



# Pittwater Aquatic Club

## PAC Journal

### May 2019

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## What's on the Horizon?

Events for your diary:

19<sup>th</sup> July PAC Annual General Meeting

7th September 2019 PAC Slip Operators Certification

26th October 2019 PAC working bee

1st December 2019 Pittwater Sailors Christmas Party

8th December 2019 PAC Christmas Party

## Board Vacancy

At this time there are vacancies on the Board. If you feel you could contribute and assist your Club by being responsible for one of the many portfolio directors are delegated and or you would like more information about what it means to be a director please contact the Secretary at [paqclub@tpg.com.au](mailto:paqclub@tpg.com.au). You must contact the secretary first if you wish to nominate as a director.

## Annual General Meeting

The date of the Annual General Meeting (AGM) has been set, by your Board, for Friday the 19 July @ 7:30pm. This has been set on receipt of the audited annual Statutory Accounts from the auditor. The Audit has raised no concerns with the financial operation of your club and that full disclosure, in accordance with the Accounting Standards, has been complied with.

The ordinary business of the AGM is for the Directors to give their annual reports, the statutory accounts to be adopted and the Directors retiring by rotation to step down, and with any other Members that wish to nominate as a director, proceed to the voting process.

This year the directors retiring by rotation are Ian McGregor – Treasurer, Lindsay Holloway – Maintenance and Kevin Shanahan – Facility Manager. All these directors have indicated that they will be re-nominating.

There are also currently two vacancies on the Board, the executive director position of Chairman and one other Director position.

As has been communicated in previous PAC Journals if you are interested in taking on a portfolio and nominate for a position, on the board your Club, please contact the Secretary at [paqclub@tpg.com.au](mailto:paqclub@tpg.com.au) to understand the various roles and answer your questions.

Nomination forms and attachments must be returned to the Secretary and confirmed received in a completed format by the Secretary by the 18 June 2019. Please do not leave this process to the last minute. Also, if anyone has any matter they wish to raise and discuss with their peers at the AGM please approach the Secretary ASAP so that such may be included in the Notice of Meeting (NOM). At least 21 days (or at least 14 days if there is no notice of any special resolution) prior to this meeting all members will receive the NOM with the annual statutory accounts including Director and Audit Reports. A proxy form will be included with the NOM so that those members unable to attend are able to have their vote counted. For those attending refreshments will be served at the close of the meeting.

## IMC Update

The members of the Invalid Members Committee (IMC) who have attended interviews have acknowledged that the Member Committee, was invalidly formed under the Rules of the Club

The Board has received a preliminary report from the Board appointed Investigating Committee (IC). This IC was asked by the Board to investigate who was behind the forming of this IMC, what members were involved, the goal of the IMC, and return a recommendation to the Board.

At this time no penalties have been issued to any member and it is becoming clearer that Mr Van Dyke was seeking support prior to the SGM and is the likely source of promoting and sharing Board and Club sensitive information with this committee.

The Board is now waiting on the Final report from the IC and will advise members in the next PAC Journal of any further update.

## Loading Berths

There are two loading berths provided so that members can load and unload their boats. They are situated to the north and south of the loading ramp. These berths are available for a short time use only. Over the Easter long weekend at least two boats were tied up with the people on board cleaning the boat, one was using the hose. Another was berthed in the afternoon and the people on board were relaxing and enjoying wine. Please be cooperative with other members wanting to load and unload their boats. Loading berths are for short stay loading and unloading.

## Postal Ballot Update

Mr Van Dyke is no longer a Director of the Pittwater Aquatic Club after being removed from this position by the Members of the Co-operative in a vote returned by 214 members representing 53% of the members and with 67% voting to remove Mr Van Dyke and 24% to stay. The balance abstained or were invalid votes. The Board's legal advice is the meeting was correctly called and held. The Returning Officer engaged four life members from the 'Tuesday Boys' to scrutinise the Ballots to the

Count Sheet prior to advising the Board of the result. The scrutineers commended the Returning Officer on his efforts and attention to detail in completing his function.

To date, Mr Van Dyke has communicated directly with members seven times and the Board believes that much of the information in his emails is incorrect. The Board has received around 36 separate unsupported issues, allegations and disputes (allegations) from Mr Van Dyke either directly or via his communications to members and has requested that Mr Van Dyke engage and meet to provide ANY specific details to these allegations. Mr Van Dyke has engaged the services of a lawyer, has withdrawn from all meetings arranged, has not met in accordance with the Dispute procedure and has now requested the Club move to mediation with arbitration the next step.

The Board has agreed to move to mediation in accordance with the Rules and Law and awaits contact from Mr Van Dyke. The minimum cost of one day's mediation will be \$3,080, shared equally by both parties.

Given Mr Van Dyke's history, of ever increasing and changing allegations and his refusals to provide any supporting evidence or to meet in good faith, the Board does not believe that mediation will be quick. If mediation fails to result in an agreement between the parties, the next step in the legal process is to move to arbitration – a court imposed solution. The legal fees involved with arbitration will be high.

Contrary to Mr Van Dyke's incorrect assertions that the Board was spending members' funds on legal advice, the Board has recently been forced to engage a lawyer to properly respond to his lawyer. The costs of this will be significant.

The Board believes that the timely provision of supporting evidence by Mr Van Dyke would have allowed his allegations to be properly investigated and results communicated to all members. Mr Van Dyke's behaviour to date, of disseminating information to members, refusing to attend meetings and the ongoing escalation of allegations and is hindering the operation of the directors carrying out their primary portfolios which is a breach of the Clubs Rules.

The remaining seven Directors assure members that they are united and acting in accordance with the Rules and Law under difficult circumstances in the best interest of members.

## Club Stickers and Booking System Login Details

This week Club car parking stickers, vessel stickers and login details to the Clubs Booking System have been mailed to all members. Each member receives two car parking stickers for identifying PAC member's cars in the Clubs grounds. Members who have completed a Member Vessel detail form (MVD) and registered their vessel on the Clubs database will receive in addition 1 sticker for each vessel and a colored slip of paper which contains the login and password to the Clubs Booking System to book time on the slipways and work berths. If any member has not received their stickers or has a question please email the Treasurer at [pactreasurer@tpg.com.au](mailto:pactreasurer@tpg.com.au) Finally a special thanks to Peter Crozier for volunteering his time to assist in this mail out process.

## Slipway Maintenance

Slipway 2 is in need of major overhaul. This is to advise those members, that use Slip 2, that these dates (once known) will be blocked off in the Booking System. If you are thinking of slipping on Slip 2 you are encouraged to bring your date forward while bookings are available.

## *Pittwater Sailors*

The forecast for Sunday 5<sup>th</sup> May was for strong winds in excess of 25 knots. 29 knots were recorded off Stokes Point. It is difficult for African Queen, the start boat, to hold station in those conditions. The race was abandoned. The barbeque was held with 32 sailors attending. A good time was had by all.

## Member Survey

Here is the result of the Member survey. There was not a large amount of interest shown by members. Some reply's had three or four selections.

### SURVEY PAC

Boat Maintenance workshop	1	1	1	1	1	1
Yoga Class	1	1	1			
Dancing Lessons	1					
VHF & UHF Radio Class	1	1	1	1	1	
First Aid	1	1	1	1	1	
Cooking / BBQ workshop	1					
Health Issues Workshop	1					
Christmas in July Dinner	1	1	1	1		
Picnic in the Club	1	1				
Card Nights	1					
Movie Nights	1	1				
Beer and Prawn Nights	1	1	1			
Public Speaking workshop - Toastmasters	1	1				
How to Catch Fish Workshop?	1	1				
Book Club	1					
Garage Boot Sale	1	1	1	1	1	1
Philanthropy	1					
Boat safety, communications & Seamanship	1					