

# Aldershot Tennis Club Annual General Meeting Minutes

---

**Date and time:** November 4<sup>th</sup>, 2019 at 7pm.

**Location:** Holy Rosary School. 261 Plains Rd E, Burlington, ON L7T 2C7

## **Agenda:**

---

1. Call to Order – Chairperson, Ron Mauro
2. Establish Quorum
3. Comments and Introductions - Chairperson
4. Approval of Agenda
5. Review of Previous Annual Meeting Minutes
6. Financial Report - Annual financial report – treasurer
7. Board Directors' Annual Reports
8. President's Report
9. Review and Vote on Motions
10. Election of Office
11. Adjournment
12. Open Q&A with current Board of Directors

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### 1. Call to Order – Chairperson, Ron Mauro

Ron opened the meeting at 7:04pm

### 2. Establish Quorum

The count of members attending was 130 at 7:04pm. More members arrived during the AGM and some left early without voting. The final count was 142. Ron stated that Constitutional Amendments require a 2/3 majority in order to pass. This equates to 95 votes. Other motions require a simple majority (50%+1) in order to pass. This equates to 72 votes.

**Question from the floor:** Has the Board reconsidered using Proxies?

**Response:** No.

**Tony Schafer:** Declared a protest, stating that it is unconstitutional. All non-profit organizations allow proxies according to the Corporation Act.

**Chairman:** “All in favour of accepting Quorum”?

**Mover:** Derek Saldanha.

**Secunder:** Barbra Martin

**All in Favour:** None opposed. Carried.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### 3. Comments and Introductions - Chairperson

Ron Mauro declared that we would use Roberts' Rules of order.

A set of Motions and Open Positions as well as pencils were handed to each member who registered. (Their names were checked off using the current Members List). Each member should vote on the Ballot of Motions as each item is being discussed and hand the set of ballots back to Secretary at the end of the meeting.

### 4. Approval of Agenda

**Chairman:** "All in favour of accepting Agenda?"

**Mover:** Barry Dutchak

**Secunder:** Jackie McCluskey

**All in Favour:** None opposed. Carried.

### 5. Review of 2018 Annual Meeting Minutes

#### Comment from the Floor:

- A member stated "For the record, the Board of Directors (BOD) contravened the constitution at the 2018 AGM in the following ways:
  - There was no approval of the Agenda
  - The minutes from the 2017 Annual Meeting Minutes were not addressed or approved.
  - There were no calls for nominations from the floor on any positions open for election.
  - Motions that were submitted according to our constitution were not posted at the clubhouse as required and were dismissed as being only 'suggestions'.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### 6. Financial Report - Annual financial report – treasurer

Jackie McCluskey presented Financial statements and provided an overview. (*Attached in President's report*).

**Question from the floor:** What is the \$300,000 deposit from the COB (City of Burlington)?

**Response:** ATC paid \$300,000 to COB as a deposit for the extension. They were holding on to it to start the reno but since we changed paths, and were not ready to go with the reno, COB returned our deposit.

**Comment from the BOD:** ATC also paid a deposit of \$8,000 to COB for any trees which would need to be removed when the extension started. Since we are not going through with the extension, no trees need to be removed, therefore, COB will refund \$8,000.

**Statement of Operations** (*Attached in President's report*).

**Question from the floor:** Our utilities are 20% less. Why?

**Response:** We received a refund re water bill of \$5,035 due to a glitch in the billing.

**Question from the floor:** What do we get for our OTA membership?

**Response:** Jackie will post the policy and can send it out to membership with minutes.

(*Attached*).

**Question from the floor:** What is the entry re tennis ball purchases?

**Response:** We purchase tennis balls for leagues.

**Question from the floor:** Is membership down from previous years?

**Response:** No, it is just a timing with the accounting. The numbers of members are the same each year.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### **Forecast:**

- Total cash in bank account: \$806,100
- Resurfacing courts – estimate: \$44,000
- Emergency/contingency - \$10,000
- Reserve \$100,000 (for bubble replacement)
- Total funds available for reno - \$541,000

**Question from the floor:** Does \$549,000 include \$60,000 – 2018?

**Response:** This is a Cash Flow Statement. Oliver will run through what has been paid out.

**Question from the floor:** We didn't get a copy of the financials with the Agenda.

**Response:** The financials are attached.

**Question from the floor:** Income Statement – Engineer Fees \$17,691 – do we still owe them any money?

**Response:** We have no outstanding bills for the renovation.

**Question from the floor:** Congratulations to Jackie for doing such a great job with our financials but would it not be prudent of us to have an external audit done?

**Response:** Absolutely! CAA firm does our Corporate Tax Returns. An external audit will cost \$10,000. The new BOD will review this item.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Question from the floor:** Are there any outstanding financial obligations with the reno?

**Response:** Plan A costs were paid in a different fiscal year. Oliver can get all costs paid and post them. (Attached)

**Chairman:** “All in favour of accepting Financials”?

**Mover:** Jackie moved that her financials be accepted.

**Secunder:** Jean Crowe

**All in Favour:** None opposed. Carried.

### 7. Board of Directors' Annual Reports

#### Membership – Chris Duque

- We have a full membership of 340 adults, adding 30 off the waiting list.
- Juniors are 40 – continuing to grow stronger.

**Question from the floor:** How many are left on the waitlist?

**Response:** We issued 5 refunds and there are 135 left.

**Question from the floor:** How many are on medical leave?

**Response:** Approximately 33 – a growing number. Many don't return. Those on medical leave are not counted in the 340 adult members.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Question from the floor:** If you're on the list and if you live in Burlington do you automatically become a member – move to the top of the list?

**Response:** We are mandated by COB Joint Venture Agreement to have 80% of our members Burlington residents. The current wait list is about 2 years.

**Chairman:** “All in favour of accepting Membership report from Chris Duque”?

**Mover:** *Michel Lecavalier*

**Secunder:** Steve Knight

**All in Favour:** None opposed. Carried.

### **Social director – Anne Luxon**

- Held lots of events: Wine/cheese, sweets & treats, party in plaid, Banquet, pancake brunch, Canada Day, picnic/pickle ball, Halloween, etc.
- Thanks for members' support – all events enjoyed and successful. And thank you for all donations to the Compassion Society.

### **Draw for prizes:**

- |                   |                    |                  |
|-------------------|--------------------|------------------|
| 1. Liz Sutherland | 2. Ron Mauro       | 3. Linda Lipic   |
| 4. Sandy Imrie    | 5. Arlene Thompson | 6. Deb Sylvester |

**Chairman:** “All in favour of accepting Anne's report?”

**Mover:** *Steve Knight*

**Secunder:** Marg Curto

**All in Favour:** None opposed. Carried.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### **Maintenance – Gerry Blake**

The following expenses were incurred:

- Small motor replaced - \$6,000
- 3 new temperature gauges - \$7000

**Question from the floor:** Are we looking at summer lights?

**Response:** We didn't get them fixed since we didn't receive any complaints. We may go with a different type of bulb. It is very difficult to get up to the bulbs – last time cherry picker damaged the court surface.

**Comment from the floor:** We can replace the fixture with an LED bulb for \$500 per fixture + labour.

**Question from the floor:** Are we going to fix the side gate? What is the plan?

**Response:** The gate is locked during the summer and access to courts is via the clubhouse. Members can exit the courts via the clubhouse or use EXIT doors from courts.

**No resolution. The Board needs to take action on this item.**

**Chairman:** All in favour of accepting

**Mover:** Paul Phelan

**Secunder:** Malcolm Harris

**All in Favour:** None opposed. Carried.



# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### **Court Management - Gerry**

There is a motion to eliminate this position.

Please use [onlinebooking@aldershottennis.ca](mailto:onlinebooking@aldershottennis.ca) and not the Board members personal email address or home phone for communications and questions.

**Question from the floor:** If a pro has a no show, who cancels the court?

**Response:** The pro can contact Peter Buckley or Gerry to cancel the booking. Members need to report any incidents where courts are not being used due to no shows. We are trying to come up with some new rules. Gerry has a list of recommendations from members.

**Question from the floor:** We received the Schedule A with the Head Pro's contract. Does his list of responsibilities include court management?

**Response:** Schedule A says the Head Pro should monitor bookings of the Assistant Pro's – not members. The Head Pro and Assistant Pro are present at the club quite a lot. They should monitor the court usage as well as the Court Management Director.

**Chairman:** "All in favour of accepting Gerry's report."?

**Mover:** Sean O'Neill

**Secunder:** Ron Tansley

**All in Favour:** None opposed. Carried.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### **League Convener for Thursday Ladies League – Tina DiClemente**

- This year we had to reduce the league times to only one shift: 11:30am to 1pm.
- There are 28 regular players on this league which is a lot to balance. Ladies want to play every week but there are too many to make that happen.

**Question from the floor:** Are the members' 3 booking allocations counted if you play in a league?

**Response:** No – names are not used for league bookings or Pro's Blue bookings. We cannot keep track of how many leagues each player joins. Leagues are a bonus to your 3 bookings.

### **League Convener for Wednesday Mens League – Morgan Perigo**

- A wonderful group of 40+ guys!

### **Tuesday Ladies Round Robin**

- Has 56 ladies on the roster
- 2 shifts: 10:30 to 12 noon and 12 to 1:30pm.

**Question from the floor:** Member complained that she only gets to play every other week and asked for another time slot for the ladies Thursday league.

**Response:** This item needs to be taken up by the new executive.

### **8. President's Report – Oliver Barkovic**

- Oliver's complete presentation is attached.

**Question from the floor:** Who pays the TPA fee?

**Response:** ATC pays for 50% of the TPA fee.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Question from the floor:** New blower – different. Look at Bramalea’s – it’s underground.

**Response:** Carrier thought our blower was in good shape. One of the parts is rusting. Parts have been patched. If blower is replaced with current bubble, we will need to use current location. (If blower is replaced and the bubble is not replaced at the same time, we will not be able to change location of blower or go underground.)

**Question from the floor:** How can the ball machine fees be collected if the machine is locked?

**Response:** The machine is not locked. Envelopes are available for members to pay for Ball Machine use.

**Question from the floor:** How do you use the ball machine?

**Response:** Training is provided by the Head Pro and members are required to sign a waiver.

**Question from the floor:** Are we sure there is no asbestos in the clubhouse?

**Response:** The contractor will come in and do a preliminary inspection and take core samples.

**Question from the floor:** Will the access code to the trailer be the same?

**Response:** TBD

**Question from the floor:** Is there a Project Manager (PM) for the reno?

**Response:** Kathy Vogel is our PM. Her fee is \$8,000. The BOD will discuss creating a Renovation committee to assist Kathy in managing the project.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Question from the floor:** If we have a 'Stipulated contract', can we be charged more for unforeseen items mid-construction?

**Response:** The contractor has committed to \$520,000. If there are any changes, the contractor will submit 'Change Orders' to the PM and Reno Committee.

**Question from the floor:** Who is going to sign this Agreement with the COB?

**Response:** The document will require two signatures and will be signed by the President and Past President.

### **Comments/discussion from the floor:**

- The BOD provided the list of member's email addresses only after lawyers got involved.
- Are we better off hearing from only the Board?
- We don't want private email addresses given to anyone else – emails should be sent only from the Board.

**Chairman:** "All in favour of accepting the President's Report?"

**Mover:** *Tina DiClemente*

**Second:** Gail Buckley

**All in Favour:** None opposed. Carried.

### **9. Review and Vote on Motions**

Ron Mauro requested volunteers to help count the votes.

Those who need to leave before AGM is over were asked to hand their votes to Dot Knight.

**Note:** *Constitutional changes require 2/3 majority vote to pass.*

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### *Comments/discussion from the floor:*

- The BOD are all volunteers.
- It is a major commitment for members to fill BOD positions.
- The treasurer should not be on the BOD for an extended period of time.

### **3) ARTICLE 4 - Corporate Obligations**

8.2a: Effective November 2019, all Board Members starting their term will receive a free one-year membership on completion of their two-year consecutive term.

**Note:** This motion was drafted at a previous BOD meeting. The intent was to fill many vacant Board positions. The current \$100 remuneration, normally used for banquet tickets, would be eliminated.

### *Comments/discussion from the floor:*

- There are better ways of spending the club's money.

**Question from the floor:** Is there any level on remuneration?

**Response:** No Limit – just wording.

**Chairman:** “Vote as motion was written.”

**Result from votes:** 61 For; 58 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority (95 votes).

Therefore, this Motion was **defeated**.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### 4) ARTICLE 8 - Board of Directors

*Currently reads . . . followed by proposed change underlined . . .*

**8.3a: Members of the Board of Directors are limited to two consecutive terms in any one Position. They are eligible to stand for election to another position at the end of the two terms in their previous position.**

8.3a: Members of the Board of Directors are limited to two consecutive terms in any one Position. They are eligible to stand for election to another position at the end of the two terms in their previous position. If no member is nominated at the AGM, the current Board member can stand for re-election to that current position.

**Chairman:** "Vote as motion was written."

**Result from votes:** 109 For; 24 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was *passed*.

### 5) *Currently reads . . . followed by proposed change underlined . . .*

**8.10: The Board of Directors may appoint such tennis professionals, employees, servants and agents, as it shall deem necessary, and provide remuneration for their services.**

8.10: The Board of Directors may appoint such tennis professionals, contractors, employees, servants and agents, as it shall deem necessary, and provide remuneration for their services.

- The word 'employee' was left in by accident but makes no difference to the motion.

**Vote: Chairman:** "Vote as motion was written." Leave the word 'Employees' in.

**Result from votes:** 114 For; 13 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was *passed*.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

6) *Currently reads . . . followed by proposed change underlined . . .*

**8.11: *The Board of Directors reserves the right to close the courts for maintenance purposes or for safety concerns.***

8.11: *The Board of Directors reserves the right to close the courts for maintenance purposes or for safety concerns or General Meetings of the membership.*

**Chairman:** "Vote as motion was written."

**Result from votes:** 120 For; 12 Against.

This is an amendment to the Constitution.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was **passed**.

### 7) **ARTICLE 9 – Membership**

*Currently reads . . . followed by proposed change underlined . . .*

**9.6: *The Board of Directors shall have the power to suspend club privileges or expel any member for just cause, including breach of the ATC Constitution and By-laws, without refund for any portion of fees paid. The suspended or expelled member shall have the right to appeal a decision and/or be re-instated by simple majority vote at the next general meeting of the membership.***

9.6: *The Board of Directors shall have the power to suspend club privileges or expel any member for just cause, including breach of the ATC Constitution and By-laws, Anti-Harassment Policy or Code of Conduct without refund for any portion of fees paid. The suspended or expelled member shall have the right to appeal a decision and/or be re-instated by simple majority vote at the next general meeting of the membership.*

#### **Comments/discussion from the floor:**

- Any complaint would be believed.
- A process needs to be in place with a mediator – neutral/impartial who can hear both sides of the story. Waiting is unfair. Ask that this policy include resolution process so complainant can be heard.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

Chairman proposed that an amendment be made to motion to include the request above.

An independent committee needs to be formed.

**Chairman:** “All in favour of accepting amendment to motion?”

**Mover:** *Paul Phelan*

**Secunder:** Barbra Martin

**All in Favour:** None opposed. Carried.

**Proviso:** Committee to look at the Harassment situation; new Board to discuss this item further.

**Chairman:** “Vote as motion was written.”

**Result from votes:** 99 For; 27 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was ***passed.***

### **8) ARTICLE 10 – Meetings**

***Currently reads . . . followed by proposed change underlined. . . .***

***10.10: Copies of proposed motions shall be posted in the clubhouse.***

*10.10: Copies of proposed motions shall be posted in the clubhouse by the Board of Directors.*

**Chairman:** “Vote as motion was written.”

**Result from votes:** 117 For; 10 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was ***passed.***



# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### 9) *ARTICLE 11 – Election of Officers and Directors*

*Currently reads . . . followed by proposed change underlined. . . .*

**11.3: 1n order to assume the position of President, a member must normally have served on the Board of Directors as Vice-President.**

11.3: 1n order to assume the position of President, a member must normally have served on the Board of Directors as Vice-President or be nominated by the Board of Directors to serve in that position.

**Question from the floor:** Why are only Board members nominated? Why not members too?

**Response:** Leave as written. ‘Normally’ covers everything.

#### **Comments/discussion from the floor:**

- Motion for formal amendment proposed:
  - How does VP automatically become President?
  - Take out ‘Anyone served on BOD be considered.’
  - A member must normally have served on BOD. (remove ‘as VP’).
  - The following words were removed from the motion ‘as Vice-President or be nominated by the Board of Directors to serve in that position.’
- Key word is ‘normal’ – keeps flexibility.
- Motion to an amendment:
  - Motion to repeal.
  - Motion stands.

**Chairman:** “Vote as motion was written.”

**Result from votes:** 116 For; 9 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was **passed**.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

### 12) Resolution 2.1 – Member right to call a General Meeting of Members

**Whereas** The Act gives members the right to call a general meeting of members to facilitate the resolution of disputes with the Board of Directors, the constitution of The Club only gives this right to the Board and has led to the use of divisive, time-consuming and costly actions.

Be it resolved that a requisition of a general meeting of the membership may be made by those members who at the time the Board receives the requisition, represent at least 10 percent of the membership, are listed in the record maintained by the Board and are entitled to vote. The Board shall provide membership contact information and access to the Board's electronic method of communication with members to enable this request.

The requisition shall be delivered to the Board in writing, signed by the requisitionists.

The Board upon receiving such requisition, if requested, shall add the business to be presented to the agenda if the next annual general meeting, or call and hold a special general meeting of the membership within 21 days, whichever comes first.

If the Board does not comply, a requisitionist may call a general meeting of the membership which shall be held within 21 days of the day in which the meeting is called. The Board shall provide membership contact information and access to the Board's electronic method of communication with members to enable this meeting to be called.

#### **Comments/discussion from the floor:**

- Need to respect members' privacy.
- Most constitutions give members the right to call meetings and to use proxies.
- 10% is equivalent to 34 people.
- AGMs mostly have 34 people attend.

#### **Questions from the floor:**

- Since the Act relating to not-for-profit organizations gives the right to call meetings, why is the Act not sufficient?

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Response:** Our requests for member meetings were not heard. We should be able to request a meeting whenever we want. 110 people signed the requisition to request a meeting. The 10% rule proposed is only a suggestion. It can be adjusted to 20%, 25%.

**Comment from the floor:**

- Member stated he supported the motion in principle but also suggested it be revoked.

**Request for amendment:** Amend to have a majority – not just a percentage.

**Comments/discussion from the floor:**

- Amend to increase to 51%
- Strongly suggest we refer this one to new Executive. We need to recognize the Corporation Act in whole.
- The new Board will review this item further.

**Chairman:** “Vote as motion was written.”

**Result from votes:** 76 For; 62 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was **defeated**.

### **13) Resolution 2.2 – Member right to be represented at General Meetings of Members**

**Whereas** Articles 10.12 and 10.13 of the Club Constitution give the Board the sole right to determine how and whether proxied will be allowed at general meetings of the membership, and enable the Board to determine whether the use of proxies will help or hinder their agenda for a general meeting. The requirement for personal attendance a member at a general meeting results in low member participation, especially for Annual General Meetings.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

Every member in good standing should have the right for representation at all general meetings.

**Be it resolved** that Article 10.12 of the Club Constitution be amended to read:

Only members in good standing are entitled to vote at a general meeting of the membership. Every member entitled to vote at any meeting of the membership may, by instrument in writing, appoint a proxy to attend and act at the meeting on hi/her behalf with the same power as if the member were present at the meeting. A Proxy form shall be issued by the Board with notice of the meeting.

Article 10.13 of the Club Constitution now reads – The Board of Directors can determine that a proxy vote may be necessary in special circumstances. The Board of Directors will determine the procedure for such a proxy.

Be it further resolved that the whole of this article be deleted.

**Chairman:** “Vote as motion was written.”

**Result from votes:** 84 For; 39 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was **defeated**.

### **14) Resolution 2.3 – Requirement for a specific percentage of the Membership to determine the quorum for General Meetings**

**Whereas** Articles 10.14 of the Club Constitution states that, A quorum for the purposes of the Annual General Meeting shall be considered those present or represented by proxy, the Board rarely issues proxies and the affairs of the Club are largely determined by a handful of members. Increased member participation should be encouraged and could be attained by always allowing proxies. A specific percentage of the membership to determine quorum for general meetings should be established.

**Be it resolved** that Article 10.14 be re-written in whole to read:

At any annual or special general meeting of the membership, a quorum shall be constituted when members, entitled to vote and representing not less than 20 percent of the total membership eligible to vote, are present in person or by proxy.

**Comments/discussion from the floor:**

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

- You cannot proxy for those members you do not know.
- If there are 26 votes and 50 proxies, that amounts to 1,300 votes.
- The procedure for an AGM is that preliminary notice of 45 days be given. All documentation should be ready. Proxy as you wish or check off for and against. Adopt these as temporary.

**Motion from the floor:** A committee of 3 BOD members and 3 general members should be formed to review the 'Not for profit Corporation Act" and amend our constitution – not piecemeal and present it to membership.

**Suggestion from the floor:** Refer this motion from the floor to new BOD.

**Chairman:** "All in favour of accepting this motion from the floor be referred to new BOD. ?"

**Mover:** Michel Lecavalier

**Seconder:** Steve Knight

**All in Favour:** None opposed. Carried.

**Chairman:** "Vote as motion was written."

**Result from votes:** 75 For; 48 Against.

The Main Motion is an amendment to the Constitution, thus requiring 2/3 majority - (95 votes)

This Motion was **defeated**.

### 15. Resolution 2.4 – Right of Members to remove Directors and elect substitutes

**Whereas** The Act gives members the right to call a general meeting of the membership to remove a director before the expiration of his/her term of office, the constitution of The Club is silent on this matter. The membership elects directors and it should also have the right to remove directors with cause.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Be it resolved** that directors may be removed from office by a resolution passed by 2/3 of the votes cast a duly constituted general meeting of the membership, of which notice specifying the intention to pass such a resolution has been given and the reasons for this intention provided.

Members may elect, in accordance with the by-laws, dealing with the election of directors, any member in good standing to be a member of the Board for the remainder of the term of the director removed.

**Chairman:** "Vote as motion was written."

**Result from votes:** 90 For; 50 Against.

This is an amendment to the Constitution, thus requiring 2/3 majority- (95 votes)

This Motion was **defeated**.

### **16. Resolution 3.1 – Removal of Oliver Barkovic from the Board**

**Whereas** The Corporations act and the Club constitution require a director elected as president to act responsibly, the current president, Oliver Barkovic has failed to execute his fiduciary duties. Before the recent Call to Action initiative, he has repeatedly exhibited a general lack of responsiveness for addressing membership concerns, demonstrated poor governance and decision making on several issues, including but not limited to membership expectation for information, AGM agenda, transparency, communication, protocol, constitutional conformance, and development of a healthy working relationship with the City of Burlington. The lack of open dialogue with the membership, improper enforcement of the code of conduct/harassment policy, and adversarial leadership has resulted in a divisive community. As such he is clearly in violation of his fiduciary duties.

**Be it resolved** that the president, Oliver Barkovic be removed from the Board of Directors and be ineligible to run for re-election in any capacity.

#### **Comments/discussion from the floor:**

- A member who is currently the President of Tyandaga Tennis Club stated that he personally called Doug Plasden, ATC's liaison, at COB to ask how their relationship is with Oliver Barkovic. Doug stressed that the relationship is very good.
- Oliver has circumvented the constitution.
- We are the Board of Directors. All correspondence is reviewed by the Board. We do conform to the constitution. The Board meets frequently.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Question from the floor:** Why are we voting to remove Oliver?

**Response:** So that he will not become Past President.

**Comments/discussion from the floor:**

- A motion to name a person is considered harassment. The person's name should not be used.

**Motion from the floor:**

- Withdraw the motion to remove Oliver.

**Chairman:** "Vote as motion was written."

**Result from votes:** 38 For; 76 Against.

This is **not** an amendment to the Constitution thus requiring 50% + 1 - (72) votes.

This Motion was **defeated**.

**17) Whereas** The position of Court Management was created to accommodate the retention of a board director without notification to membership or calls for nominations from the floor in the 2018 AGM.

**Be it resolved** that the position of Court Management be eliminated.

**Comments/discussion from the floor:**

- The Court Management position was created without any prior notification. Most duties fall under the Head Pro, who is paid a salary.
- ATC Constitution 8.5 reads "The Board of Directors shall determine the duties of Officers and Directors." and 8.6 reads "Should a vacancy occur for a board position the Board of Directors shall have the authority to appoint a replacement Officer or Director from within the current Board or from the general membership until the next Annual General Meeting".

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

- In December 18, 2017 a vacant Board position was posted with the membership. Jesse Vermeer volunteered and was invited to join the Board with Gerry shadowing him. John Korosi moved that Gerry remain on the Board. We deferred discussion to our next meeting and consulted the by-laws. A motion was brought forward at the 2018 AGM and was carried by those present.

### **Motion from the floor:**

- Withdraw the motion to remove The Court Management position.

### **Comments/discussion from the floor:**

- Since the Court Management position has been added to the BOD, ATC has collected \$5,000 annually for visitors and ball machine fees.
- Court Management Director spends hours monitoring the rules and working with Gigasports.
- A member stated she cannot find the item in the December 2018 minutes re The Court Management position. Gerry stated that he found it in the minutes.

### **Motion for amendment:**

- Propose position be created and Gerry fill it.

### **Comments/discussion from the floor:**

- All duties for The Court Management position can be done by the Head Pro. It is not an unreasonable task.
- "Should a vacancy occur for a board position, the Board of Directors shall have the authority to appoint a replacement Officer or Director from within the current Board or from the general membership until the next Annual General Meeting."



# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Chairman:** "Vote as motion was written."

**Result from votes:** 29 For; 95 Against.

This is **not** an amendment to the Constitution. Therefore, this Motion was **defeated**.

18) ***Paula Sousa be hired as an assistant club pro with a new contract and that the contract be signed by both parties within 10 days of this AGM. Her teaching hours are to be in line with those of the other members of the pros team.***

### **Comments/discussion from the floor:**

- Serious allegations were made with poor documentation. The decision made by BOD members is significant for members. Due process, honesty was questionable.
- A member read a letter sent to Oliver by another member.
- Oliver read one of the letters he had received from a member (attached with President's report).
- A member stated that Paula had given her as well as her 4 grandchildren lessons for 20 years and saw none of this reported behaviour.
- A member stated that according to Scott Myers, he didn't file a complaint.
- Scott Myers came to the Board about a breach and the secretary wrote it up.
- Jesse Vermeer stated that he spoke with Scott Myers who told Jesse that the report was accurate.
- Scott Myers resigned from the BOD in September 2019.
- The new Board will be provided with all the background information.
- A member stated that comments made whilst at Board meetings should not be repeated to non-Board members.
- Paula Sousa should not have shared the incident reports with members.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

- The BOD would be liable if they divulged information regarding the pros.
- Assistant Pro's must be part of a team and work with the BOD.

**Chairman:** "Vote as motion was written."

**Result from votes:** 47 For; 68 Against.

This is **not** an amendment to the Constitution. Therefore, this Motion was **defeated**.

### 10. Election of Officers

**Chairman:** "Please nominate members for the 8 open Board positions":

The following members were nominated, accepted the nomination and were acclaimed to the position:

- |   |  |
|---|--|
| 1. <b>President</b>   | Chris Duque                                |
| 2. <b>Vice President</b>  | Damien Larkin                              |
| 3. <b>Treasurer</b><br>the grounds that all harassing emails stop.) | Jackie McCluskey (accepted nomination – on |
| 4. <b>Secretary</b>   | Connie Godyn                               |
| 5. <b>Social Director</b>   | Anne Luxon                                 |
| 6. <b>League Director</b>   | Julie Beltrano                             |
| 7. <b>Marketing and Communications Director</b>                     | Naomi Gardner                              |
| 8. <b>Membership Director</b>                                       | Malcolm Harris                             |

**The following members were nominated, but did not accept the nomination:**

- Ron Gelens
- Tejay Monga
- Tony Schafer
- Steve Knight
- Ron Mauro

**Note:** Bob Pride was not present but had given permission for his name to be nominated as League Director if no one else wanted the position.

# Aldershot Tennis Club

## Annual General Meeting Minutes

---

**Motion from the Chairman to adjourn 10:45pm.**

**Note:** Following adjournment, 5 volunteer members (Liz Sutherland, Deb Sylvester, Debbie McIntosh, Jeanne Woodcroft and Laurie Abel) collected and counted the votes. Ron Mauro, Dot Knight and Chris Duque presided over the vote tabulation.