

CAAD/USADB Meeting

Reported by Bonnie R. Schwebke

On September 15, 2009, CAAD and USADB had the opportunity to talk about several issues at Brian Fruits' residence. USADB and CAAD had the chances to review, to investigate, and to straight out several issues.

CAAD/USADB Officers presented were: CAAD President, Bonnie R. Schwebke, CAAD Secretary/Treasurer, Meta Cucinotta, USADB President, Shirley Platt, and USADB Treasurer, Brian Fruits.

The meeting is summarized as outlined:

1) **International Financial Report**

- a. There were NO receipts to valid any of 51 supporting documents that the Auditors had asked for. *(Note: Attached is the list of 51 supporting documents was sent and requested by the Auditors last February 2009)*
- b. It was inquired of why did International ordered two checkbooks within a month.
- c. It was inquired why the Fund of \$5,645.00 was transferred from Chase Bank of Brenda and Gary Mowl to USADB Wells Fargo Bank.
- d. It was inquired of whereabouts Youth Financial Report and Bank Statements that was not included for the Auditors to audit.

2) **2008 USADB Basketball Tournament**

- a. There were NO receipts to valid the exceeding of staying at the Orlando more than 4 days as prescribed in USADB Bylaws.
- b. It was informed that all of 2008 receipts and/or supporting documents are not 100% in USADB File as of today, and any other issues pertaining to 2008 USADB Financial were unable to verify.
- c. It is our understanding that USADB has been in vain to get all of the infos of 2008 to complete 2008 USADB Financial Report because the documents, Banks, and the receipts are scattering in several properties that are NOT fully known who has them and who does not have it. *(Note: Please look up USADB Board Meeting Minutes at Denver recorded by Keith Westhoelter, number 18 and 19.)*
- d. It was discussed the missing checks of BOTH SEAAD and SWBAD for the payment of 2008 USADB Fees that is pending if it is cleared and/or deposited in USADB Fund.
 1. SEAAD notified and promised USADB to re-issue a check that USADB put emphasis on SEAAD for "hostage" to re-issue the check.
 2. SWBAD was asked to send the cancelled check to verify, but SWBAD sent a copy of check that was issued without any verification if this check was cleared and/or marked by the Bank.

3) **2007 USADB Basketball Tournament** *(Note: 3 checks payable to Doug Mader is attached to this report.)*

- a. It was inquired in regarding of USADB Check payable to Doug Mader in the amount of \$3,000.00 that needed a receipt *(supporting document)* to valid it.
- b. It was also inquired of USADB Check payable to Doug Mader in the amount of \$2,000.00 for the T-Shirt with no supporting documents of receipt and any report of its earnings from it.

4) **USADB and International Financial Reports of 2006 to 2008**

- a. With no supporting documents such as receipts of ATM Withdrawal Slips and several Checks issued of unknown payable to and no matching receipts to valid it, none of the issues were resolved.
- b. It was discussed the abusing of USADB Fund had originally occurred in 2006 and it had just kept continuing to 2008. It was debated and questioned WHY those Officers during 2006 to 2008 did not take any actions to stop the abusing/misusing of USADB Fund during 2006, but instead of that, it just continued for another two years. It was also discussed the "accountability" of those Officers who did nothing for two years.
- c. Generally discussed of what can be done or to resolve the distortion of 2006 to 2008 USADB Financial.
 1. USADB suggested to forget and to move on which will not be tolerable by CAAD.

2. It was discussed and acknowledged that it would cost money and hassles to go back to clean up.
3. It was informed that USADB had asked Attorney, Howard Rosenblatt, and another one from Kansas or Missouri of what USADB could do and should do, both informed USADB that it is best to forget it and to move on because USADB will not get the money back. USADB will ask one more person and if the answer is the same as two answered, then USADB intended to forget the past and to move on. However, Ira Hendon III will be ban from USADB in all events.
4. It was generally discussed the fairness for some Regions who paid and some Regions did not pay, and to let any of USADB Officers and some Regions to get away with it.
5. It was discussed the ethical of all Officers during 2006 to 2008, and not to pinpoint ONLY Ira Hendon III for everything.

5) Players' Eligibility and Suspension

- a. It was generally discussed of several ineligibility Players in some teams.
- b. It was inspected that there were several ineligibility players in Black Widows. USADB assured that USADB had verified and claimed Black Widow had all eligibility players. CAAD noted USADB that it occurred during 2006, 2007, and 2008 before the Free Agents were allowed and their finishing point at the college.
- c. It was discussed the unfair tactics to suspend Ronnie Zuchegno that CAAD had challenged USADB, because there were college players in other teams, but it was learned that Art Larson of NEAAD had filed the compliant that had prompted USADB to take this action. It was generally discussed that the Players' Eligibility should be the responsibility of Regions' Officers to comply their Region and USADB Player Eligibility Rules before anyone can play.

6) Parliamentary Discussions

- a. It was discussed several Parliamentary procedures that was not practiced accordingly to USADB Bylaws and RONR in relevant of two issues of "Husband and Wife on the board" and "HOD's motions."
- b. USADB assured that having Husband and Wife on the Board is not allowed and/or is violating. CAAD disagreed and assured that it does NOT violate any of their Bylaws. *(Note: I did NOT have the documents with me at that time to present the argument, here is the information from TWO Websites in regarding of "Husband and Wife" on the Board.)*

Website #1 (Parliamentary Organization, FAQ)

Can married couples be officers (or board members) at the same time?

Yes. Unless the bylaws say otherwise, there is no parliamentary rule to prevent it. Also, the voters have spoken, and saw nothing wrong there, too!

Website #2 (RONR Messages Forum)

Subject: Husband and Wife serving on Exec Board **Author:** [Mom3](#) **Date/Time:** 8/25/2009 4:46:00 PM

[Reply](#)

Is a husband & wife allowed to serve on exec board for PTA?

Subject: re: Husband and Wife serving on Exec Board **Author:** [J. J.](#) **Date/Time:** 8/25/2009 4:48:00 PM

[Reply](#)

It violates no rule in RONR.

J. J.

[Reply](#)

Subject: re: Husband and Wife serving on Exec Board **Author:** [H.Wm.Mountcastle](#) **Date/Time:** 8/25/2009 4:49:00 PM

If the members don't like this arrangement, they won't vote for both of them.

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- c. It was discussed and debated about the motions made and passed by the HOD should NOT be revised, amended and/or modified, but to take this action in according to the motion. CAAD assured that CAAD had asked 4 Parliamentarians same questions and all answered same thing and outlined the RONR shown:

A **motion**, in parliamentary procedure, **is a formal proposal by a member of a deliberative assembly.**

Once the motion was moved and passed by the delegates, **it belongs to the delegates and the Executive Officers CANNOT reverse the motion.**

The **main motion** **provides a method of bringing business before the body for consideration and action.** RONR 10th ed., p.26 1. 14 -15

A motion is a formal proposal by a member, in a meeting, that the assembly take a certain action. RONR 10th ed., p.26 1. 19 - 20

If the **Main Motion** is adopted, **it becomes the officially recorded statement of an action taken by the Governing Body.** RONR 10th ed., p. 99 1. 22-32

Motions **in conflict** with the corporate charter, constitution, assembly bylaws, or procedural rules as prescribed by national, state, or local laws **are OUT OF ORDER.**

- d. USADB assured that USADB can make the motions anytime with an example to recognize CBAD.
- e. CAAD disagreed because that motion was referred to Law Committee and USADB Board can NOT do anything excepted to refer to Law Committee, and then to be ratified by the HOD first before it can take the action.
- f. USADB rebutted CAAD that CAAD Board made a motion to disaffiliate USADB which is the same thing that USADB did to recognize CBAD.
- g. CAAD tried to clarify that CAAD did NOT revised, modified or touch any of HOD's motions, but made this motion for the best interest of CAAD that applied differently.
- h. It was asked why a formerly CAAD Officer never had voted or seen the letter that was sent to USADB to disaffiliate. CAAD assured USADB that CAAD had every Executive Officers voted and CAAD always check with EVERY CAAD Officers with any letters before sending it out.

7) CAAD vs. CBAD

- a. USADB asked CAAD to re-affiliate USADB.
- b. It was noted and questioned that USADB Board voted to recognize CBAD and booted CAAD without referring to Law Committee moved and passed by the HOD.
- c. CAAD asked if CAAD is suspended or not.
 - 1. USADB assured and will write to CAAD that CAAD is NOT suspended and USADB does NOT recognize Jay Krieger's letter to suspend CAAD. (Note: CAAD received an email from USADB, dated 9-16-09, that CAAD is not under suspension or probation.)
 - 2. USADB clarified that \$440 is NOT fined, but it needed to pay for those 2 Non Member Teams.
- d. CAAD explained the chronology of how CAAD had passed a motion to have CAAD's own Registration Form which applied differently. Anyone who registered USADB Form will need to follow CAAD Bylaws prescribed to pay CAAD and USADB Fees. Anyone who registered ONLY CAAD Form has nothing to do with USADB.
- e. It was noted that USADB acknowledged CAAD had passed a motion to have its own CAAD Registration Form for more than one year and USADB, not once, discuss, check, or ask CAAD about it. It was comprehend that both Brian Fruits and Shirley Platt did not have all documents of the letters correspondences between CAAD and USADB because they were not USADB Officers at that time. (Note: 10 letters is attached to this report.)
- f. USADB emphasized that USADB wants \$440 to be fair with other Regions and CAAD assured USADB that CAAD will appeal again because CAAD is not obliged to pay \$440.
- g. It was also clarified and noted that CAAD is abiding the outcome of CAAD Delegate's votes not to override CAAD Board to disaffiliate USADB.

- h. USADB is concern of how CAAD could re-affiliate USADB that the CAAD Delegate Meeting is in March.
- i. CAAD cautioned USADB that CAAD needs to report to Delegates of what has been audited in USADB Financial from 2006 to 2008 remained unchangeable because of NO supporting documents.
- j. CAAD asked for the resolution of 4 Demands made by the 8 Regions:
 - 1. \$20 Membership – No solution yet.
 - a. Generally discussing and brainstorming of how to resolve this infamous \$20 Membership that USADB is working to convert into a flat rate instead.
 - b. It was discussed for those players WHO will NEVER play at USADB should not be obliged to pay \$20 with NO reciprocal being USADB member.
 - 2. To recognize FAAD – Resolved and case closed.
 - 3. To remove all USADB Officers except for Shirley Platt – No solution yet.
 - a. USADB assured that USADB is restructuring for some of USADB Officers to be USADB Staffs instead.
 - b. CAAD assured that the parliamentary procedure of restructuring USADB Officers must be ratified by the Delegates first before this action can be implemented.
 - 4. No reprisals – No solution yet.
 - a. USADB wants CAAD to pay \$440.00 for two non USADB Member Teams.
 - b. Ronnie Zuchegno is suspended after USADB notified Ronnie can appeal, and then, rejected his appeal because he is not a member of USADB during 2009. That incident was in 2008, not in 2009.

8) Other Issues

- a. There were other issues generally discussed that is not related to USADB/CAAD such as USADB/ABAD History, 2016 Olympic at Chicago, displayed well-organized USADB Treasurer Notebooks, unknown list of CBAD Officers, NSAD, CAAD Officers, Brian Fruits' old jobs, NDBO, CBAD suspended Cy Sanders, SBAD, EBAD, Videotaping the meetings, splitting two Regions in some Regions, 2010 USADB Basketball Tournament, and USADB's vacancy position of Secretary.
- b. USADB suggested letting CPA take over all of USADB Financial instead of having USADB Treasurer and Auditors to do the tasks. CAAD does not feel comfortable with this suggestion.
- c. CAAD inquired why 2005 and 2006 USADB 990 Form is NOT listed in Guidestar.com, it was questioned if both years were filed or not.
- d. CAAD repeatedly asked for a summit of 8 Regions and USADB for the solutions and for the best interest of both Regions and USADB.
 - 1. It was clarified that 8 Regions did NOT want to take over USADB Board, but to be on the Board among the USADB Officers with equal voting and voicing as being affiliated to USADB.
 - 2. It was generally discussed that any motions and/or appointing USADB Officers that USADB Executive Officers made shall be shared with the 8 Regions for their votes and voices. Then, 8 Regions can report to their Region for efficient relationship with USADB and the Regions.
- e. USADB asked CAAD for the feedback/opinion of John Scott's \$20,000.00 check, CAAD answered that John Scott's check was payable to USADB and it was deposited into USADB Checking Account; therefore, it is USADB responsibility to resolve this issue.
- f. USADB is concern of having 2 National Basketball Tournament that would hurt both USADB and NDBO because USADB could fold. CAAD noted USADB that the average in total of 8 Region has been endorsing \$32,000.00 yearly to USADB which all 8 Regions affiliated to USADB have a right to know where the money go and how the money was spent.

9) Wrap Up

- a. The meeting lasted for 7 ½ hours of realistic, rational, and healthy discussions.
- b. Both USADB and CAAD acknowledged that this meeting did not resolve as much as we hoped for.
- c. USADB assured that USADB will send CAAD a letter that CAAD is not suspend.
- d. CAAD assured USADB that CAAD will email the list of what CAAD wants to see the supporting documents, and then CAAD will appeal again.

List of attachments are included in this report:

- 1) USADB Check payable to Doug Mader in the amount of \$2,000.00, Check #1254, dated 1-31-2007, Memo for T-Shirts Startup.
- 2) USADB Check payable to Doug Mader in the amount of \$3,000.00, Check #1277, dated 3-15-07, Memo for T-Shirts Startup.
- 3) USADB Check payable to Doug Mader in the amount of \$2,759.00, Check #1365. Dated 7-14-07, Memo TD Fees & Prgm Book Fees.
- 4) Auditors outlined and asked USADB for 51 supporting document from International Bank Statements.
- 5) USADB Board Meeting Minutes at Denver recorded by Mary Perridon – August 1, 2008
- 6) USADB Board Meeting Minutes at Denver recorded by Keith Westhoelter – August 1-2, 2008
- 7) USADB Letter to CAAD, dated September 25, 2008 – Fined \$440 and 2 years Prohibition
- 8) CAAD Letter to USADB, dated November 29, 2008 – CAAD appealed
- 9) USADB Letter to CAAD, dated December 2, 2008 – USADB rejected CAAD's Appeal and suspended CAAD.
- 10) CAAD Letter to USADB, dated December 10, 2008 – CAAD will not renew USADB Affiliation
- 11) USADB Letter to CAAD, dated May 12, 2009 – USADB asked CAAD if CAAD will re-affiliate and to pay \$440.00.
- 12) CAAD Letter to USADB, dated May 30, 2009 – CAAD answered USADB that CAAD needs more time to reconsider and the deadline date to pay USADB Affiliation Fee is December 31st.
- 13) USADB Letter to CAAD, dated June 3, 2009 – USADB asked CAAD if CAAD will re-affiliate otherwise USADB will recognize CBAD.
- 14) USADB Email to Regions, dated July 13, 2009 – USADB informed that USADB recognized CBAD and booted CAAD.

Any of you at this meeting are more than welcome to amend anything to this report.