



SPRING AGM MINUTES May 6, 2020

Agenda

1. Call to Order and Determination of Quorum
2. Approval of Agenda
3. Approval of Fall AGM Minutes – October 29, 2019
4. President's Report
5. Human Rights Tribunal of Ontario Update – Divisional Court Hearing
6. Mixed B Playing Format - 2020
7. VP Report
8. Treasurer Report
9. Marketing Report
10. CIO Report
11. Mixed League Report
12. Ladies League Report
13. +55 League Report
14. Other Business
15. Proposed date of the Fall AGM – October 27, 2020
16. Adjournment

1. Call to Order and Determination of Quorum

President Sonja Zibin called the meeting to order at 7:01 p.m. and also welcomed Diane Weatherby, VP of Marketing and Communications, OTA. This is the first ICTA virtual AGM. Sonja asked each participant to change their Zoom name so that it indicated which club they were representing. She further encouraged participants to use the chat feature if they wished to communicate in writing during the meeting. She reminded participants that we were recording the meeting. Quorum (10 or more clubs) was achieved, with 47 clubs represented.

Motion to Hold the Meeting Virtually

MOVED: Sam from Pleasantview TC

SECOND: Marla from Moore Park TC

Motion carries

2. Approval of Agenda

Motion to approve the agenda.

MOVED: Sherry from Nassagaweya

SECOND: Bruce from O'Connor Hills

Motion carries

3. Approval of Fall AGM Minutes – October 29, 2019

Motion to approve the minutes of the Fall AGM.

MOVED: Giorgio from Veneto

SECOND Carolyn from MRTC

Motion carries

4. President's Report

Sonja thanked her fellow Board members for helping to prepare for the meeting and she thanked each of the club representatives for their service. She mentioned that this is a very unusual time and she expressed hope that people were keeping safe. She said she was following recommendations from tennis federations around the world and yesterday Tennis Canada issued an official statement recognizing that the situation has evolved. Tennis Canada hopes we can make a progressive return in different cities with the hope that our sport can be played safely while respecting social distancing.

Tennis Canada has issued its recommendations for a progressive return. They are available on the Tennis Canada website. First is to play only with family members or low risk individuals.

Just two hours ago the OTA issued its own recommendations referring to doubles play, league play and organized tennis. These included respecting social distancing and the use of two cans of balls, separately marked, so as to not touch the other person's tennis balls. The OTA has said this could be applicable to doubles with four unique sets of balls. The OTA says another common-sense step is limiting play to singles or doubles only to family members with no large social gatherings. The OTA has indicated that clubs could consider cancelling or rescheduling their summer programming, including leagues and social events. The OTA is not saying clubs must cancel but rather *may* consider cancelling.

In terms of the ICTA, we have no way of knowing when the restrictions will be lifted or when it will be safe. It seems like it could be the end of June or early July with possible extensions. The ICTA's position is that our leagues will not start unless all evidence suggests it is safe to do so. We will make every effort to provide an abbreviated adult season with the junior league already having been cancelled.

Sonja said questions about our leagues would be answered later in the meeting.

Two clubs - Donalda and Mayfair Lakeshore – seek admission to the ICTA.

Leigh Bradwell was present and represented Donalda. This club has 12 outdoor courts in the Don Mills and York Mills area. Its dress code is white attire. It seeks to field a C team in the Mixed League.

Motion to admit Donalda TC

MOVED: Sonja Zibin

SECOND: Laura from Newmarket TC

Motion carries.

The second club is Mayfair Lakeshore. Club rep Sujit Das was not present on the call. This club is a year-round indoor facility with 8 indoor hardcourts. It is situated at the bottom of the DVP. It would like to field an A team in the Mixed League.

Motion to admit Mayfair Lakeshore

MOVED: Sonja Zibin

SECOND: Bruce from O'Connor Hills TC

Sandra from Valley TC asked if there were issues with a club entering the ICTA without starting at the bottom level. Sonja said it is at the league director's discretion to admit a team other than at the C level. Sonja pointed out that the League has to vet teams for suitability as to level. David Maples responded to Sandra's question re indoor courts and said we have other clubs with indoor courts.

Motion carries

5. Human Rights Tribunal of Ontario Update – Divisional Court Hearing

Stuart addressed two matters. The first was the Intercounty HRTO summary. A summary accompanied the notice that went out before the meeting.

As everyone knows, we were named as respondents in a Human Rights matter back in 2016. It was determined in an HRTO ruling that our Mixed League discriminated on the basis of sex by offering more spots to men than women. The HRTO decision ordered a staged remedy with the same number of playing spots in successive years. This is year two. After several attempts to get the decision overturned, the Divisional Court found that we had failed to prove that the Tribunal's decision was not reasonable.

There was no opportunity to argue the merits of the case at the appeal hearing (no opportunity to dispute the facts or the correctness of the decision). We agreed to fix costs at \$5,000 and we have paid same to the Applicants. We now need your thoughts as to whether to proceed further. The next step is to file leave to appeal to convince a single judge that there are issues of sufficient importance to warrant an appeal. The cost would be approximately \$2,500, with \$500 filing costs. If successful on leave, then a similar process would unfold at the Court of Appeal. Submissions would be made. The HRTO would be present. The costs exposure could be \$10,000.

Our lawyers advise that the possibility of success is low. If we win, it is heard by the Court of Appeal. If we lose, the HRTO decision stands. If we win at the Court of Appeal, then the applicants would have to pay \$10,000 in costs and the decision would be set aside and the case would go back to the HRTO. If we receive leave, but lose at Court of Appeal, we will need leave to appeal to the Supreme Court of Canada and would have to pay \$10,000 in costs and absorb our own.

We needed to file leave within 15 days of April 7, but we would likely receive an extension of filing because of Covid-19. If we are late, we would need to bring a motion for leave to extend. If we do not file for leave, then we have flexibility as to the format of the Mixed League as long as it complies with

the HRT0 ruling. The question we are considering is whether to seek leave to appeal to change the HRT0 decision.

Bruce from O'Connor Hills TC asks if the open format used at the C level last year was acceptable. Stuart said our lawyers believe it was compliant and there were no complaints about it last year.

Because the vote is so important there will be an email from the ICTA to the club reps with a deadline of 12 noon tomorrow to vote.

Bruce then asked if the Applicants were happy with last year's open format. Stuart said anecdotally they do not seem to be pleased. He could not speculate as to what course of action they may take.

Giorgio from Veneto asked Stuart to refresh our memories regarding the gender-neutral format and Stuart said we would address this later in the meeting.

6. Mixed B Playing Format - 2020

The next item was approval of the open format for B level for 2020.

Those rules differ from our standard rules in terms of the concept of open lines. What we have traditionally fielded in a fixture is 3 men's doubles, 2 mixed doubles and 1 ladies' doubles. The open format would have 2 men, 2 ladies and 2 Open lines based on the team captains' choice. Open means players are selected to the roster based on skill.

Bruce from O'Connor Hills TC asked if a person could be transgendered or binary. Yes, said Stuart.

Boris from Edenbridge TC asked what the statistics were for the number of men versus the number of women who played at the open lines. Stuart answered that 3.2% of the lines were filled by women. Stuart referred to Rules 4.6, 4.7 and 4.9 of the Mixed League Rules and these are found here: <https://www.intercountytennis.com/wp-content/uploads/2020/03/Intercounty-2019-Mixed-B-C-Format-Final.pdf>.

Sandra from Valley TC asked if the Applicants' lawyer suggested that the effect of the open format is that it just pushes discrimination to the club or captains' level. We could not argue facts of the case on the appeal, said Stuart. This was the first time they had lawyers present. There was no discussion at the appeal on this issue.

Sam from Pleasantview TC asked if Men's 1 must be stronger than Open 1, to which Stuart responded in the affirmative.

Motion that the ICTA adopt the 2019 Mixed C level format for C level and B level for 2020 season

MOVED: Brett McBurnie from Hillcrest TC

SECOND: Nigel MacLean from Don Mills TC

Motion carried with Carolyn from Marilyn Redvers TC and Boris from Edenbridge TC dissenting.

7. VP Report

This was subsumed under items 5 and 6 of the agenda

8. Treasurer Report

Treasurer Angela Kooij reported. She reviewed the income statement and balance sheet followed by the 2020 budget. Angela shared her screen. We had a decent year in 2019. There was \$31,000 in revenue, \$29,000 in expenses and a profit of \$1,494. This was in line with the budget with a slight drop from \$2,000 to \$1,500 in net income. She reviewed the revenue, sponsors and tournament items and then said expenses were held in line with a larger number for Tribunal expenses. She next discussed the balance sheet. Retained earnings from 2018 were \$16,752 and she reviewed the assets, totalling \$19,046. The ending Retained Earnings were \$18,246. We have to pay the \$5,000 and so she has recommended it be a one-time charge with room to pay from Retained Earnings.

Motion to approve 2019 financial statements

MOVED: Angela Kooij

SECOND: Nigel McLean from Don Mills TC

Motion carries

Next reviewed was the 2020 budget and once again Angela shared her screen. We have done some modelling at the Executive level and the best scenario is to assume Scenario 2 which is a half season but no tournament. We have forecasted conservative revenue at half a season totalling \$17,700 with sponsors of \$1,500. We assume the \$60 club fee will be paid and it has in large part been. Total revenues of \$19,200 projected. Expenses are \$17,295. Honorariums for Divisional Chairs and for Executive are included. No tournament costs. Net income of \$1,905. To be clear, the \$5,000 tribunal costs are paid from reserve funds.

Question from Cathy from Leaside TC: is lower revenue a reduced cost per team or loss of teams? Angela clarified that it was a reduced number of teams. The cost per team stays at \$60. We have assumed a lower number of teams and we have lost 60 to 65 junior teams as there is no junior season. We have assumed, in this scenario, 200 teams joining. Next Cathy suggested that perhaps we are paying the same amount but getting less, i.e. for Tenniscores. Angela confirmed that we are not in fact paying less for Tenniscores except for juniors. Cathy suggested that perhaps the team fee could be lowered.

Carolyn from Palgrave TC asked if clubs will be reimbursed or the monies will be held as a credit if there is no season. Angela said fees would be refunded if no season.

Nigel from Don Mills TC asked when fees would be hiked to \$200 per team? Angela felt this was a rhetorical question.

Marla from Moore Park asked about a reduction in insurance premiums. Angela said no and that insurance is not pro-rated and we are still liable even if tennis is not played.

Scott from Markham TC asked what if the city only allows singles play on community courts. Sonja said we would look at options in that case.

Louise from Thornhill Park TC asked if government grants were available to the ICTA. Angela responded in the negative.

Boris from Edenbridge TC pointed out that his club cancelled its insurance and Sonja felt this was a poor decision as clubs could be liable for any incidents that arise. Sonja pointed out that it is not a significant cost. Boris felt it was regrettable that Marsh did not reduce its premiums. Scott said Jim Boyce spoke with Marsh and they would not budge, but they may reduce insurance for next year.

Question from Sandra from Valley TC – what happens if certain teams pull out? How will that affect scheduling? Sonja responded that League Directors are pushing hard that once a date is set for the start of leagues there will be a deadline, so as to discourage teams pulling out.

John of Moore Park TC asked if the city has provided permits to clubs. Angela answered ‘no’ or that if permits were issued, they were done so on the condition that the courts could not be used until the city had lifted restrictions.

Motion to accept the 2020 budget

MOVED: Angela Kooij

SECOND: Laura from Newmarket TC

Motion carries

9. Marketing Report

David Maples shared his screen and talked about our social media, including Twitter, Instagram and Facebook. He then showed how we could find our social media sites and some posts that have been made with more to come during the season. He encouraged people to follow us on Twitter. Next was Instagram where he has been posting. He encouraged people to email photos to be posted on Instagram. Next, he showed our Facebook site and said this would be more active as we go forward and he encouraged people to “like” our Facebook page.

10. CIO Report

Mark Foon is our new CIO. He pointed out that we have a new website, which has updated information and is slightly refreshed. The look and feel is different but the navigation is the same with buttons for the leagues, championship, sponsors, ICTA fees, Documents and Forms and Support. The gallery has changed with photos from the past several years.

Marla from Moore Park TC commented that the user interface was very pleasing.

Mark gave kudos to the Board for their feedback. The Contact Us page is monitored by Mark and David Maples. Mark pointed out our sponsors and various links at the bottom of the page. In future, there will be Facebook and Instagram feeds as well.

Sonja thanked Mark for his work and agreed with Angela’s comments that it was a nice refresh. Sonja thanked Mark for his presentation.

Sonja next pointed out that the various League Directors were on the call – Todd, Gary, Anoja and Marina. She then read the league reports for each league.

12. Mixed League Report

Sonja reported that Gary Hophan has in mind different possibilities for the season – (a) extending it to September, or (b) a shortened, 10-week season and that there could be some combination of the two. We cannot schedule it now. The opening of tennis facilities is the responsibility of the several municipalities. Once we have a start date, we will set a schedule and may need to reorganize teams. We will need about 10 days. There will be no promotions or relegations and no end of season championship. There were no questions concerning this report.

Bruce from O'Connor Hills TC suggested that playing into September would be a disaster especially with the resumption of school for younger players and teachers. He indicated that it would not be practical to play in September, especially with variable weather.

13. +55 Report

Next Sonja read Marina Mihailovich's +55 report.

As far as scheduling, we will wait until we have confirmation from the authorities that clubs can reopen. We know clubs will need time to setup and organize tryouts. We will need to know the number of teams and then arrange scheduling. Divisions may change depending on the number of teams.

Graeme Kerr from Gwendolen TC asked if league directors' notes would be available, to which Sonja responded affirmatively. The report says if we have a season it will be a shorter, official season or play for fun or alternatively completely cancel the season. There will be no promotions or relegations.

Nigel from Don Mills TC said his club was denied entry into the B level. He further asked about the deadline for teams to enter into this league. Marina responded that his club was not denied entry and that it was too early to say when the deadline would be.

14. Ladies League

Sonja next read Anoja Dias' Ladies' League report and said there would be a shorter summer season (possibly between July 22 and Sept. 23) based on the hope that clubs might reopen in early July. There will be no promotions or relegations and no refreshments.

Bernard from Henry Farm TC asked what would happen if the municipalities only permitted us to play singles. Sonja responded that this was the question posed earlier by Scott of Markham TC and that, in any event, we are considering all options.

Nigel from Don Mills TC asked if the ICTA is working on a player rating system. Sonja said yes, but this would not be the season for implementation.

Anne Madden from Parkway TC pointed out that the NYTA Ladies League has tryouts in September.

Anoja said we are not even sure if we will play until September.

16. Other Business

John from Moore Park TC asked if playing in empty stadiums would speed our return to play.

Bruce from O'Connor Hills TC and Nigel from Don Mills TC commended the use of Zoom for the meeting.

Marla from Moore Park TC suggested we limit the number of people that accompany participants to fixtures.

Estevan from Halton Hills TC asked whether a club could use a private insurer.

17. Proposed date of the Fall AGM – October 27, 2020

Sonja thanked everyone for attending the meeting and said that she hopes to see us on the courts and at various events this season. October 27, 2020 was proposed as the date for the Fall AGM.

18. Adjournment

Moved: Sonja Zibin

SECOND: Bruce from O'Connor Hills TC

Motion carries

Meeting concluded at 8:35 pm

Appendices:

- A. Meeting attendance
- B. Vote on whether to pursue motion for leave to appeal to Court of Appeal

Appendix A

ICTA Clubs at May 6 AGM - Clubs Attending		
#	Club	Club Rep
1	Angus Glen Tennis Center	Ocean Stojadinovich
2	Aurora Community Tennis Club	Liz Galluzzo
3	Ballantrae Tennis Club	Glen Fisher
4	Banbury Tennis Club	Diana Allion
5	Bayview Village TC	Yenny Musalem
6	Bramalea Tennis Club	Geoff Chan
7	Brampton TC	Jason Dowd
8	Central Tennis Club	Arlene Veitch
9	Credit Valley Lawn Tennis Club	Danielle Over
10	Davisville TC	Gene Parker
11	Dentonia Park Tennis Club	Kent Yee
12	Don Mills Tennis Club	Nigel McClean
13	Donalda Club	Leigh Bradwell
14	Edenbridge Tennis Club	Boris Fucic
15	Gwendolen Park Tennis Club	Graeme Kerr
16	Halton Hills Tennis Club	Victor Estevan
17	Headwaters Racquet Club	Joann Pilkey
18	Henry Farm Tennis Club	Bernard Assoud
19	Hillcrest Tennis Club	Brett McBurnie
20	King City Tennis Association	Suzanne Millar
21	Kleinburg Tennis Club	Joan DeMichino
22	Leaside Tennis Club	Cathy Southey
23	Marilyn Redvers Tennis Club	Carolyn Theil
24	Markham Tennis Club	Scott Fraser
25	Milton TC	David Fairfax
26	Mississauga Golf & County Club	Marie France McCloskey
27	Moore Park TC	John Mantzoris
28	Nassagaweya Tennis Club	Sherry Shannon - Vanstone
29	Newmarket Community Tennis Club	Laura Willcox
30	Nobelton Tennis Club	Ann Del Favero
31	North York TC	Amir Baradaran
32	O'Connor Hills Tennis Club	Bruce Reid
33	Palgrave TC	Michelle Biase
34	Parkway Valley Tennis Club	Anne Madden
35	Pine Point Tennis Club	Gary Bennett
36	Pleasant View Tennis Club	Sam Yang
37	Richmond Hill Lawn Tennis Club	Warren Shing
38	Sandy Beach Tennis Club	Ashley Jones
39	Seneca Hill Tennis Club	Andrew Fan

40	Stephen Leacock Tennis Club	Manny Libramonte
41	Thornhill Park Tennis Club	Louise Ikeda
42	Toronto Cricket, Skating & Curling Club	David Maples
43	Unionville TC	Nham Nguyen
44	Valley TC	Walter Yim
45	Veneto TC	Giorgio Carloni
46	Wallace Park TC	Christine DeGennaro
47	Whitby Tennis Club	Doug Pierce
48	White Oaks Park Tennis Club	Carol Ann Burgmann
49	Wishing Well TC	Kathleen Vandermoer

Appendix B

Motion: Should the ICTA pursue a Leave to Appeal in an effort to change the HRTO decision?

(Survey sent out to club representatives during the May 6, 2020 Spring Annual General Meeting and Tallied Following 12 noon Closure of Voting on May 7, 2020)

In Favour: 3

Against: 44

Motion fails