

RDPH Annual General Meeting
August 19, 2021
Setter's Place; 6:30pm

1. Call to order at 6:32pm
2. Welcome Introductions: Attendance: John Obelienius, John Lawson, Dawnette Lawson, Erin Sather, Lori McGowan, Michelle Moore, Bob Weinrauch, Brennan Ackerman, Jen Turner
Regrets: Randi Dale, Robin Inkster
3. Motion to Approve Agenda – Richard Dawson, seconded – Wendi Lundstrom
4. Motion to Approve Meeting Minutes 2020 with no revisions – Chad Biggar, seconded – Chad Weiler

5. Old business:

1. **Conflict of Interest policy updated and added to our Bylaws** – policy written in response to litigation situation and intended to protect Pond hockey. Intention was to create more transparency and clarity of wording to prevent any board executives of having any personal gain by joining the board of directors and to ensure their position within the board does not have a conflict.
2. **Bylaw revisions** – updates made as per suggestions at last AGM to alternate board terms by odd and even years to ensure we don't have key positions leaving at the same time. To assist with succession and continuity. Additionally there was a component added regarding refunds within 7 days. Updated By-Laws will be added to the Pond Hockey Website for reference.

John Obelienius made motion to accept the updated changes to by-laws as written. Richard Dawson approved this motion and Chad Biggar seconded.

6. **Team Alex presentation from Brian Ennis.** Brian is the founder of Pond Hockey created for his son Alex who had a medical condition to allow him to continue to play hockey with no contact. In 2019 Brian lost his son Alex to suicide and subsequently we renamed our annual tournament the Alex Ennis Memorial Tournament. At that tournament Brian set up a booth to talk about Alex and he then decided to create an organization to provide sports organizations with tools and resources and supports to teach their coaches, parents and players about suicide awareness and to provide tools to create a safe place where players are supported. This is the goal of Team Alex to assist many organizations to help their young players, students etc. to give them mental health support so they feel loved and supported. Brian also advised that on September 10th they will be hosting their 2nd annual charity golf tournament in support of Team Alex and asked everyone to consider signing up or sharing the word to others. Additionally he advised they are seeking board members as well.

7. Executive Reports:

1. – President Report
 - a. Litigation Update: John advised that RDPH lawyer has advised that he is clear now to report more details on the matter as it has been filed in court and the documents are available to any member who wishes to review them. John advised that a former RDPH president filed 2 suits against RDPH for matters dating back over 6 years ago, one was for \$300 for reimbursement of registration fees that were supposed to have been paid back to the individual for having served on the board. And the second was for a \$10,000 invoice that the individual submitted on behalf of his company for promotional materials he purchased for RDPH and was not paid back for. There is no record of the purchase of these materials being authorized by the board at the time, as well there was several items that the board did not ever report receiving, as well as some of the items being

claimed were unusable. Some items were RDPH stickers, plastic cups, toques etc. which were given away at Skate-a-rama, however it also consisted of an order of 44- XXL adult RDPH jackets which would obviously not be suitable for children. The plaintiff ordered these items through his company at the time and then invoiced RDPH through his company. Which was an obvious conflict of interest. He had previously indicated to prior boards that he wanted repayment and those boards requested him to provide the invoice for these items on multiple occasions, however the invoice was never provided to these boards. Our past president Mike Talma was made aware of the invoices as well and made multiple requests for the invoice and was not ever provided with one. Then on August 4 2020 we were served with the suits filed against us. These suits were filed in court in January 2020 but we were not served until the past president Mike Talma had stepped down and we had a brand new president in place. We contacted Schnell Hardy Jones Law firm and spoke to Evan Hardy, who was willing to handle our file and also offered us an articling student to handle it at a substantially reduced cost to RDPH. We made an initial offer of \$6000 with a list of stipulations to restrict his affiliation and association with RDPH, the plaintiff declined this offer, and a court date has been set. The board was advised by our lawyer that we about a 50/50 chance of being successful if we go to court. The plaintiff is claiming unjust enrichment in that he gave us a product and we used it to our benefit and gave away the products without paying the client. Unfortunately, any counter suit that we could have made is now ineligible due to status barred, as we are past the amount of time allowed to counter sue. As such the lawyer advised we have 3 options:

1. Offer \$6000 and hope he will accept it without having to go to court
2. Go to court with only a 50/50 chance of winning and spend \$11,325.95 in legal fees for court costs, if we win the potential costs awarded to us would be \$1500, which would result in it cost us \$9500 for a \$10,000 claim
3. Go to court and lose, and we would still pay the \$11,000 in fees and also have to pay the plaintiffs claim of \$10000, plus our total of legal fees we've incurred to date of \$4000 then potentially also the plaintiffs legal fees and we would be looking at a total cost to RDPH of \$25,256.00

The board discussed the options and held a vote to offer settlement of \$6000. While we feel justified in taking this matter to court it is ultimately RDPH who would pay the final decided costs And the potential of spending over \$25,000 if we were to lose at court with only a 50/50 chance of winning was a cost too high that the board was uncomfortable with taking that risk with RDPH funds. The plaintiff waited just long enough to file the suit, that he was within the time allowed, however we were not within the time allowed for us to counter sue. Which essentially means even if we lost we have no way of going back against the individual with all of the evidence we found against this individual. So there is no way to potentially recover our costs and hold him accountable. As such, our lawyer submitted another counter offer of \$6000 with the condition that RDPH is not at fault, and a mutual release to not bring any future litigation against each other ever. At this time we are awaiting his response to this offer and are hoping we will receive confirmation prior to court date.

John asked membership if they had any additional questions on the matter or needed any additional info.

Member requested to know who the plaintiff in this matter was. John indicated that we had received approval from our lawyer to release the information since it is a matter of public record now, and he advised membership that the plaintiff is Mr. Jason Chilibeck and his company is Jet Go.

Member had concerns about what if the plaintiff sent any correspondence to members since he signs his email as a Past President of Red Deer Pond Hockey? What should they do? John advised that Mr. Chilibeck should not be sending correspondence under the banner of RDPH and any correspondence from him pertaining to Red Deer Pond Hockey should be ignored. We also confirmed that any emails sent by an RDPH board member would come from the reddeerpondhockey.com email address.

John indicated that we are still reviewing options to further protect RDPH from any future misuse, which was the reasoning for the changes to by-laws and the conflict of interest update in order to prevent any future misuse of board positions to a board members benefit.

b. 2020 Season Update;

Season ended up with 480 players, and we only had 3 registrants that were unable to be added to a team. Due to Covid season was shut down almost immediately after the season began and most teams only had 1 game, some teams had 2 games. Refunds were issued however Hockey AB still charged almost 80% of the fees to use even though there was only 1 or 2 games played. Our cost for fees is approx \$44-\$45/ player, so the final cost charged was deducted from the refunds that were issued. Our costs for ice fees and referee fees were only the amount that was used for the games played so those costs were minimal.

We did not have any sponsors step forward last year, so this is of great concern to us for the upcoming season.

There is no additional information to report given the shortness of the season.

2. Treasurer's Report;

The 20/21 season operated at a \$16,000 deficit due to Hockey AB insurance charges.

1. Balance sheet attached.

2. Proposed budget for 21-22 season is the exact same as the 20-21 budget. Ice costs are mostly unchanged this year which is unexpected, as we were anticipating an increase.

City of Red Deer facilities is \$116/hr, all other facilities is approx \$175/hr (Penhold, Red Deer College, Blackfalds etc.)

However with that being said we are having to find ice time in other arenas as the Dawe arena is unavailable due to renovations being completed the building. Which also means we are in competition with all other associations who use their ice, Red Deer Minor Hockey, Ringette etc. Blackfalds has stepped up and offered us ice time so this would be a new facility to us, so we are working with them for the time slots that are available, which are not too bad, meaning not too early in the morning and not too late at night. We will be forced to use whatever time slots we can obtain as there will be an expected ice shortage this year due the Dawe Center closure.

The jersey fee will continue this year for \$10 per player for div 3-6, the actual costs for the jerseys are \$13 but RDPH will absorb this cost.

We also obtained storage units this year in order to store our equipment etc. Blue Bird Storage offered us two storage lockers at a very reasonable cost in exchange as sponsorship and advertisement.

The proposed budget was passed around to members for them to review. A copy was not emailed out due to confidentiality of financials.

There were no member questions of the budget.

MOTION was put forward to "Accept the Budget for the 2021-2022 season as presented".

Motion was approved by Chad Biggar and seconded by Wendy Lindstrom.

3. Audited Financial statement completed by Judith Ficzero for the 2020-2021 season. As there was very little activity for the 2020-2021 season there was very little change, Financials were presented to the members present. No questions from membership.
4. MOTION was put forward to “accept the Audited Financial Statements for the 2020-2021 season”. Motion accepted by Richard Dawson, seconded by Brennan Ackerman.
5. Proposed Auditor: Board presented to continue to appoint Judith Ficzero as the auditor for the 2021-2022 season as no one has put forward any additional suggestions or offers for other accounting firms.
MOTION was put forward to “appointment Judith Ficzero as auditor for 2021-2022 season”. Motion accepted by Brennan Ackerman and seconded by Richard Dawson.

8. NEW BUSINES

- a. 2021 Season update: Fees were increased in 2020-2021 season, and we have kept them the same this year. We had to increase fees due to decrease in sponsorship. We have been seeing a decline in sponsorship due to the poor economy and now Covid has hit businesses very hard. We have been trying to come up with alternate sponsorship options in order to attract more businesses and possibly make it more affordable to them. We also were unable to hold the Skate-a-rama in 2020 which is our major annual fundraiser. We are anticipating the skate-a-rama will be held this season so this will help bolster our funds. It was also put to the board that we have been missing a sponsorship person on our board and encourage the membership to help out or if anyone has suggestions for a person that might be suitable for this position to let us know. We also encouraged everyone that if they know of any businesses that might consider sponsoring RDPH to send them our way. We are also trying to apply for some grants available through the City of Red Deer that we've been made aware are available.

Current Registration numbers as of today: 201 players registered and 23 coaches.

Registration closes September 15th.

It was pointed out that all sports groups are seeing lower registration numbers this year, as many families are still concerned about Covid and are holding off joining in organized sports as well as many families have been hit hard financially due to covid. Membership inquired will there be refunds if season is cancelled. We confirmed yes, refunds will be issued on prorated basis.

It was suggested we should send to a reminder to families but also note specifically that there will be a refund, there are no restrictions at this time and also point out that we are allowing player friend requests again this year. This may help with registration numbers as it will assure membership that they won't lose money if things are shut down again. This is a great idea and will include it in our next and future registration reminders.

Re: Covid we indicated that there will be no registration capping, no covid restrictions no cohorts etc. Hockey AB has advised there are no limitations however we must follow Government provincial and city guidelines. However the current lack of restrictions is based on current guidelines, if these change at any time, we must and will comply. Additionally each facility is able to determine their guidelines and restrictions and we must comply or we will not be allowed to use the facilities.

We also implemented the \$50 volunteer bond again this year to encourage volunteers to step up and help out.

Start date is set for the weekend following Thanksgiving, typically our season always began Thanksgiving weekend however we always so a poor turn out for this weekend due to family

gatherings etc. So we will start a week later and play a week longer to account for this. We have ice options available to the end of March so it makes this change possible.

Ice locations: City of Red Deer, Blackfalds, Penhold, Red Deer College, and if necessary we have time available in Alix as well. City of RD has the best price so we will use their ice as much as possible.

9. Election of Directors:

There are many open positions within the executive board which are voting positions as well as director positions (non voting)

Voting positions

1. President (incumbent) – nomination – John Obelienius – voting 17 in favor, 1 opposed
2. Vice President – no nominations received
3. Treasurer – nomination – Jordan Collier – voting 18 (all) in favor
4. Governance & Policy – nomination – Erin Sather - voting 18 (all) in favor

Non Voting

1. Coach Liaison – no nominations Received
2. Sponsorship Coordinator – no nominations Received
3. Referee Coordinator – no nominations Received
4. Website Admin (assistant position to be trained to take over from current person) – no nominations Received
5. Skate-A-Rama/Event Coordinator – no nominations Received
6. Division Coordinators (total of 4 divisions needed) 2 Nominations received – Tara Moore & Karen Unterschultz

Board voting by acclamation 2 year terms nominations called, as per above list of nominations, second call for nominations made, no additional nominations were brought forward. Votes held for 3 open board voting positions for the executive board. Votes as noted above.

10. Changes to Bank Signing Authority

Bank and cheque signing authority required amendment with the change of Treasurer and Governance positions.

REMOVAL OF SIGNING AUTHORITY FOR THE FOLLOWING INDIVIDUALS FROM THE BANK ACCOUNT:

Jennifer Turner – Former Governance

Robin Inkster – Former Treasurer

ADD THE FOLLOWING INDIVIDUALS TO SIGNING AUTHORITY FOR BANK ACCOUNT:

Jordan Collier – Treasurer

Erin Sather - Governance

11. Introduction of Board in attendance;

- a. Bob Weinrauch – Div 6 coordinator
- b. Lori McGowan – Div 4 coordinator
- c. Erin Sather – newly appointed Governance and policy
- d. John Obelienius – incumbent and voted President
- e. Michelle Moore – current secretary and communications
- f. Dawnette Lawson – Registrar and temporary referee coordinator
- g. John Lawson – Equipment coordinator
- h. Tara Moore – newly appointed Division coordinator
- i. Karen Unterschultz – newly appointed Division Coordinator
- j. Jordan Collier – newly appointed Treasurer and RDPH alumni

k. Brennan Ackerman – current website administrator.

Thank yous;

Jen Turner previous governance and policy, she has been extremely helpful to update our bylaws and conflict of interest policy and was also critical in helping with our lawsuit as many meetings were handled by her. She has offered to help out on an advisory capacity if we need any assistance in the future.

Robin Inkster past treasurer, she did a lot of work last season in issuing all of the refunds to the families registered.

Cam Collins past skate-a-rama coordinator

Andrew Grotjes – past vice president

Aimie Grootjes – past division coordinator

Jessi Collings – past division coordinator

Additional information and conversation re: Q&A to membership in attendance:

- We are bringing back the equipment swap, dates are September 17th and 18th at the Alberta Sports Hall of Fame. The Alberta Sports Hall of Fame has been very supportive to pond hockey and are allowing the use of their space. Additionally Alberta Sports Day is on September 18th so their facility has free admission for the day so we encourage all families to come out and support this local attraction
- If registration numbers are low will we have to make changes to divisions? The current numbers actually are quite even within each division and would support 4 teams per division. At this time we are not looking at any division changes but will review this closer to registration close.
- Hockey Alberta structure change: John advised that Hockey AB has made changes to their structure to create 3 different divisions They are Minor Hockey, Rec Hockey and Pond hockey. In reviewing their changes it appears that our structure at RDPH fits the newly created Rec Hockey format as Pond Hockey has been amended to reflect shiny style hockey where there are no set teams, it is more of a whoever shows up throws their sticks in the middle and they play. We discussed our use of the Pond Hockey name and Hockey AB advised we can continue to call ourselves Red Deer Pond Hockey to honor our beginnings. So we are not required to make any changes to our name at this time.
- John confirmed with Hockey Alberta that Division 2 will continue to be allowed to play full ice
- Member question are we still giving out goalie equipment, confirmed yes we will and equipment date will follow once registration is closed and teams are determined.
- We have been offered the opportunity to host free goalie workshops. The goalies in question are those who participate in rec league hockey, they are by no means professionals but they are willing to host a workshop to help give some tips and advice and work on some techniques with any RDPH players who are interested. We would arrange for the ice time and they would come out and help out for a few hours. Membership in attendance was very interested as it may encourage more players to step up in the goalie position to help us with our lack of goalies. We will look into this further and make plans with these volunteers and provide more information at a later date.
- We are also hoping to bring back the coach/parent team this year. It will be dependant on registration numbers in div 5 & 6 and will also depend on coach/parent interest. More information will follow on that again once registration is closed and we have firm numbers.

No additional questions or information to report. Meeting adjourned at 7:54pm