

Masters Swimming Ontario
Board of Directors Meeting
Skype meeting
Tuesday, February 7, 2017

MINUTES

Board Members Present:

Jake Nesovic
Carla Oliveira
Matisse Nelis
Beth Carey
Brigitte Zirger
Brian Sheridan

Staff Regrets:

Brian Croker

Brian opened the meeting at 8:01pm. Quorum confirmed.

1. Adoption of the agenda

Brigitte asked to include an agenda item to discuss the Registrar position. The board also agreed to defer the approval of the last meeting minutes to the next meeting.

Motion 1: To adopt the modified agenda.

Moved by Brigitte Zirger seconded by Beth Carey. All in favor, motion passed.

2. Treasurer

Beth has spoken with Cathy Macdonald and Chris Cupidio to gather some background on MSO's financials. The financial paperwork will be provided to Beth on Sunday at the Burlington meet from Carla who will be picking it up from Michael. Changing the signing authorities with BMO was previously done via email with a contact at BMO. Carla will provide Beth with this contact information. The signing authorities are currently Michael, Aimee and Carla. Brian and Beth will replace Michael and Aimee as signing authorities.

3. MSO Leadership

On February 1 Michael sent an email to the board after speaking with Doug from MSC, copy below.

From: Michael Lindsay
Sent: February 1, 2017 5:28 PM
To: MSO Board-Staff <msoboardstaff@mastersswimmingontario.ca>
Subject: RE: Joint MSC/MSO Skype Meeting

Dear Ladies and Gentlemen,

I called and spoke with Doug Hannum following receipt of his email turning down our invitation to meet.

He and the MSC Board believe that MSO is redundant now that SO will be directly managing Masters competitions in Ontario and further, MSC is supporting SNC and SO in this position.

As it is our responsibility to act in the interests of our members, we should assist our member clubs and their swimmers to join Swim Ontario and then begin to wind up MSO, conserving the money currently on deposit in MSO's bank account to be returned it to our members. Spending money on legal or any other expense that would prolong MSO's activities at this point would be irresponsible and members would therefore have the right to seek reparations.

Would you please reply to this email stating whether or not you agree with me?

*Sincerely,
Mike*

The board disagreed with this approach and did not support Michael who subsequently resigned from the board on Sunday, February 5.

Brian put forward his name for President explaining that he would like to work with SO and MSC to arrive at an agreeable resolution to the current situation. Beth put Jake's name forward. Brigitte and Jake both explained that given the current situation, MSO needs a diplomatic leader.

Motion 2: That Brian Sheridan assume the role of President.

Moved by Carla Oliveira seconded by Matisse Nelis. All in favor, motion passed.

4. Member Meetings

The board previously agreed on hosting a member information meeting on February 12th after the Burlington meet. Carla suggested to postpone the meeting to February 26th. Jake explained that we should still proceed with an informal meeting on February 12th to diffuse the anger from members and gather information directly from members. Beth explained having the first meeting in Burlington will help the board obtain feedback from members west of Toronto who do not typically compete in Toronto.

Carla will contact the Burlington Masters team about extended their rental 2 hours to facilitate having the meeting after the swim meet. The meeting will be informal, Brian will provide an explanation of the current situation then open the discussion to members.

The second member meeting will be scheduled for February 26th after the Thornhill meet. Brian will invite SO and MSC to attend this meeting and provide information to members on the options available. If one or both attend, the invite will be extended to Swim Canada. If MSC, SO and/or SNC can attend, a facilitator will be considered for this meeting. The outcome of the meeting will help determine the options and discussion for the SGM.

Brigitte still working on securing a date for a meeting in Ottawa. The Winterlude meet may be a possibility but is scheduled for February 25th which is the day prior to Thornhill and may be difficult to attend both.

The SGM will be scheduled for Provincials. Members will need to have a call in number if unable to attend in person. If there will be motions, they should be submitted in advance.

Brian pointed out Swim Ontario's deadline for new club memberships is end of March. If a decision is made that masters clubs will need to register with Swim Ontario, MSO will need to ask if the deadline can be extended. Currently SO does not have any category for masters swimmers.

Action items:

- Carla to contact Burlington to extend the room rental for 2 additional hours
- Brian to contact SO and MSC and invite them to the February 26th meeting
- Matisse/Brian to prepare a communication announcing the meetings; Jake to send the communication via email, Carla to post on website and Brigitte to post on Facebook

5. Legal Opinion

On February 7th, Brigitte shared via email Anna's legal opinion regarding sharing member data with either MSC or SNC. She observed that no indication is given by the clubs or by MSO that the swimmers must be registered with MSC or SNC, that MSC or SNC need the swimmers' Personal Information in order to provide services to the swimmers, or that MSO will be disclosing the swimmers' Personal Information to MSC or SNC. Therefore, MSO is not provided with either explicit consent, or implied consent, to disclose the swimmers' Personal Information to MSC and SNC. She concluded that PIPEDA applied to MSO and observed that "both MSC and SNC have determined that they are governed by PIPEDA, as demonstrated by their Privacy Policies."

The opinion concluded that MSO must ensure that the swimmers have provided explicit consent to such disclosure by MSO in accordance with PIPEDA.

Brigitte explained that while the MSO/MSO IT teams were implementing the new system in 2015 and 2016 the topic of privacy was repeatedly discussed as a waiver would need to be implemented. Wording for this waiver was not agreed upon and not implemented.

Anna will be reviewing the MOU and will provide a legal opinion on it at a later time.

6. Registrar

Brigitte has received several inquiries about registration and payment. The change of address has also posed an issue; several people have had cheques and registrations returned.

Carla explained that Brian C. previously indicated he would remain registrar until April. The board needs to find a replacement which initially was going to be the Executive Director position. Given the current uncertainties, Brian S. explained the board should not be looking at hiring an Executive Director.

Jake explained he may know someone who may be interested; he will speak to the individual about the position. Brian C. will need to transfer knowledge and the phone numbers will also need to be transferred to the Registrar's position.

7. Other Business

President's email address: The email of the President should not be a personal email. Instead it should be president@mastersswimmingontario.ca so that when the President changes, previous emails can be easily accessed. Jake will look into setting this up.

8. Next meeting

Board agreed the next meeting to be scheduled February 21 at 8pm, 5 days prior to the member meeting scheduled for February 26th.

9. Adjournment

Motion to adjourn, moved by Brigitte Zirger, seconded by Jake Nesovic
Meeting adjourned at 9:48pm