11, and amended on Tuesday, January 16. Mike Crafton said the original notice met the minimum 72-hour notice and the amended scheduling of meeting was due to critical reasons as he ruled this was an emergency situation within provisions of Bylaws.

Ken Pape (VP Men) asked why Gary Heavner was having an input on the meeting since he is not a voting member. He moved to have Gary removed from the meeting. Gary responded that he has served as an Ad Hoc member of the Board for quite some time and has provided guidance to the Board in the areas of Bylaws and parliamentary procedure. He continued that he was invited to this meeting and was under the assumption that his skills were needed, but offered to leave the call. Mike Crafton responded that the call was open to all EGU members and that Gary was indeed personally invited to take part in the call.

Sean Horan said that any questions on the validity of his or Robert Mayers' candidacy should have been raised at the AGM, while it was in session. Robert said that was his position as well.

Mike Crafton said that he agreed with everything Sean and Robert said, but a reading of Robert's Rules shows that "continuing" breaches can be raised and corrected. This was his ruling.

Following a discussion, Mike Crafton asked seated Board members for their input, or a straw vote, on whether a vote should take place or Robert and Sean be seated in their respective positions, as voted at the AGM.

Steve Lewis (VP Operations): No vote / seated until next election
Matt Winard (VP Finance): No vote / uphold vote by membership
Sarah Rutman (ED Women): No vote / uphold vote by membership
Brad Kleiner (ED Referees): No vote / election should be valid
Ken Pape (ED Men): unavailable

Sarah Rutman asked what the impact would be if there were a vote held. Mike Crafton said that this would raise an issue and a member on the losing side of the Rules issue could appeal to USA Rugby.

Mike Crafton also polled the two members on the call, Frank Rotovnik and Paul Silverman. Paul Silverman complained about Gary Heavner, Old Blue, the past board and how things are run. Both said that this was a Board call and ultimately Mike's decision on the direction. It was determined that Paul Silverman was not present at the AGM.

Mike Crafton stated that he did not feel there was intent by Robert and Sean to deceive and no ill will. It was an embarrassing situation for all involved that was quickly resolved, and could have been resolved before the election if anyone had spoken up earlier.

BOARD POSITION VOTE

Mike Crafton moved that Robert Mayers and Sean Horan were not CIPPed and their election was voided. He moved that the Board would now vote to fill the vacancies over all objections and Points of Order.

Mike said the Board would now consider the candidates for VP Communications, Robert Mayers and Scott Marinich. Mike asked the candidates to speak on their candidacy.

Scott Marinich: All we are trying to do is make rugby better. Members should have good representation on the Board and transparency on the Board. I was trying to broaden that by being a member from D3 and Danbury. During my administrative time with MetNY, I helped make that organization better.

Robert Mayers: This is not about Old Blue and dominating the Board. We need to make this Union better at all levels within the GU. There was no malice in my not being CIPPed and it was a mistake. Communication from the GU needs to be better and I hope to enhance what we do.

Mike Crafton called a vote on the position of VP Communications.

Vote

Robert Mayers: Steve Lewis, Sarah Rutman, Brad Kleiner
Scott Marinich: Matt Winard
Abstain: Mike Crafton

Robert Mayers is elected as VP Communications, 3-1.

Scott Marinich: Guys, I would like to say thank you for the opportunity. Please, just do a good job. Good luck to Robert and I hope you do well.

Mike Crafton called a vote on the position of ED Sevens. Sean Horan is the only candidate.

Vote

Sean Horan: Steve Lewis, Matt Winard, Sarah Rutman, Brad Kleiner

Abstain: Mike Crafton, Robert Mayers

Sean Horan is elected as ED Sevens, 4-0.

Mike Crafton thanked everyone for his or her time.

ADJOURNMENT

Being no other business, the meeting was adjourned at 10:16 p.m.

Respectfully submitted,

J.C. Whipple
Administrator