

The Cleveland Darter Club
Special Meeting of the Board of Directors
June 24, 2011 6:30 PM
West Park Slovenian Home

APPROVED

The Meeting was called to order by President Brian Kaczmarek at 6:31 pm.

ROLL CALL [BKI]:

President: Brian Kaczmarek [BK], Treasurer: Jeff Inman [JI] Board Members: Aaron Mason [AM], Jon Molnar [JM] Jim Friedel [JF]

Also present: Jamie Clark [JC], Trails Committee Chairperson

Vice President Sue Russano [SR], Board Members Bob Taillard [BT], Paul Hansen [PH], were excused by a 5-0 vote of the BOD. Board Member [JH] was not excused by a vote of 5-0.

BK presented the Agenda (which was previously distributed by email - see attached) and indicated that the purpose of this meeting was to hear two grievances (#1 filed by Board Member JH against Trails Chairperson JC, the second by member AH against President BK).

With respect to the agenda item regarding a discussion about possible consequences for misusing the Grievance process, it was decided to table that discussion until the July 10, BOD meeting.

Grievance # 1: Jeff Heath [JH] Against Jamie Clark [JC]

A copy of the written grievance filed by JH was provided to the BOD via earlier email. A copy of the written grievance is attached.

The written grievance was read to the board and a discussion ensued. Of primary concern was that the Grievance provided no basis for prohibiting the Trails Chairperson from selecting the regular Trails Directors or substitute Trails Directors. On this basis alone, it was argued by BK, JI, JM, JF and AM that no infraction was committed by JC.

JC made the point that she felt the proper procedures per By-Laws Section 16.02 were not followed. Section 16.02 requires a BOD member who files a grievance against any member should first present that complaint to the member. At no time did JH inform JC of his complaint against her, and only through subsequent communications with the BOD did JC become aware of JH's complaint against her.

JC also made the point that she feels the basis of the grievance was a "trails director substitution" list that was emailed out to trails directors (and potential substitute trails directors) for review. It was stated in the email that the list may be incomplete and would be updated as needed. JC also stressed that the subsequent addition of JH to the substitute trails list should in no way be considered satisfaction of the remedy suggested by JH in the formal grievance.

By a unanimous 5-0 vote, the grievance filed by JH against JC was dismissed as being without merit or basis.

Grievance #2: Audra Heath [AH] against Brian Kaczmarek [BK]

Brian Kaczmarek had no comment related to this grievance. Attached to these minutes is a transcript of the dialog between BK and AH, as provided by BK.

At this time, BK was asked to leave the room while rest of the BOD considered the grievance.

By a unanimous vote of 4-0, the grievance was dismissed as unrelated to Club business.

BK was readmitted to the meeting and informed of the BOD's decision. Meeting was adjourned at 6:53 pm.

Grievance/Dispute Resolution

Meeting Agenda

Date/Time: June 24, 2011 6:30pm

Location: Westpark Slovenian Home, 4583 West 130th Street, Cleveland, OH 44135

Called by/Facilitator: Brian Kaczmarski

Purpose: To review grievances submitted to the Board of Directors and determine if the grievances are legitimate and come to a resolution if it is decided they are legitimate.

Topic: Grievance #1 – Jeff Heath Jr. against Jamie Clark

Grievance #2 – Audra Heath against Brian Kaczmarski

Open Discussion concerning the Grievance process and possible penalties for misuse of the process.



The Cleveland Darter Suggestion/Grievance Form

Date: 4/6/2011

League (circle one): **Mon. Tues. Wed. Thurs.**

Name of player filing Grievance: Jeff Heath Phone: 440-665-3857

Team Name: _____

Division #: _____

Nature of Grievance or Suggestion: (include pertinent Match dates, Team Names, Affiliate (Bar) name and Darters involved.)

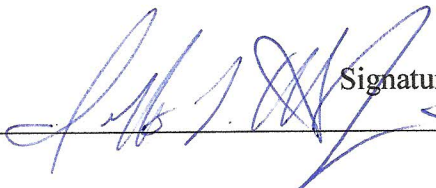
Grievance against Jamie Clark

Grievances other than Match related:

Jamie Clark is vindictive, as the new Trails Chairperson in not allowing me to continue on in the capacity of Trails Director because she does not like me.

Suggested Remedies:

at least a substitute trails director
Allow Jeff Heath to remain on as


Signature (s)

Jeff Inman

From: Audra Heath [audraheath1229@yahoo.com]
Sent: Wednesday, June 08, 2011 4:13 PM
To: aarnmsn@gmail.com
Cc: Sue/Chris Russano; Jon Molnar; Jeff Inman; Paul Hansen; Jeff Heath; bobtail1@cox.net; jfriedel@mussun.com; Eric Belloma; Rose Scott
Subject: Grievance against Brian Kaczmarski

Date: June 8, 2011

Name of person filing grievance: Audra Heath

Phone number: 440-665-3532

Nature of Grievance: Unwanted contact from Brian Kaczmarski

Grievance other than Match Related: at approximately 12pm today, I was contacted via email by the CDC's President. He was accusing me of posting things about him on my social network. This matter was recently discussed at length and determined that regardless of content, posting on Facebook is outside of the jurisdiction of the club and can not fault members for what they post. I responded to his accusations and asked him politely to not contact me again. He did not adhere to my request and again contacted me a short time later. Again, I asked him to not contact me. For the second time, he responded and once again did not respect my request of no contact. I gave him a third request and asked him to leave me alone and not contact me further. I'm guessing he felt that he needed to have the last word, and once again sent me another correspondence. I then blocked him from contacting me further, but I shouldn't have had to go to such tremendous lengths to keep from being harassed.

Suggested Remedies: I would like this formal grievance put into his file on his record and request that I not be contacted again at any time for any reason by Brian Kaczmarski. If he fails to abide by my last request and contacts me through any portal, I will request that he not only be removed from his position of President of the Club, but that he not be allowed to serve in any capacity for the club. As a member, I should feel safe and secure in the Officers and Board of Directors, but instead I have to now worry that Brian is going to find a new way to contact me and continue to harass me. If I ask him just one time not to contact me and he does, I could go to my local police and file a complaint against him for harassment. I am hoping to not have to go outside of the club for this matter, because it is really him as a CDC representative that is harassing me, and not Brian the citizen of the community contacting me. If I were to file a legal complaint, the police wouldn't shrug off this complaint, and I would hope that I can get the same response from the Grievance committee/board members.

I have intentionally left him off of this communication because I now fear that he will retaliate in some manner, and he has already harassed me enough.

Audra Heath
CDC #23406

6/8/2011

FROM BRIAN KACZMARSKI (In response to Grievance filed by Audra Heath):

Just so all know and can be objective, here is my conversation/dialog with Audra in its entirety. Mind you this was a private conversation that did not involve the club or me acting as an official of the club.

I personally don't think this deserves any club time but as a Board it is your responsibility to investigate/review these types of complaints.

In message(s) with the subject line: Heard you had a few posts aimed at me...

ME Thought we were beyond that. Oh well...

AUDRA Sorry, Brian, not sure what post you're referring to, but I'm sure this will disappoint you when I say - I'm not nearly as interested in your life, as you are in mine. So whomever is sharing information from my account, since I know you can't see anything for yourself, please inform them that that my life doesn't revolve around others, and if they can't accept that, then have them remove me from their friend list. If you have something of real value that you'd like to discuss, you know how to contact me. oh, and as far as being "beyond that", I was over it the day we stopped talking; you, however, seem to still be harboring some pent up frustration towards me as evident in your recent behavior. But again, I'm over it. Now it's time for you to move on also.

ME No interest whatsoever...Don't want to draw this out but if that were the case than many of your posts since then must have been imaginary. Including the one that you called me out (to attend trails @ the Oriole). I was talking with others about something totally unrelated and the information was given to me. I could care less and the same goes for them, guess they enjoy the entertainment.

Remember what they say about Karma...

Have a nice life....

AUDRA Brian, I don't give much thought to what you or your group of friends talk about. I've removed your kind from my life, and yet still you find interest in what I say/post/do. Is your life that boring that you insist on finding ways to bring drama into mine? Again, if they're my friend for "enjoyment" purposes, then much like you, they're not much of a friend. Maybe you should take your own advice and remember what they say about Karma. Might want to watch your step here, with your new position of power and all, it's not a good idea to bother a member of the same club in this manner. I'm asking you to please leave me alone. I do not desire any type of further conversations or communications of you accusing me of doing anything, since you have no direct proof anything I post is related to you whatsoever.

ME I'll end with this...you give yourself way to much credit. You are not as important to me or my 'circle of friends' as you think you are. Again, have a nice life.

AUDRA I asked you to stop, you refused. I'll now be taking this matter to a higher authority since you feel that continuing to harass me and me asking you to stop didn't seem to work.