



MINUTES Consensus Group Meeting

Meeting Logistics:

Zoom Meeting: Link provided in invitation

Date / Time: April 05, 2023, 12:00p -1:30p MST

Preparation / To Dos:

Review Meeting Agenda and DRAFT minutes

Review Comments ACCT_03-202X DRAFT STANDARDS, state of the draft and project, and Procedures Revisions

MEMBERS ROSTER (checked boxes represent members in attendance):

<input checked="" type="checkbox"/> John Lazarus, Vendor (Chair)	<input checked="" type="checkbox"/> Mitchell McWilliams, User joined at 1pm
<input checked="" type="checkbox"/> Pete Sawyer Vendor (Vice-Chair)	<input checked="" type="checkbox"/> Shawn Moriarty, User
<input checked="" type="checkbox"/> Keith Jacobs, Vendor	<input type="checkbox"/> Curtis Britcher, General
<input checked="" type="checkbox"/> Etienne Leblanc, Vendor	<input checked="" type="checkbox"/> Sean Fisher, General
<input checked="" type="checkbox"/> Rob Manson - Vendor	<input checked="" type="checkbox"/> Mike Lane, General
<input type="checkbox"/> Paul Chapman, User	<input type="checkbox"/> Jennifer Murphy, General
<input checked="" type="checkbox"/> Lynda Kelly, User	<input checked="" type="checkbox"/> Christopher Oliver - General
<input checked="" type="checkbox"/> Loui McCurley, User	

Support Staff and Scheduled Guest:

<input checked="" type="checkbox"/> John Voegtlin Secretary to the Consensus Group	<input checked="" type="checkbox"/> Wayne Hines - Guest
<input checked="" type="checkbox"/> Connor James BOD Liaison	<input checked="" type="checkbox"/> Cody Greene - Guest
<input checked="" type="checkbox"/> Korey Hampton - Secretariat / BOD	<input checked="" type="checkbox"/> Sharon Walsh - Guest
<input checked="" type="checkbox"/> Leslie Sohl - Secretariat / BOD	<input checked="" type="checkbox"/> Jack Fagone - Guest
<input checked="" type="checkbox"/> Josh Tod - TIRE Representative	<input checked="" type="checkbox"/> Olivia Rowan - Guest

Scheduled Observers:

Before we begin, I would like to welcome our observers. They have, each, confirmed that they have read and understand and will comply with the ACCT Code of Conduct for such observers. By way of reminder, we ask this of our observers:

- 1) Unless prior arrangements have been made, observers will listen only and must not create or allow any distractions or interruptions of the meeting, including comments to the Members or otherwise, and background or other noises through their telephones or computers. We request they turn their telephones/computers to "mute" if they are able to do so.*
- 2) Voice recordings of the actual proceeding are not allowed.*
- 3) An observer who wishes to comment on the proceedings after the meeting may do so by completing the Observer Form on the ACCT Website or by contacting the Secretary to the Consensus Group at John@ACCTinfo.org or 303.827.2432.*

Thank you in advance for your cooperation.

Meeting Called to Order: 12:10 pm

Quorum Present: Y

1) Review and Approve Agenda of today's meeting

Motion: To accept the Agenda as presented.

MADE by: Shawn Morairty 2nd: Loui McCurley

Discussion:

Meeting Management Tasks: Chat Time Management Screen Share: Pete Sawyer

Opposed: Abstain:

2) Approval of Minutes

Motion: To accept the 03-01-2023 minutes as presented.

MADE by Keith Jacobs: 2nd: Loui McCurley

Discussion:

Opposed: Abstain:

3) Administrative Update:

- a) Communications from ANSI:

4) Secretariat update:

- a) On March 24th the Secretariat met for the purpose of discussing and determining whether to continue with the processing of the public comments or cancel the public comment period. A motion was made and passed to cancel the comment period.
- b) Have provided budget projections for FY 2023/2024 to the Board.
 - i) Have submitted for the same budget for 2022/2023 for 2023/2024 for 10,000 for yearly meetings regarding standards development.

5) New communication about standards received through Standards Management email.

- a) None

6) Membership:

- a) Jennifer Murphy attendance issue.
 - i) Reached out to Jennifer to discuss her absence from all meetings since being voted on to the group. Welcome Jennifer to the group.
- b) Progress on the Ballot for Christopher Oliver. - Approved. Welcome Christopher to the group.

Approved: 8 Affirmative, 2 Negative, 1 Abstain

Vendor Interest Category: 4 Affirmative, 1 Negative

User Interest Category: 3 Affirmative, 1 Negative, 1 Abstain

General Interest Category: 1 Affirmative (3 didn't vote)

- c) Review Membership Application for Cody Greene for acceptance for future openings in the Group.
 - i) Sent a note to Cody recommending he change his Interest Category Vendor. received communication from him that this is acceptable and he has resubmitted his application. His application is accepted with this revision and is on file for consideration for future opening in this category.
- d) Lynda Kelly's Employment change.
- e) Call for any other Roster updates

OLD BUSINESS

7) 2022-09-16 ACCT_03-202X_Standards Draft PINS.

- a) As a result of the withdrawal of the public comment period by the Secretariat, members need to discuss whether to withdraw the PINS as these two processes are connected according to ANSI.

Clarification requested from newer members on what these actions actually mean.

Summary of steps taken and intentions of the BOD as Secretariat at their meeting, as well as their attempt to state those intentions to ANSI and the response they received.

Discussion points from many members about whether that motion to discontinue a portion of the project and the ensuing actions to notify ANSI of those intentions were against our procedures.

Keith Jacobs stated that our procedures trump essential requirements (*note from secretary: ANSI may disagree, but this was not argued*) and took issue with this topic being placed in "OLD BUSINESS," implying that the decision is already made.

Loui McCurley stated fears of discontinuing the project, attempting to submit a new PINS and it being rejected, and the possibilities of cascading failures leading to a restriction in new PINS topics or a loss of accreditation.

Question was posed whether we as a group disagree with the Secretariat's action.

Sean Fisher stated an objection to that motion's intention.

Loui McCurley asked for clarification and then agreed with Sean's statement with the addition that efforts have already started, there is time to do this, and we have already accepted that processing these comments is the right direction. Lynda Kelly, Shawn Moriarty, Keith Jacobs, Etienne Leblanc, Christopher Oliver, and Pete Sawyer joined in that opinion by a show of hands.

John Lazarus restated the opinion as disagreement with the PROCESS THAT CAME to that motion and that led to Loui McCurley asking for a second poll to clarify again.

Led to even more discussion about our procedures and their conflicts with the essential requirements, as well as the role of the Secretariat.

Motion: To Discontinue the current Project (BSR/ACCT 03-202X, Challenge Course and Zip Line Standards (revision of ANSI/ACCT 03-2019))

MADE by: Michael Lane 2nd by: (none)

Motion does not move forward without a 2nd

Notion was introduced of a new draft superseding the current draft as a potential option that was proposed by ANSI and follows a historical precedent of our own standards development. **Response to current commenters would be more generic, and a new draft would need to meet the current Project scope.**

Motion: Work towards a new draft document that is in line with the current project, permitting the sub-groups defined at February's meeting to work on their already-assigned sections taking into consideration the comments received, and that we respond to the current commenters about a new draft forthcoming.

MADE by: Loui McCurley 2nd by: Keith Jacobs

Discussion:

-John Lazarus states low comfort level making this motion without getting buy-in from the other groups involved.

-Loui contends that this is in line with both TIRE's February intentions and the Secretariat's desires.

-Christopher Oliver suggests communication with the Secretariat before making a motion and table the discussion.

-Mike Lane suggests to amend Loui's motion to include "make a recommendation to the board."

For: Pete Sawyer, Etienne Leblanc, Rob Manson, Lynda Kelly, Mitch McWilliams, Shawn Moriarty, Mike Lane, Sean Fisher

Opposed:

Abstain: John Lazarus, Christopher Oliver

Motion passes

Vendor interest category: 4 Affirmative, (1 Abstain)

User interest category: 4 Affirmative, (1 Absent)

General interest category: 2 Affirmative, (1 Abstain, 2 Absent)

- 8) Member Education: Discussion involving devoting several meetings to ANSI essentials requirements education.

- a) ANSI just published their list of educational webinars for this period. John V can forward that list with registration links to all members if desired (all times below Mountain).
 - i) 12 APR 2023, WED 12-1:30 pm - ANSI-Accredited Standards Developers: ANS Audit & Reaccreditation Process Requirements
 - ii) 19 APR 2023, WED 12-1:30 pm - ANS Process Key Forms
 - iii) 27 APR 2023, THU 12-1:30 pm - Overview of the ANSI Essential Requirements: Sections 1.0 & 2.0
 - iv) 15 JUN 2023 THU 12-1:30 pm - ANS Process: National Adoption of ISO and IEC standards as American National Standards (ANS)
 - v) 22 JUN 2023, THU 12-1:30 pm - ANS Process: Focus on Votes & Public Comments
 - vi) 29 JUN 2023, THU 12-1:30 pm - ANS Process - Procedural Appeals Requirements
- 9) Review and Revision of the Accredited Procedures:
 - a) Compliance-based Revision ([Presented 2023-03-01, titled with 2023-02-23 date](#)) ballot results :
 - 12 Affirmative
 - Vendor interest category: 5 Affirmative
 - User interest category: 5 Affirmative
 - General interest category: 2 Affirmative, 2 didn't vote
 - b) Review is on hold as we work with the Secretariat in continued education regarding revisions of the current Procedures and better alignment with the Essential Requirements.

NEW BUSINESS

10. Agenda Items for next meeting:

- 1.

NEXT MEETING

- 1. Next scheduled meeting: May 3, 2023, 12:00pm to 1:30 Mountain

ACTION ITEMS		
Who	What	When
<i>John V</i>	<i>Review current file structure for efficiency and complexity and present findings at next meeting (Catalog)</i>	<i>Ongoing</i>
<i>John V</i>	<i>send these minutes for review along with ANSI webinar schedule</i>	<i>ASAP</i>

Motion: To Adjourn.
MADE by: Keith Jacobs

Meeting Adjourned: 1:38 pm

Approved 2023-05-03

April 5, 2023

Dear ACCT Secretariate

I write the following as a current member of the CG, a former member of the Secretariate (ACCT BOD), and a Materially Affected Party with outstanding public comments related specifically to the failure to follow Accredited Procedures regarding the development and distribution of the 2022-09-16 ACCT_03-202X Draft Standard. In reviewing the proposed agenda for the upcoming CG meeting later today. I have the following concerns. Specifically, around Item 4.a, and 7 and the continued failures to follow published & accredited procedures for standards development.

Item 1: Reference 2023_04_05 AGENDA Consensus Group Meeting DRAFT – Bullet Point #4

Secretariat update:

a. On March 24th the Secretariat met for the purpose of discussing and determining whether to continue with the processing of the public comments or cancel the public comment period. A motion was made and passed to cancel the comment period.

1. Seems like notification of such a critical Secretariate Meeting as this should have been provided to the full CG for consideration of attendance by the Secretariate, our Secretary, our Board Liasson and/or CG leadership. It has been standard practice of the CG to notify the Secretariate and TIRE of all our standards related activities – seems the same courtesy should have been afforded the CG membership for this or other meetings regarding standards development – I have and can find no Initiation or notice of this meeting in my inbox or online. No copy of an Agenda or Minutes were identified within my e-mail nor posted onto ACCT Websites for such standards development activity as required by the ANSI Essential requirements section 1.5 Notification of Standards Development Activity requiring *“Timely and adequate notice of standards development activity shall be announced in media suitable to demonstrate that a meaningful opportunity for participation, debate and deliberation by all directly and materially interested parties in a fair and equitable manner was provided”*.
 - a. BOD - <https://acctinfo.site-ym.com/page/BoardMinutes>
 - b. CG - <https://acctinfo.site-ym.com/page/ANSIASD>
 - c. ANSI - <https://www.ansi.org/american-national-standards/ansi-introduction/essential-requirements>

2. It is my contention that the actions of the Secretariate on March 24, 2023 demonstrate a continued pattern of not being aware or following documented procedures; that the actions of the secretariate were taken in direct opposition of documented discussions and decisions of the CG to continue processing comments and the calling of the special meeting,, lack of notice to materially affected parties and the vote taken by the Secretariate are a direct and material violation of our Published Accredited Procedures a

specifically section 6.5 article d. outlining voting duties of CG members (https://acctinfo.site-ym.com/resource/resmgr/files/2020_consensus_minutes/2020_02_09_ANSI_ACCT_Proced.pdf) as well as the amended and yet to be published or accredited Suggested 2023-02-23 ANSI ACCT Procedures Draft - Recently Re-Voted on at the Last CG Meeting (section 2.2 and 6.5 unchanged; and are a direct violation of the ANSI Essential Requirements 1.5 Notification of Standards Development, Section 1.7 Consensus Vote and 1.9 Written Procedures - <https://www.ansi.org/american-national-standards/ans-introduction/essential-requirements>)

While it is stated within the ANSI Essential Requirements Section 4.2.1.3.3 Discontinuance of a Standards Project that *“An accredited standards developer may decide to abandon the processing of a proposed new or revised American National Standard or portion thereof at its own discretion and without a vote of the relevant consensus body.”* This general policy – conflicts with our approved and accredited procedures – which should be followed by the Secretariate and the CG for standards development activity.

And, while it is also true that ACCT’s Accredited Procedures section 2.2.h its states *“that the Secretariate Shall be responsible for: . . . notifying ANSI of the withdrawal of an American National Standard or the discontinuance of a standard project.”* That is where the ACCT Secretariate duty starts and ends around the issue of suspending standards development activity – ONLY notifying ANSI of the formal CG decision to suspend (if such a decision is made). The authority to make such a decision clearly lies with the CG and is expressly articulated and called out in Section 6.5 article d). Actions Requiring Approval by Two-Thirds of those Voting. More specifically –

The following actions require a letter ballot or an equivalent, formal, recorded vote with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions. All members of the Consensus Group shall be given the opportunity to vote on the standards related actions described below. Proxies will not be allowed. When votes for the items below are recorded at a Consensus Group meeting, those members who are absent shall be given opportunity to vote before or after the meeting, with all absentee votes being verified:

- a) approval of a new standard or reaffirmation of an existing one
- b) approval of revision or addendum to part or all of a standard
- c) withdrawal of American National Standards
- d) withdrawal of a project for developing an American National Standard**

The specific issue of the CG having some authorities that could go to the Secretariate was a prominent discussion of the secretariate and specifically the opinion of former Executive Director Bill Zimmerman, who believed that a revision to the Procedures should include the Secretariate taking back some authorities, as discussed at BOD F2F meeting prior to the ACCT Commence. However, the authority to change those procedures currently lies with the CG. The recent changes to the CG procedures did not include any change that would have provided this authority back to the Secretariate, and further efforts to continue work on modifications to the procedures by the Procedures Task Force was essentially halted at the request of the Secretariates representative at the CG Meeting.

Item 2: reference 2023_04_05 AGENDA Consensus Group Meeting DRAFT – Bullet Point #7

7.a As a result of the withdrawal of the public comment period by the Secretariat, members need to discuss whether to withdraw the PIN's as these two processes are connected according to ANSI.

1. This issue needs to be dropped from the draft agenda – as the designated authority to suspend Standards Activity as referenced above has not acted per procedures to suspend any standards development activity.
2. Why is it in Old Business – which would suggest it is a hold over from a previous CG meeting or “unfinished business”. This has not been a topic of formal discussion and should be moved to new business where it belongs and materially affected parties can have awareness of future meeting topics.

Closing Concern

1. The Secretariate acted outside the ACCT/ANSI Accredited Procedures, and the Essential requirements and in its own specific interests as the ACCT Board of Directors when it scheduled a special meeting to both meet to discuss and vote on ANSI CG Standards Related Activities without proper notification to ALL Materially Affected Parties, including, but not limited to the full Consensus Group Membership, as well as general industry and when it conducted Substantive Standards development activity in the dark, with an unbalanced group of participants from the vendor category.
2. The Secretariate in this action continues a pattern to ignore, be substantively unaware or intentionally deviate from its it's written procedures for Standards Development and the ANSI Essential Requirements.
3. The continued actions of the secretariate and its supervision of the standards development process and failures to follow written policy threatens the ongoing work of the Consensus Group and our accredited procedures and standards.

Requested Actions

1. That the Secretariate formally vote to annul the vote taken on March 24th and record the action and reason for the action formally within the Secretary's Minutes. I.E Correct the record
2. That the CG Minutes properly reflect the improper action of the Secretariate, place this letter into the meeting minutes and record documentation of the annulment of the Secretariates Action once received.
3. That the Secretariate – appropriately “suggest” that the CG suspend the comment period providing their specific reasons why.
4. That the CG once hearing appropriate suggestion to suspend and reasons for such a suspension from the Secretariate entertain a discussion based on the Secretariates recommendation and supplied reasons. And if so moved a member of the CG make a motion to suspend standard development activity in accordance with our accredited procedures, and if seconded, move to an appropriate discussion and vote.

5. That regardless of outcome of #4 above that any and all commentors claiming issues of Dominance or imbalance of our standards development process receive responses and/or corrective action is taken in compliance with ANSI ExSC_012-221 which states in part *“A claim of dominance is considered a procedural grievance that should be reviewed by the developer in a timely manner and is later eligible for review again within the appeals process at the standards developer level and subsequently, at ANSI.”*
1. That Secretariate received education on the ANSI Essential Requirements and ACCT Accredited Procedures be formally completed and documented for all members of the Secretariate (ACCT BOD).
2. That the CG continue to follow approved and accredited policies and procedures as well as documented prior votes and decisions.
3. If changes to policies or procedures are desired, that proper amendments be distributed for review and inclusion in a future CG meeting for formal consideration as per standard practice.

Sincerely;

Keith Jacobs - keith@expsys.co