

## **March 13, 2018 PSCC Executive Board Meeting Minutes**

**Call to Order-** The meeting was called to order at 7:10 pm.

Executive Board Members present: Nick Casson, Bob Church, Randy Clark, Bob Kluck, Sandi Polk

Pacific Sands Swim Team Representatives/Members present: Cory Tague, Kyle Tague

Members Present: Tori and Dean Beerbower, Mary Bui/Paul Huynh, Eric Eisel, Karen Evensen, Todd Harris, Simone Kelly, John Maag, Kevin Silva, Kathy Viviano, Matt Olaya, Justin McBride

Office Staff/Members present: Elizabeth McBride, Paige Casson

Non-members present: Chris Briggs, Karen Matthews, Scott Wissen, Carlos Olaya, Jr., Carlos Olaya, Sr., Stella Olaya, McKenzie (Lifeguard Supervisor)

**Financials:** Liz Kirksey provided financial reports as of 2/28/18. Board did not review reports. These will be reviewed at the April meeting.

**PSCC Tennis Academy:** No representative or program updates provided at this meeting.

**Pacific Sands Swim Team (PSST), Stroke Clinic, Jr. Lifeguard Prep Program (Cory Tague):**

- The swim team got a new starter cord.

**Surf City Aquatics (SCAC):** No representative or program updates provided at this meeting.

**Masters Swim Program:** No representative or program updates provided at this meeting.

### **Grounds/Bldg. Maintenance**

- Deck repairs and drain replacement – work is complete, and the new drains are working well.
- Tennis lights – Mesa Verde has now installed the lights we are interested in, so it will be easier for us to check them out. Randy and Rafael will make arrangements to go see them.

### **Clubhouse Rentals, Outdoor Parties and Events:**

- The St. Patrick's Day party is scheduled for this Saturday and has many families signed up to attend.

### **New Business**

- Matt Olaya's membership termination and proposal to continue teaching swim lessons:
  - 10 member families came to the meeting to protest the termination of Matt Olaya's membership and the board's notification that he is not authorized to teach swim lessons at the club and is to cease immediately.
  - It was pointed out by Tori B. that the California Corporations Code for Non-Profits requires a 15-day notice of member termination and that the board violated this policy

in giving Matt an immediate termination when he continued teaching unauthorized lessons after being warned to stop. Based on this information, the board agreed to reinstate Matt's membership until the board had reviewed this requirement.

- Mary B., Karen E., and Kathy V., whose children had been receiving instruction from Matt spoke about the need that he fills based on his availability and his manner of teaching, particularly for special needs children.
- Todd H., Simone K., and John M. also spoke in support of Matt and requested that he be allowed to continue teaching.
- Cory T. (PSST head coach) stated that there were members of his coaching staff who could meet the needs of the members who had been receiving lessons from Matt O.
- The board also received letters from the following additional member families who could not attend the meeting: Brian Giebler, Matt Leingang, Steve Wise, Christine Kormanik, Lauren Martinez.
- Tori B. produced a version of the member application cover sheet that states the club does offer lessons to non-members. The board will research this issue, because this is not authorized language for this cover sheet. The cover sheet will be corrected for all future applications.
- The board reminded the members present that Matt O. had been in violation of the following club policies:
  - Only Pacific Sands Swim Team coaches can teach lessons (#10 in General Rules section of PSCC Standing Rules). Matt O. has not been a swim coach since Junior Guard Prep ended in May 2017.
  - Only members may receive instruction at the club (as stated on our website under "Private Swim Lessons"). Matt O. was regularly teaching lessons to non-members.
  - Individual Members are not allowed to bring in guests. In order to teach non-members, Matt O. was bringing them in as guests.
- The board further indicated that Matt O. had been notified verbally by staff and board members to stop teaching lessons, but he did not stop. He was also notified by email on May 23, 2017 of the rules for teaching private lessons. (This email went to all swim team coaches.)
- Paige C. also indicated that when it was initially discovered that Matt O. was teaching lessons at the club (to members) about 3 years ago, she approached him and suggested he submit a proposal to teach lessons. He did not submit a proposal over the next three years. Matt O. further agreed that he had in fact been teaching lessons at the club for 4 years.
- The board further indicated that Matt O. has been advertising lessons at our pool – including a "Cart-vertising" ad at the Seacliff Ralphs that shows the club pool in the background as well as videos on his website that feature the club pool. Matt O. admitted that the Seacliff Ralphs ad was taken out after the May 23, 2017 email which stated that non-members could not be taught lessons at the club. He indicated that he teaches lessons at other locations (including Seacliff Country Club and BeachWalk).

- Matt O. submitted a proposal that would allow him to continue teaching lessons at the club.
- Board members Sandi P., Randy C., and Bob K. all indicated that Matt O.'s behavior did not reflect the sort of individual with whom the club should trust entering into a contract.
- The board rejected Matt O.'s proposal. However, despite the board's misgivings, they did agree to work on a new proposal that would meet the needs of the members present and yet protect the needs and liability of the entire club. No date was set for offering a new proposal.
- Matt O. agreed to not teach lessons until an agreement on a new proposal could be reached.

**Old Business:** None

The meeting was adjourned at 8:55 PM. Next Board Meeting will be Tuesday, April 10 at 7 pm.

Submitted by: \_\_\_\_\_ Approved: \_\_\_\_\_

Sandi Polk sp/SP