



**MOTORCYCLING NSW LIMITED
MINUTES OF THE BOARD of DIRECTORS MEETING
HELD AT 9 PARKES STREET, HARRIS PARK
ON MONDAY 22nd SEPTEMBER 2014.**

PRESENT Christine TICKNER Chairperson
Ron KIVOVITCH
Leon SAYERS
David MORGAN

APOLOGIES Mark FITZSIMONS

IN ATTENDANCE Daniel GATT General Manager

MEETING OPENED 6.30pm

The Chairperson opened the meeting and welcomed all to the September board meeting.

B9.1- Minutes of the Directors Meeting held 21st August 2014

MOTION #1- That the minutes of the Directors meeting held on the 21st August 2014 are received.

Carried

There were no corrections noted

MOTION #2- That the minutes of the Directors meeting held on the 21st August 2014 are confirmed.

Carried

a. Business Arising

B8.3.5 – The Directors enquired if the invitations to the people that were selected to be appointed administrators upon the Supermoto Committee had been sent. The GM confirmed that they had been sent to all seven nominated parties and it was his understanding that to date three had responded.

B8.3.4 – Director Ron Kivovitch sought confirmation why we do not name within the minutes the riders we choose to assist. The GM noted that where possible we exclude all names from the minutes. He continued by noting, it may also place undue pressure from others should the riders name be released.

B8.3.20 – Director Dave Morgan asked if the financials for the Nowra Districts Motorcycle Club had been finalised, the GM noted that he had left several messages for the auditor but had yet to receive a response. He assured the Directors he would continue to seek a response.

B9.2- Financial Reports

MOTION #3- That the MNSW Limited financial report for August 2014 be received.

Carried

An explanation was sought regarding \$19.67 allocated to "General Insurance". Without prior notice the GM was unable to provide an explanation however would make the appropriate enquires and report back to the meeting.

The Directors sought confirmation that the expense allocated to the Enduro Committee was for State Team uniforms and container rental for the A4DE. The GM confirmed that was accurate.

The Chairperson asked if the \$1400.00 allocated for the raffle was correct and is seemed incredibly low. The GM confirmed that he thought it was with a sharp increase being reported for the following months.

There were no further questions regarding this report.

MOTION #4- That the MNSW Limited financial report for August 2014 be approved.

Carried

B9.2.1 - Accounts Reconciliation

The Chairperson inspected the Cheque Register for August 2014 and advised the report was satisfactory in her opinion.

MOTION #5- That the Cheque Register for August 2014 of \$499173.06 be approved.

Carried

B9.3 General Business

B9.3.1 – Correspondence from a Steward re appointments – The Directors received correspondence from a Steward noting her concern with not being appointed to meetings. The Directors noted the correspondence and reinforced the policy to appoint the nearest, available, appropriately qualified officials who has not been appointed to recent meetings at that venue or are nominated upon the Supplementary Regulations. The GM is instructed to respond to the Steward.

B9.3.2 – Coonabarabran land – The GM provided an update for the Directors regarding the land at Coonabarabran. The Directors discussed the matter at length and determined that the GM should meet with the business operator for further discussions.

B9.3.3 – Bond reconsideration – A promoter corresponded with the Directors seeking approval for the office to waive the bond for an upcoming meeting citing several reasons for doing so. The Directors discussed the matter and agreed that on this occasion will do so. The GM is instructed to inform the promoter accordingly.

B9.3.4 – One Day membership – The Directors discussed the growing use of "one day membership". It was agreed by the Directors that this type of membership is not conducive to improving clubs financial position and may be unfair to riders who pay for membership annually. Further, the Directors were concerned whether the riders who are allocated this membership are being correctly accounted for upon club membership registers. The GM is instructed to write to clubs informing them of the board's discussions.

B9.3.5 - CAMS centre of excellence – The GM provided a media release on the intent of CAMS to construct a centre of excellence. It was provided for the Directors information.

B9.3.6 – Shoalhaven Motorsport Complex Update – The Chairperson provided an update on the recent happenings regarding the Development Application for the Shoalhaven Motorsport Complex. The Directors discussed the information at length and whilst frustrated by the longevity of the process were satisfied with its current status.

B9.3.7 – Resignation – MX Committee – Mr Phil Sargent resigned his position upon the MX Sports Committee citing business and personal reasons. The Directors thank Mr Sargent for his efforts during his time on the committee. A call for nominations for the casual vacancy will be made at the next delegates meeting.

B9.3.8 – Dirt Track Sports Committee Minutes – The Directors were presented with the September minutes of the NSW Dirt Track Sports Committee. With no action required the minutes were noted.

B9.3.9 – Ian Packer Junior Training facility land rates – The GM presented correspondence from the Western Sydney Parklands Trust informing the company of rates which had recently been applied to the property by the local council which would be backdated since the companies tenancy commenced. The amount owing was in excess of \$33,000.00. Since these rates were recently imposed on the Parklands, Motorcycling NSW had no knowledge of the need to pay them as they are usually exempt under the not for profit status. The GM is instructed to look into the matter and investigate the options available to the company and report back.

B9.3.10 – Judicial Process – The Directors discussed the proposed changes to the companies Judicial Process. The discussion went on for some time with a number of proposals being suggested. The Directors resolved what changes would be adopted and what would not and instructed the GM to alter the document in that regard and report back. Director Dave Morgan sought confirmation from the GM that he had altered the process sometime back to remove the option for either a monetary penalty or a suspension being imposed if the party is found to be in breach under a category one breach. The GM agreed it had been altered under his authorisation some time back. It was also stated by the Director that at least two matters that were inspected and subsequent charges having been laid by the inspector had not been actioned in accordance with the judicial process. The Director noted that the GM did not have the right to alter the policy and acted outside of his authority level, nor to determine which matters were discontinued once charges had been laid. Director Dave Morgan sought discussion from the Directors regarding possible disciplinary action against the GM for changing the document without the approval of the Board. As the GM obviously held a conflict of interest, he left the room whilst the Directors discussed the matter.

Upon his return the GM was informed that a motion had been resolved regarding the matter

MOTION #6- That the GM be advised that the Board has concerns about his disregard of the policy regarding the Judicial Process and that it is important that all policy issues be followed in future.
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Carried

The GM questioned the motion noting that it was his opinion that the Judicial Process was not a policy but a set of guidelines to the operation of the judicial process. He continued by noting that the document was not signed by the Directors, was not numbered, held the format of all other policies, nor mentioned it as a policy within the document itself and as a result, it was his opinion that it fell within his responsibility level to ensure that the document accurately reflected the need of the organisation and its members, however should his actions have been deemed incorrect he was happy to accept sanction.

He continued by noting that the document allowed for several areas where the GMs (or his staffs) discretion was required to be implemented and their opinion and advice available upon request. He noted that if the document was to be considered a policy, this would need to be altered as a policy is a definitive set of requirements placed on all parties and discretion or opinion cannot form part of a policy when it is being applied to third parties as it potentially exposes the company, the staff and may affect the outcome of the matter being considered. The Directors discussed this at length and resolved that the company held a policy to have an independent judicial process, however the actual judicial process were guidelines and as a result the GM had not acted outside his authority as initially indicated. Director Ron Kivovitch proposed that the previous motion providing advice to the GM be rescinded and replaced.

<p>MOTION #7- That the previous motion re advice to the Manager about disregard of policy be rescinded as the decisions made by the GM were not (in) disregard of the policy but a change to process as allowed within the judicial process document.</p>
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Carried

B9.3.11 – Update Ian Packer Junior Training Facility – An update was provided on the rectification works being conducted at the Ian Packer Junior Training Facility.

B9.3.12 – Maree Kirby Correspondence – The Directors were provided with an email from Ms Maree Kirby and Mr Darren Fitzgibbon from the MX Sports Committee thanking Motorcycling NSW and the office staff for the hard work in arranging the MX State Team Coaching weekend. Other emails from some of those who attended were presented expressing the same sentiment. The Directors were happy the event was a success and thanked Coach Shane Booth for his contribution to the event and the team. The GM took the opportunity to acknowledge Angela Aarts (Ellsmore) for arranging the weekend as she did most, if not all of the organisational work.

B9.3.13 – Speedway – Director Dave Morgan provided some information regarding portable air fences for Speedway. It was agreed that the cost of purchasing the air fence would be cost prohibitive however the Directors would await the recommendation of the Speedway Committee who may have alternate options.

B9.3.14 – Commission Recommendation – An official from NSW submitted an application to be re-endorsed by Motorcycling NSW to retain a position upon the Motorcycling Australia Speedway Commission. The Directors are not satisfied with a number of recent decisions and rules of the Speedway Commission and have elected not to reindorse the applicant noting the need for change upon the commission. The GM elected not to partake in the conversation as he has a known conflict of interest.

B9.3.15 – Mini Enduro discussion – Further to last month's correspondence regarding Mini Enduros being conducted for riders upon 65cc machines. The Directors discussed the matter and made several suggestions which may facilitate this occurring. The GM is instructed to discuss the matter with the proponent and determine the validity of the suggestions.

B9.3.16 – Minikhana Sports Committee Minutes – The Directors were presented with the September minutes of the NSW Minikhana Sports Committee. With no action required the minutes were noted.

B9.3.17 – Bylaw interpretation– The Directors were presented a query regarding bylaw 4.3 within the Minikhana bylaws. The query related to senior combined class riders and whether they are considered A Grade for the purposes of qualification. The Directors determined that owing to seniors only having a combined single class, then by default the class is A Grade and further since the class is also considered a Championship class and Championships are only distributed to A Grade classes in Minikhana then the class must be considered A Grade.

The GM should reply to the email as instructed.

B9.3.18 – Minutes National Managers meeting (September) – The GM provided the Directors with the draft version of the minutes of the recently held National Managers meeting for their information.

B9.3.19 – Centre for Volunteering – The Chairperson provided an update on a seminar attended by her and fellow Director Leon Sayers held by the Centre for Volunteering. The seminar was of great value to those that attended and provided many insights to improvements that could be made to encourage participation in that segment of our sport.

MOTION #8- That the company should become a member of the Centre for Volunteering

Carried

With no further business the meeting was closed at 10.25pm
