**Fireball International Executive Meeting – November 10th 2014 – 21:30 GMT**

**AGENDA**

**Item 1 – Attendance and Absences**

- Joe Jospe has elected not to take part in the meeting as he considers it a conflict of interest with him being one of the two candidates;

- Hiroshi Kato apologises for not being able to attend as he is in transit to China;

- Selection of a Chairman by the Rear Commodores.

**Item 2 – Commodore Election**

- Letters received from AUS, CAN, IRL, GBR and RSA complaining or raising concerns about the difference between the number of votes cast in the election and the number of votes identified in FI’s yearly filing to ISAF; the number of votes identified at the beginning of the election; and the number of votes prescribed by the FI Constitution;

- Review of Articles 8.1 and 8.3 of the FI Constitution;

- Treasurer to confirm which NCAs had paid up members at the end of 2013.

- Discussion on which NCAs are entitled to vote?

- Discussion on whether or not only entitled NCA votes were counted.

- Discussion on whether to take action. If so, what action? Recount the votes with only those of the NCAs entitled to vote counting? Throw out the election and start over? Leave the provisional results as is? Do nothing? Ask ISAF to arbitrate and/or to determine which NCA is eligible to vote? ...

**Item 3 – Namibia**

- Issues raised by Nickolai about the standing of the Namibian NCA.

**Item 4 – Rule Changes**

- The weight reduction proposal has been voted on and accepted by Council members. What is the timing of the implementation with ISAF and the publication of a revised set of rules?

- The sail measurement proposal has been sent out for a vote to Council members. What is the timing of the vote and, if accepted, what would the timing of the implementation with ISAF and the publication of a revised set of rules be?

**Item 5 – Secretarial Conduct**

- Letter received from GBR regarding the content of emails received from the Secretary.

- Discussion on whether to take action. If so, what action?

**Item 6 – All Other Business**

**Notes to supplement minutes – as taken by Ben Schulz.**

**MEETING ATTENDEES –**

Ben Schulz, Rob Thompson, Penny Gibbs, Andrew Davies, Cormac Bradley, Francois Schluchter, Russell Thorne, Maja Suter, David Laing, Tom Egli

**APPOLOGIES –**

Joe Jospe, Hiroshi Kato

**ITEM ONE - MEETING CHAIRMAN –**

As the Commodore is not in attendance the attending Rear Commodores need to elect a Rear Commodore to chair the meeting.

Ben Schulz and Tom Egli suggested Rob Thompson as he had maintained a nutral position throughout the election.

It was agreed by all the Rear Commodores that Rob Thompson should chair the meeting.

**ITEM TWO - COMMODORE ELECTION –**

Rob Thompson addressed the meeting stating that each member would be provided with an uninterrupted opportunity to express their views and concerns regarding the election.

The order would be Francois as Election supervisor, followed by past Commodores then Rear Commodores and finishing with appointed members.

***Francois Schluchter Election Overseer and Past Commodore-***

When Francois sent the original email confirming the election result on 6 /11/14 he did not see any problem with the votes or the election process.

Since that email was sent Francois has received the letters of concern / complaint from the NCAs and decided further investigation was necessary.

As part of this investigation Francois reviewed the letters from the NCAs, the constitution and the information he had regarding the financial position of NCAs leading into and during the election.

Francois also worked with Penny Gibbs to confirm when NCAs had paid their fees.

Francois also discussed the election issues with ISAF at the ISAF meeting in Palma.

At the end of this review Francois has deemed that the votes received from Namibia, Kenya and Netherlands should not be counted as these countries were not valid NCAs.

He cited the need for a country to be recognised by council to be a valid NCA under the constitution. Constitution part 6 k - definitions.

Neither Namibia, Kenya or Netherlands had paid their membership fees for a number of years leading up to this election, they had not provided contact details or member numbers to Fireball International and they had not partaken in any Council meetings or correspondence. As such they did not exist as NCAs during that period.

Based on this conclusion Francois recommended that the votes from Namibia, Kenya and Netherlands not be included in the vote for Commodore.

After recounting the votes Joe Jospe had 17 votes and Pat Crump 16 votes.

This result is still provisional until all the letters confirming the votes are received.

***Russell Thorne Past Commodore –***

Russell thanked Francois for his role in overseeing the election.

He saw Francois role to be overseeing the election and to stop any foul play.

He raised the concern outlines in the letter from the UK regarding the breach of section 8.1 of the constitution – NCAs vote based on paid up members as at 31 December 2013 and agreed that Namibia, Kenya and Netherlands should be excluded from the vote as they did not have any paid up members as at 31 December 2013 and had not had any for a number of years.

Russell also cited the ISAF annual report lodged by Andrew Davies which did not include these three NCAs showing that Fireball international did not recognise them when the report was lodged in February 2014.

***Penny Gibbs Past Commodore –***

Penny backed up the comments made by Francois and acknowledged that she had worked with Francois through the membership issues.

She stated that the interpretation of section 8.1 of the constitution seemed unclear.

***Maya Suter Past Commodore and Rear Commodore Europe –***

Maja noted that during the election there had been a lot of nasty emails sent around that had damaged the image of the class.

She expressed her respect for Francois, the job he did overseeing the election.

She questioned the decision to change the vote after the fact as she did not consider it fair.

***David Laing Rear Commodore Africa –***

David thanked Francois for his work overseeing the election.

He stated that he agreed with Francois decision to amend the vote based on the facts presented.

***Ben Schulz Rear Commodore Australia –***

Ben thanked Francois for overseeing the election under tough circumstances.

Ben stated that there was a lot to learn from this election and the processes followed. The constitution probably needs a further review to make it clearer as to who is entitled to vote.

Ben stated that the executive was clear on what good standing was under 8.3 of the constitution – fully paid up and having supplied all required information on a given day to be eligible to vote on that day.

The issue was more with section 8.1 where once a NCA was in good standing under 8.3, they were assigned votes based on the number of members they had as at 31 December the year before.

The executive should have had a clear determination on how many votes each NCA had prior to asking for votes. This was an error made by the entire executive and we need to learn from it and not make these mistakes again.

Ben agreed with Francois decision to remove Namibia, Kenya and Netherlands as it was clear that they did not have any paid up members as at 31 December 2013.

***Cormac Bradley Communications and Publicity Officer –***

Cormac thanked Francois and Penny for the hard work they put in during the election.

He noted that after this election it will be important not to lose the small NCAs and assure them that they are and will be important in the future.

Cormac stated that when the original list of NCAs came out in September he was satisfied with the list but when new NCAs started appearing at the last minute he became concerned.

***Tom Egli Technical Chairman –***

Tom stated that his views were clear based on the letter he sent to the executive members last week.

He agreed with Francois’ comments regarding NCAs needing to b recognised by council.

He believed that Francois’ answer appeased the complainants.

Finally he stated that the constitution needs to be amended to be clearer to avoid these issues in the future.

***Andrew Davies Secretary –***

Andrew stated that he supports what Francois and Penny do.

He stated that NCAs both big and small need to have equal rights.

***This concluded the first round of discussion.***

***Rob Thompson then asked for any further comments –***

Maja Suter expressed concern regarding the impact on these small NCAs of denying their vote. She cited Namibia as having sailed at a worlds in recent years as an NCA.

Tom Egli stated that the Namibians sailed as Unaffiliated Members under Section 6 p of the constitution, not as a recognised NCA.

David Laing stated that he had spoken to Nikolai in Namibia in the last few days and Nikolai was of the opinion that he is sailing as an Unaffiliated Member not an NCA.

Andrew Davies stated that Kenya had six boats sailing but didn’t pay fees as the did not attend International events. They now have paid for one boat for the last 3 years. Netherlands also has a fleet but only paid for one boat.

Russell Thorne asked Andrew Davies why the three countries in question did not appear on the ISAF report.

Andrew Davies replied that only the NCAs that had paid their fees or had been invoiced were included.

Discussions ended and a motion was tabled –

That Francois Schluchter’s revised determination of the inclusion of votes in the election for commodore be endorsed by the Executive . Moved Ben Schulz, Seconded Tom Egli.

Six votes in favour. Three Abstained, None against.

Maja Suter asked that Francois contact the NCAs to explain the determination.

**ITEM THREE – NAMIBIA –**

This has been covered off under item two.

**ITEM FOUR – RULE CHANGES**

Tom Egli asked Andrew Davies for an update on the status of the weight rule change and the sail measurement rule changes.

Andrew Davies reported that the weight rule change was with ISAF currently. They have verbally indicated that they are happy with it. The changes should be able to come into effect from 1st December 2014. Andrew to keep the Executive up to date on progress.

Andrew Davies reported that the sail measurement rule changes have now been circulated to the NCAs to vote on.

Andrew Davies to confirm when the voting period closes for this rule change and when it will go to ISAF.

Question raised regarding the issue of Grandfathering older boats.

Tom Egli stated that this shouldn’t be an issue at small regattas. At large regattas there will need to be a clause added into the sailing instructions that he will prepare and circulate.

Tom Egli then added that the sail measurement rules would not effect any sails currently on boats as all sails should measure under the old and new rules. The only change that will effect sailors is the addition of the flattening reef.

**ITEM FIVE – SECRETARIAL CONDUCT –**

Russell Thorne addressed the Executive regarding the complaint made by UKFA about Andrew Davies conduct during the election.

He stated that the Secretary should be impartial.

The pressure exerted on the UKFA by Andrew Davies through the two tabled emails was out of order.

Asked that Andrew Davies step down.

Penny Gibbs stated that Andrew Davies should not have sent out the emails but is only human.

Rob Thompson compared Fireball International to a medium sized US high school in size. Like a high school there are a lot of factions that clash and cause conflict.

Rob went on to say that better governance and changes to the constitution to stop these problems occurring during the election process are essential.

Maya Suter stated that Andrew Davies had been under a lot of pressure during this election.

Maya stated that she did not approve of the emails sent by Andrew to the UKFA.

Ben Schulz reminded the Executive that Andrew Davies was a paid employee of Fireball International and as such he must be held more accountable than a volunteer. As a paid employee his actions were highly inappropriate.

Andrew Davies addressed the executive.

He stated that he reacted badly to Joe’s letter and he reacted badly to comments made through emails circulated during the election.

Andrew stated that he was disappointed to have been brought into the election through his inclusion in Pat Crumps manifesto.

He closed by stating that the election got out of control and was a complete mess.

Francois Schluchter commented that it is not good for the class for Andrew Davies to be made a scape goat for poor behaviour by many.

We potentially have a split fleet with a near equal divide between Joe and Pat supporters.

We need to make compromises to try and mend bridges and bring the fleet back together.

Cormac Bradley questioned why Andrew Davies allowed the secretary’s position to be brought into the election when he could have asked Pat Crump to remove it from his manifesto.

Cormac stated that there has been a lot of hurt in this election. Many friendships have been damaged.

Cormac concluded that in hindsight we should have been more open and organised in the beginning to stop a lot of what has happened.

David Laing added that this election has been an clear example of how not to run an election.

We need to move forward and be positive as a class and executive.

Russell Thorne stated that there needs to be a reconciliation between UKFA and Andrew Davies.

He noted that Andrew Davies had threatened UKFA and he asked that as part of the reconciliation Andrew Davies send a written apology to UKFA.

Russell added that for many years there has been a division between UKFA and Fireball International and this division has only closed recently.

The actions of the secretary have again widened the divisions and to close the division it is vital that Andrew take action to mend the situation.

Maja Suter stated that there now needs to be a period of reconciliation.

We all need to look at our conduct in the future.

No direct action was taken by the executive against Andrew Davies.

**ITEM SIX – ALL OTHER BUSINESS –**

No other business

Moved to adjourn by Tom Egli

Meeting declared closed by Rob Thompson