

**VATSIM Board of Governors  
Quarterly Meeting of 9 October, 2004**

**AGENDA:**

- 1) Call Meeting to order
- 2) Old business
- 3) Under age of 13 members
- 4) Authority for alpha and beta software
- 5) CoR 6.06 Proposed change
- 6) Supervisors
- 7) New business
- 8) Adjourn

Mr. Stein served as the chair of the meeting.  
Mr. Clark served as secretary.

**Meeting called to order at 2010Z by Mr. Stein.**

**Roll Call:**

Harv Stein  
Ed Hemsley  
Roberto Bazzano  
Mike Hayden  
Richard Critz  
George Marinakis  
Richard Jenkins  
Jeff Clark

Mr. Critz held a proxy for Mike Bevington.  
Mr. Jenkins held a proxy for Tom Schroeder

Total votes = 10.

In opening the meeting, the chair welcomed Mr. Clark, VP – Documents and Archives to his first BOG meeting.

It was noted by the chair that the minutes for the previous meeting had already been approved by the BOG, and have already been published on the VATSIM website.

**2. Old Business:** by mutual agreement was moved to the end of the agenda.

**3. Under age of 13 members**

Mr. Marinakis recounted a recent issue where a 9 year old had used his fathers' account to log onto VATSIM with his fathers' permission. When this issue came to the BOG's attention, it was discovered that there is a contradiction between the privacy policy and the Code of Regulations (CoR). The CoR states that VATSIM

does not accept members who are under the age of 13, although this is not clear in the privacy policy.

Mr. Marinakis recommended that the BOG follow the original intention of the founders and amend the privacy policy to conform to the CoR, and specifically state that no members under 13 will be allowed.

(At this point, 2011Z, Roland Collins entered the meeting, bringing the total number of votes to 11.)

Mr. Hemsley corrected Mr. Marinakis' account to show that in fact the child in question had obtained his own VATSIM account, and had informed the father that the CoR would take precedence over the privacy policy in this case. Mr. Hemsley indicated that he completely supported the move to amend the privacy policy.

Mr. Stein raised a question for Mr. Marinakis inquiring as to whether VATSIM would be responsible if a child signed up stating that they were 13 or older, but VATSIM had failed to specifically validate the members age?

Mr. Marinakis replied that in the current situation, VATSIM could be held legally responsible. Mr. Marinakis further proposed that the BOG amend the registration pages to state that whoever is making an application for membership specifically verifies that they are 13 or older, and that they will conform to the privacy policy and other rules of VATSIM. This change coupled with the amended Privacy Policy would adequately serve to protect VATSIM against the hypothetical posed by Mr. Stein.

A motion was made by Mr. Marinakis to "amend the privacy policy to be in accordance with article 1, section 1.01a of the CoR." He also indicated that he didn't believe a formal motion was required to amend the registration page.

Mr. Hemsley seconded the motion.

Voting:

Mr. Critz: FOR  
Mr. Bevington: FOR (proxy held by Mr. Critz)  
Mr. Hemsley: FOR  
Mr. Marinakis: FOR  
Mr. Jenkins: FOR  
Mr. Collins: FOR  
Mr. Bazzano: FOR  
Mr. Hayden: FOR  
Mr. Clark: FOR  
Mr. Schroeder: FOR (proxy held by Mr. Jenkins)  
Mr. Stein: FOR

With 11 votes FOR the motion, and 0 votes AGAINST, the motion was carried.

#### **4. Authority for alpha and beta software:**

Mr. Marinakis noted that in watching how the software authorization process has progressed in the past that he believed that the VP - Development was in the best place to understand early development (alpha and beta) of software. Further, as the BOG has seen in the last month, the BOG sometimes needs to move forward quickly to get good software onto VATSIM. It was his belief that asking the VP - Development to come to the BOG to get approval for “every little bit” of software is doing more harm than good. It was for these reasons that he brings this proposal that the VP - Development be given authority to go ahead and approve alpha and beta software for testing. The motion should however specifically state that the BOG must still give final approval for final versions of software before they are released for use on the network.

Mr. Bazzano indicated that he wished that the approval of alpha and beta software would require the agreement of both the VP – Development, and the VP - Networks before allowing software onto the network. Otherwise it would be difficult for the VP-Networks to take responsibility for network performance.

Mr. Collins enquired if Mr. Bazzano was proposing to set up a “networking subcommittee”?

Mr. Marinakis stated that the idea wasn't to set up a subcommittee in the true sense of the word but rather that the purpose of the proposal was to streamline processes and to eliminate the red tape that we have subjected ourselves to up to now. He indicated that what Mr. Bazzano was suggesting wouldn't delay the process any more, so he had no objection to amending original proposal to include VP - Networks in process. Mr. Marinakis indicated that his proposal would therefore be for the approval of alpha and beta software to be subject to the agreement of the VPs – Networks and Development, with the final approval for use on network still with BOG.

Mr. Collins indicated that the BOG would still be given a “heads up” of software developments in the pipeline.

Mr. Critz stated that he would like to believe that his periodic emails have kept the BOG “in the loop”. He indicated his appreciation to Mr. Marinakis for making this motion, and indicated that he believed that the motion would solve issues that some authors have had with dealing with VATSIM, (specifically, the perception that there were too many layers of bureaucracy). Mr. Critz noted that when VATSIM was founded, the BOG had to approve everything, but over the last year, a set of new processes had been put in place in terms of how developers work with each other, as well as a more formalized approach to licensing and approval of software. He noted that 6-7 years ago, the hobby didn't have licensing, but that now we have codified, formal, notarized licensing documents. Additionally, we now have guidelines about how the approval process works, which should serve as checks and balances.

Finally, Mr. Critz noted that the facts that BOG votes take up to a week makes the Board appear too bureaucratic and that this new system will make the BOG appear more professional.

Mr. Marinakis proposed the motion that “the VP’s of Development and Networking be given authority to approve all alpha and beta software tests on VATSIM.”

Mr. Critz seconded the motion.

Mr. Bazzano requested to amend the motion to specify that there must be agreement between the VP - Development and VP - Networking. He felt that if the BOG allow only one person to approve, there could be some problems, and it would be better if both VP’s must reach agreement.

Mr. Stein noted that he felt that Mr. Bazzano and Mr. Critz were “the best in the business” and felt that they would be sure to work well together.

Mr. Critz noted that Mr. Bazzano’s point was well taken and agreed with the amendment to the motion proposed by Mr. Bazzano.

Mr. Marinakis indicated that he would accept the amendment as proposed by Mr. Bazzano, and that he would add the word “jointly” to mean that both VP’s must together agree.

Mr. Critz accepted the alternate wording.

Mr. Marinakis amended the motion to read that: “the VP’s of Development and Networking be given authority to jointly approve all alpha and beta software tests on VATSIM.”

Mr. Critz seconded the amended motion.

Voting:

Mr. Critz: FOR  
Mr. Bevington FOR (proxy held by Mr. Critz)  
Mr. Hemsley: FOR  
Mr. Marinakis: FOR  
Mr. Jenkins: FOR  
Mr. Collins: FOR  
Mr. Bazzano: FOR  
Mr. Hayden: FOR.  
Mr. Clark: FOR  
Mr. Schroeder: FOR (proxy held by Mr. Jenkins)  
Mr. Stein: FOR

With 11 votes FOR the motion, and 0 votes AGAINST, the motion was carried.

## **5. CoR 6.06 proposed change**

Mr. Marinakis noted that before stepping down as VP – Conflict Resolution, he felt it was important to correct this part of the CoR. He indicated that it was belief that the time period of the 48-hour suspension is not sufficient for staff members such as the

DCRM's and the Chair of the EC to complete the corresponding paperwork. He noted that the purpose of the 48 hours was to serve as a referral period to the DCRM, and this time period was what supervisors chose when they wished to have a particular matter reviewed by the DCRM.

Mr. Marinakis noted that in many of these situations where the Supervisor imposes a 48 hours suspension, and if the DCRM fails to extend the period, the person involved with the incident is again able to log onto the network without the matter having been resolved. Additionally, in some circumstances where the person involved is not assigned to a region, the case goes to the EC Chair, and again if the EC Chair doesn't act on it before the 48 hours are over, the individual concerned is again able to go back onto the network.

Mr. Marinakis stated that he wished to propose that the 48 hour period is amended a 5-day period, which should be more than sufficient time for the EC Chair and DCRM's to view the case and to extend the suspension for review if necessary.

Mr. Critz enquired as to whether the 5 day period would be a minimum, or maximum, noting that the automated process on the CERT server that reinstates suspensions only runs once every 24 hours, so in some cases, extra time may be added to the suspension by virtue of the time the job runs.

Mr. Marinakis indicated the 5 days should be viewed as 5 days, no more and no less, but that he recognized that because of the way CERT works, 5 days could be up to 6 days, and that perhaps the wording should be changed to reflect that the suspension was a 5 day suspension on the CERT server, which could in reality be up to 6 days.

Mr. Collins suggested that we leave the 5-day phraseology as a "notional thing."

Mr. Jenkins indicated that he had concerns about extending the length of these suspensions. He wondered that if the DCRM isn't making decisions in 2 days, what guarantee does the BOG have that they'll do it in 4-5 days? He stated that he was worried that this action would give supervisors "carte blanche" to give suspensions for 4-5 days and not have to answer for it.

Mr. Marinakis acknowledged that there was no guarantee that the DCRM would in fact handle the case in that time interval. He noted that he still felt that the problem was simply that 48 hours isn't enough to process suspensions. He indicated that if the BOG were to chart out when suspensions occur, there would be many at the weekend as that's when VATSIM has more online. He noted that "the clock starts running at the moment the sup imposes the suspension"... and that if the DCRM was away that weekend, the suspension would automatically lapse.

He also noted that it was normal for the DCRM to automatically lengthen the suspension to 30 days, and that with regard to the point of sups having carte blanche, the supervisor have their own code of conduct they have to work under, and that it was up to the VP - Supervisors to make sure the supervisors were not abusing power. Mr. Marinakis indicated that he viewed the issue of abuse of power as a separate issue, and that his motion gives DCRM more flexibility to extend out suspensions without having them lapse.

Mr. Marinakis recounted the situation of one supervisor who has difficulties because the 48 hour suspensions lapse frequently and nothing comes of the suspension / discipline cases, resulting in much frustration on his part.

Mr. Critz noted that whenever a supervisor makes a suspension longer than 24 hours, the Cert server automatically notifies the VP – Conflict resolution and the VP – Supervisors, and that the reason for this was to make sure VP - Sups knows what's going on. He also pointed out that a large number of pilots are not a member of any division, and because they have no DCRM with automatic jurisdiction, this introduces an additional step in the process where the case is passed to the Chairman of the EC, who must then reassign the case to the DRCM. Mr. Critz stated that he felt that 24 hours for that referral was absolutely not long enough.

Mr. Jenkins said that he appreciated that the 48 hours sometimes lapse, but that he still wanted to make sure there was a check and balance, as he believed that there were a number of supervisors who currently issue suspensions knowing there will be no repercussions.

Mr. Marinakis enquired if Mr. Jenkins was suggesting that the 48-hours temporary suspensions were being used by supervisors to “stick it to” a member for a non-suspendable offense...?

Mr. Jenkins indicated that it wasn't so much a question of that, but rather that in many cases, especially when it is the first suspension, the supervisor “goes for the ‘slam dunk’”. In such cases, he felt that the supervisor needed to meet a higher standard and should have to provide more documentation to support this higher, 5-day suspension.

Mr. Marinakis noted that in terms of “slam dunks”, there were very few permanent suspensions, or demands for permanent suspensions, and that he didn't see a pervasive abuse of supervisory power in that regard.

Mr. Collins stated that he also found the 48-hour time period to be not long enough, but also agreed with Mr. Jenkins' concern that this makes the whole system “heavier”. He enquired if it were possible to include another level of suspension 1 day, 2 day, 5 day, where the 5-day suspension would only be used where the person was not registered with division, or where it is more serious and previously 1 or 2 days had been issued.

Mr. Marinakis restated that he still appreciated Mr. Jenkins' concern, but still didn't think his point was convincing enough to amend the intended motion.

Mr. Stein said that he believed the VP - Supervisors should have input into the discussion, and raised the possibility of conducting a vote by e-mail rather than at the meeting.

Mr. Critz stated that he didn't think that a vote at the meeting was possible because it required a draft of the CoR. He also noted that since the beginning of August 2004, 20 48-hour suspensions had been issued, and that 12 of those were people not assigned division (60% not in division). He said he believed this was a very small

number of suspensions as a percentage of total members' hours online, and that the number of suspensions had decreased over the years. He stated that he believed it was better to go for 5-day route, as long as the BOG was supervising the supervisors.

Mr. Hemsley stated that in his experience, DCRM's often seem to not handle the case within 48 hours and wondered if they were simply forgetting to attend to it. He worried that with the 5-day suspension, the DCRM's would still forget. He stated that he felt the BOG should implement increased DCRM oversight to make sure that the case gets resolved in 5 days.

Mr. Marinakis agreed that this was a good point, and that he currently watches the DCRM's very carefully. While he was presently inclined to give DCRM's the benefit of a doubt when cases weren't handled in 48 hours, he stated he wouldn't so inclined if the interval changed to 5 days.

Mr. Hemsley noted that due to the time zone differences between VATSIM staff, it was not unusual for e-mail replied to take more than 24 hours. So long as the 5-day time period meant 5-days, he was happy with the proposal.

Mr. Collins enquired about whether the proposal was to state 5 days, but to be coded on CERT as 4 days to allow for the delay in processing the job.

Mr. Marinakis said he was trying to keep the proposal uncomplicated, and that the 5 days meant 5 days. He also suggested that the BOG amend the standard form letter sent to suspended members to state that if the reinstatement of the suspension was not acted upon in 5 days, that it will be acted upon the first time the job runs after that time has elapsed.

Mr. Collins indicated that in this case, he wished to see the official time period of the suspension be 4 days, which in reality might mean 5 days when the CERT delay was added in.

Mr. Stein noted that he received many emails from individuals querying why they were not able to log on, even though the time period of their suspension had theoretically lapsed. He noted that the wording of the e-mail notification of suspension was critical to help avoid receiving these queries.

Mr. Critz noted that the best way to solve that problem was to make a small change to the email to state that the suspension would be for "a minimum of" x days, and that reinstatement may take a day beyond that. He also indicated that he also could change the CERT server so that supervisors would be simply asked whether or not the suspension should be referred to the DCRM, and depending on the answer, the server could automatically choose the period of the suspension.

Mr. Collins stated that Mr. Critz's points were consistent with his own, and that he wished to only extend the time period of suspensions by the smallest amount necessary - in this case, 4 coded days, which would really be 4-5 days.

Mr. Critz indicated that he was bemused when people who had gotten themselves in a situation where they found themselves suspended were impatient with not being

reinstated at the precise time their e-mail stated. He stated that in those cases, an additional day offline doesn't seem to be a very big deal.

Mr. Marinakis stated that he appreciated the discussion, but that he was still inclined to request a motion to change article 6, sec 6.06a of the COR from a 48 hour period to a 5-day period. In addition, he recommended that ancillary work be performed to modify the automated letter to people suspended under that section, and to also modify the letter for 24-hour suspensions to state that it may take an additional day for their account to be reactivated. Mr. Marinakis also felt that the BOG could change the interface on the CERT server so that there was a text option asking supervisors "Do you want this referred to a DCRM". He added that with this motion, he recognizes potential for abuse, but that this needs to be addressed separately.

Mr. Marinakis made a motion to "amend the CoR section 6.06a to amend 48 hours to five days."

Motion seconded by Mr. Critz.

Voting:

Mr. Critz: FOR  
Mr. Bevington: FOR (proxy held by Mr. Critz)  
Mr. Hemsley: FOR  
Mr. Marinakis: FOR  
Mr. Jenkins: AGAINST  
Mr. Collins: FOR  
Mr. Bazzano: FOR  
Mr. Hayden: AGAINST  
Mr. Clark: FOR  
Mr. Schroeder: FOR (proxy held by Mr. Jenkins)  
Mr. Stein: FOR

With 9 votes FOR, and 2 votes AGAINST, the motion carried.

## **6. Supervisors**

Mr. Stein noted that the VP – Supervisors, Mr. Ray Paquin, was not present at the meeting.

Mr. Hayden enquired whether or not BOG's recommendations regarding supervisors needed to go through Mr. Paquin

Mr. Stein stated in the affirmative, that these requests go through Mr. Paquin who then brings them to the BOG at the next meeting.

Mr. Hayden enquired if Mr. Paquin had supplied a list of recommendations.

Mr. Stein indicated he did not have such a list.

Mr. Hayden suggested the discussion be tabled.

Mr. Hemsley stated that he believed the recommendations regarding supervisors needed to go through a Regional Director (RD), and that he didn't believe the BOG could make a recommendation without first going through RD and then VP – Supervisors. Additionally, he noted that he was under the impression that the BOG was processing downgrades before handling upgrades, and was anxious to “get moving”.

Mr. Critz stated that as supervisors work for the BOG, the BOG could in fact act without going through the RD's, although they often ask the RD's to screen people.

Mr. Hemsley accepted Mr. Critz's correction of his point.

Mr. Collins noted that the idea that involvement of RD's was mandatory may have come about at time when the BOG were discussing supervisor quotas.

Mr. Hemsley said he would be quite interested to see a document that actually mentioned quotas, as he had never seen one detailing what the quotas actually were.

Mr. Jenkins proposed that the BOG move to the next agenda item.

Mr. Stein suggested the BOG table this agenda item for the next meeting.

Mr. Critz said that he felt that any action on supervisors needed to be done via email and that it was pressing. He also felt frustrated with the progress to date.

Mr. Stein requested that Mr. Hemsley write to Mr. Paquin asking that this item be pushed forward.

Mr. Hemsley agreed to write Mr. Paquin.

**New business:**

Mr. Marinakis noted that the proper order for the meeting was to handle old business first, so this item was moved to later in the agenda.

**Old business:**

There was no old business.

**New business:**

Mr. Critz indicated he wished to discuss an issue regarding network security, but only after any other new business was conducted.

Mr. Collins reported on his attendance at the recent VATSIM convention and the preceding FS Exposition the weekend before. He mentioned that as a result of VATSIM's attendance, he was approached by a professional flight simulation

organization that produced simulation equipment for defense departments. They wished to speak with him about how the hobby operates.

At this point, Mr. Critz made a motion that the BOG enter executive session.

Mr. Stein seconded the motion.

Voting:

Mr. Critz: FOR

Mr. Bevington: FOR (proxy held by Mr. Critz)

Mr. Hemsley: FOR

Mr. Marinakis: FOR

Mr. Jenkins: FOR

Mr. Collins: FOR

Mr. Bazzano: FOR

Mr. Hayden: FOR

Mr. Clark: FOR

Mr. Schroeder: FOR (proxy held by Mr. Jenkins)

Mr. Stein: FOR

With 11 votes FOR, and 0 votes AGAINST, the BOG entered executive session.

On return from executive session, Mr. Stein asked if there was any further new business.

Mr. Collins stated that he felt that the recent Iron Mic awards were a good innovation.

Mr. Hayden said that he wished to second Mr. Stein's comments about the outstanding job done by Mr. Bazzano and Mr. Critz.

Mr. Stein moved that the meeting be adjourned.

Mr. Hayden seconded the motion.

There being no objection to the motion, the meeting was adjourned at 2145Z.