

long-time smart people in here -- Howard, is he still here? And Steve -- do you know how many times has this actually worked for somebody?

UNIDENTIFIED SPEAKER: Twice.
PRESIDENT MOTTA: Cal South and Wisconsin.

MR. SADOWSKI: Cal South, deservedly so, I think, as I recall the facts there.

UNIDENTIFIED SPEAKER: Rhode Island.
MR. SADOWSKI: So, I agree that the process should not be easy. I disagree that you should put so many bars ahead of that, that it means it's somewhat impossible.

The reason I say that is because I went through, in my state association, whether I needed to go through this procedure. I looked at this last, during the 2002 time period, where we were having some financial responsibility issues. And I was successfully able to solve that problem with a ballot box, which is, I think, the primary road block, but there may be a time where an organization is so entrenched, and they have so much power over the leagues that they run or hold that there is a legitimate grievance by a responsible group of individuals who may want to

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challenge that.
So I don't want to make this too hard, because I think there will be times where it has merit, but I also don't want to see us spending lots of money on frivolous complaints.

So I would like the opportunity to talk with you, and whoever else is putting this forward, without me easing that a little bit, without being the sole voice of dissent tomorrow, if that makes sense. Is that a yes?

PRESIDENT MOTTA: We can talk.
MR. SADOWSKI: So one of the ways to do that would be to make that entry-level time not so great. So I would suggest --

PRESIDENT MOTTA: Again, this is definitely not to deter people that feel that our state associations are not doing a good job. So if there was a group that saw -- if there was a state association that wasn't doing its job, and there was a group out there that we felt should be the new group that should be going in there, we would support them and ensure them that even though they're going to put the $\$ 10,000$ up, we would back them at the region level to make sure that that was done.

MR. SADOWSKI: The second time on the hurdle is the standard. For the nonlawyers in the room -- we have a lot of them here, and we've got a lot of lawyers here too -- clear and convincing is above preponderance, which means 15 percent plus 1. When you have beyond a reasonable doubt, which is really close to absolute certainty in a criminal case, but clear and convincing is a really high standard to me, really high, and it's saved for very specific allegations like fraud; you have to prove that by clear and convincing evidence. So when you couple that high standard of proof with a bond that's that high, I believe that you are making it very, very, difficult for those who put you in that situation. So those are my two concerns.

Thank you.
MR. TRAINOR: Dan Trainor, Arizona. And I also sit on the U.S. Soccer Rules Committee.

The things that Jim brought up were discussed heavily in our committee meetings. We didn't necessarily come up with an answer as to how to propose it because of the things that are on both sides; the need to address a problem with 12
a state association with the ability to overthrow them.

So, it was really discussed that if somebody wanted to make a change, pour on the money -- and I'm not the lawyer, and I use the exact same thing that Jim was talking about -what does this really mean?

So we didn't necessarily come up with better language, but those were two of the areas that we really spent a lot of time trying to discuss. I think it would behoove us to look at that, but it's really up to the membership to make that decision.

MR. BUSCH: I appreciate Jim's perspective about the opportunity to not bar legitimate individuals from coming forward, but Cal South, unless I have missed it in talking to them, they don't have any clear idea of what it is that the group that's challenging them is trying to do, other than if you look at the two state associations that most recently have been involved, we have considerable resources. So, at least in part, one of the arguments is, we're better than you. We are more moral than you. We can do a better job, as you, than you guys do, if
we get the money.
Because, again, none of the standards about violating rules or fraud or any of those things go away. And I suppose 10,000 isn't a sacred issue for me. It's just simply, well, how do you deal with a continuation of what could be harassing or frivolous complaints every six months that you want to be the state association?

So there's got to be at least some legitimacy to the group that wants to take the state association. And, Jim, I think what you are talking about, about the ballot and replacing somebody with a better candidate, is appropriate. But I think the current language is inadequate. It doesn't give the general council the ability to say, I don't think this is worthy of moving forward. And also, it turns back some of the responsibility to the individual councils for the youth and the adults.

So there is another safeguard that if you have got that accurate, it's not just the judgment of the state association. And I think, quite frankly, we have some state associations, in both the youth and the adult associ- -- and at those councils, that might be better served if

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they had someone else running. But the point is you can basically run a good group into the ground, having to defend yourself over and over again. And I don't think the current, I know the current language is not adequate in the bylaws.

MR. SCHERER: I would like to just
say a few words in support of John's
recommendation. One issue that I have run into -- and we've had a couple of these in Region 4, with Washington and Cal South -- Cal South was -- they're three years into the process now. They came to the Federation, they said, yeah, we want to do something, and they kind of went away. They went back, and said, Well, are you going to do something? Well, I guess, we will, and then they finally did something. So they have been going through this for three years.

Part of the problem was U.S. Soccer doesn't sit down and look at it, and say, does anybody really have, frankly, a good case? They don't really evaluate it. They also don't impose their own bylaws where it says that the parties are mediating. Neither party is mediating these cases, but yet they went ahead and went to hearing. We need to support the state
associations as much as possible in their endeavors to maintain what's going on.

I understand, and I agree, that there are some egregious things that happen out there that the state associations might need to replace. I think USASA can do that as well, if we have a state association that's not fulfilling, but we have to protect ourselves from these kind of things, and the Federation, obviously, isn't going to mediate it, and I don't really think we need to pass this. If we need to alter it later on down the road, fine, let's do that, but let's get it passed.

Thank you.
PRESIDENT MOTTA: Paul, any other comments?

MR. HAITZ: Chris Haitz, Sal Couth -Sal Couth -- Cal South. I haven't had enough coffee today.

We're speaking specifically about Bylaw 213; is that correct? So I would think that a $\$ 10,000$ bond goes far enough, actually. I think that this bylaw is very poorly written. It really opens up any state association to an endless stream of petitions that they will have 16
to defend, which Cal South has done now with one position over the last three years. I have got it right here if anybody wants to read it.

I won't take everybody's time to read every single one, but specifically there's a subsection here. Basically, what it says is any organization or any, any other organization could submit a letter that a mediation has occurred. Then it says, if there is an agreement in the mediation, then there must be a hearing. And this is 45 days, the first round, and then 90 days, the second round.

So, if there is someone that is not happy with the mediation, and somebody is just going to dig their heels in, then I think there's got to be a mediation. A hearing will happen after that. So you can just count on there being a 45 -day period with another 90 -day period.

Now, you are five, almost five months into the process. And then you come down to a subsection that says D, The applicant must establish by a preponderance of evidence, that 1), the existing state association is not adequately carrying the knowledge and responsibilities of the Federation and state
association, or, 2), the applicant is more capable, based upon the nature, scope, quality and strength of this program to carry out the responsibilities of the Federation.

I think that that subsection should come, should succeed the other subsections, and that should be the burden of the Federation to decide whether the application has merit to then go into a mediation, because if it is not meritorious, then why waste the association's time?

So I think we need to go further than just the $\$ 10,000$ bond.

PRESIDENT MOTTA: Thank you.
Any other comments?
MR. SADOWSKI: Jim Sadowski.
Just to be clear. I did not refer to the existing Cal South Soccer Association in any of my comments. What I was referring to was about -- when I was sitting at the committee at the 2007 AGM, that ran off with, you know, that didn't pay those fees. I support strengthening this provision. I just don't want to make it too difficult. A mediation is a good route, by the way, for anyone who is involved in disputes, but

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the one way, and mandatory is great, to force the parties to talk before, you know, they're sort of drawn forward. Thank you.

PRESIDENT MOTTA: Okay. Any other comments on this?

So, I don't think we have unanimous consent, but I will still do a roll call.

All those that support this, say aye?
Anybody opposed?
UNIDENTIFIED SPEAKER: No.
PRESIDENT MOTTA: I will say that 99.5 percent of the membership supported this.

Okay. Thank you. Thank you.
(Motion passed.)
PRESIDENT MOTTA: Next we also had a proposal that I would like support by this group, so I can take it to U.S. Soccer. The U.S. Open Cup, as everyone knows, the Lamar Hunt Open Cup, has been taken over by the Federation. And in the first round of the tournament this past year, there were like three amateur teams that had to forfeit, only because of travel. They had to travel by plane, and it was too expensive for them to travel to their games.

We can argue that when you enter this
tournament, you should be aware of that, and you should be -- you know, it shouldn't be coming as a surprise, if they told you not to fly, but in protection of our teams that were planning to participate in this tournament, the Adult Council Commissioners would like to make a proposal to U.S. Soccer that in the first round, any amateur team that must travel more than 500 miles would be compensated on at least 50 percent by the Federation for travel expenses. And I would like support by this group for that.

All of those that would support this, say aye? Anybody opposed?

Thank you.
(Motion passed.)
MR. PINORI: That was unanimous.
PRESIDENT MOTTA: That was easy.
Next, we have Elections of
Commissioners.
As everyone knows, we have five people running for four slots as adult commissioners, as we have every year. Everyone has, I believe, in their packet, one ballot per delegate in your delegation.

When you vote, you can vote for one,
two, three, all four people, per ballot. You may not and cannot put the same name four times on one ballot, because that would disqualify that. So if you had four votes, and you think you are going to put John Motta's name 16 times to give him 16 votes, we're going to throw them in the trash. So you are allowed to vote, $1,2,3,4$, per ballot, and they also have to be a different individual per ballot. So, does everybody understand that?

So is there any nominations for the elections of the commissioners?

MR. CONSELYEA: Ken Conselyea, President, Southern Ohio.

It is my pleasure to nominate Bill Davey, Region 2 Director, for the position he already holds. He's an incumbent. He's done a great job, and anyone who knows him knows how much he has brought to the Adult Association over the many, many years that he's been involved. Thank you.

PRESIDENT MOTTA: Thank you. MR. BUSCH: Tim Busch, Washington. I would like to place the nomination of Paul Scherer, Region 4 Director.


## REPORTERS CERTIFICATE

I, DEBRA K. RESLING, RMR, and Certified Realtime Reporter, appointed to take the meetings of the United States Adult Soccer Association, do certify that the within proceedings of the Adult Council meeting were taken by me stenographically in San Antonio, Texas, on February 26, 2016, then reduced to typewritten form consisting of 27 pages herein; that the foregoing is a true transcript of the proceedings had.

In witness hereof I have hereunto set my hand this 21st day of March, 2016.

## deer

Debra K. Resting, RMR
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My commission expires February 28, 2013




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