



**BC Athletics Board of Directors Meeting – June 10, 2020
Held by Teleconference
Minutes**

Attending by teleconference: Greg White, Chair; Jim Hinze, Vice Chair; Brian McC Calder, President/CEO; Ota Hally, Director Finance; Jordan Myers, Director Events & Promotion; Tyler Heisterman, Director Programs & Technical Development; Jasmine Gill, Director Zones 3, 4 & 5; Jacob Emerson, Director Zones 3, 4 & 5; Darren Willis, Director Zone 6; Cathy Johnson, Director Zone 7 & 8 (joined at 6:19pm); John Gay, Athlete Director; Nathan Reich, Athlete Director; Sam Collier, Manager Registration and Membership Services; Chris Winter, Technical Manager Track & Field; Clif Cunningham, Technical Manager Road and Cross Country Running; Sabrina Netthey, Run Jump Throw Wheel Coordinator

Regrets: Barb Drake, Director Zones 1 & 2; Rebecca Dutchak, Athlete Director; Jennifer Brown, Coaching Education Coordinator; Richard Lee, Coach, BC Endurance Project

1. Meeting was called to order at 6:03pm.
2. Introductions were made.
3. Additions to the Agenda
 - a. It was noted that under the Return to Sport Plan, a Club sign off would be discussed and under New Business, an update would be provided on the Liability Insurance Protection that was circulated late today.
4. **Adoption of the agenda** – J. Hinze/T. Heisterman – Passed
5. **Federal Government Small Business Loan Application (CEBA Program)** – Information circulated
 - a. BC Athletics can apply for \$40,000 Federal government small business loan, \$10,000 of which is forgivable. Brian recommended putting away \$30,000 of the loan received to return by the December 31, 2021 repayment deadline.
 - b. It was noted that, under the Societies Act, that the action of borrowing money is approved by the Board of Directors. The BC Athletics bylaws do not address borrowing directly but is provided for under Part 11.
 - c. Question was asked about the negative covenants noted in the circulated loan information, which includes a restriction to changing the capital structure. What does that mean and is this a restriction BC Athletics should be worried about. Ota noted the risk of that becoming an issue was quite low and he did not see it as a

concern at this point. Ota reminded the Board that liquidity was not needed at this time and \$30,000 of the loan would be set aside for the time being. Brian reached out to Gerry and Gerry advised it was interpreted as an anti abuse provision and there was no intention to abuse the program. Gerry was not concerned and deemed it not to be an issue.

- i. **Motion to approve BC Athletics apply for the small business loan from the CEBA Program – D. Willis/O. Hally – Passed**
- ii. **Motion to approve the authorized individuals to enter in to the loan on behalf of the association be one of either the current CEO, Chair of the Board or the Director of Finance – J. Hinze/J. Myers. Greg, Ota and Cathy abstained – Passed**

6. Return to Sport Plan – Chris Winter, Lead, Athletics Task Force

- a. The BC Athletics Board of Directors and subsequently the Member Clubs and Individual Members have a number of critical steps to complete, as soon as possible, so Athletics can Return to British Columbia.
- b. The updated (June 8, 2020) BC Athletics Return to Training Addendum (to the Athletics Canada “Back on Track”) Return to Athletics Plan – Circulated
 - i. The Addendum reflects orders, directives, recommendations that are in place in the Province of British Columbia and as determined to best practices by BC Athletics staff.
 - ii. Chris provided some background on the actions of the Task Force. Athletics Canada posted their Back on Track Guidelines earlier this week and each province is to provide their Addendum to the Back on Track Plan.
 - iii. Items include restrictions on mass gatherings of more than 50, continuing social distancing, higher sanitation measures, waivers for anyone over the age of majority and an assumption of risk for those under the age of majority and daily screenings.
 - iv. Chris noted the plan at the moment, which is subject to change, is once the Addendum is approved by Board, to take it to the clubs and training groups for their approval. Will be looking to have all the members sign off on a waiver or assumption of risk which will be administered through Trackie.
 - v. Staff will be setting all members memberships to Inactive and they will stay as inactive until the waiver or assumption of risk is completed. This will also be included as a requirement for new members. Members will also need to verify their contact information on Trackie as that will help with any contact tracing that may need to be done. Once the members sign off, they will be permitted to return to training.
 - vi. Question was asked about sending the plan out to all the member clubs and if there was a certain number that BC Athletics needed to hear back from in order to move forward. Brian clarified that once the Board approves, it will be disseminated to all the clubs at the same time. The Club will need to approve it and then once all the requirements are met,

they can return to training. As the individual members of the club complete the required sign-offs, they can take part in the club training sessions.

- vii. Greg provided clarification that BC Athletics Board of Directors would approve the Addendum and then the Club's Board of Directors needs to approve as a Member Club. Then the action is taken by the individual members with compliance of the applicable documents. Brian further noted that as a Club, they can enhance the conditions of returning, like adding additional measures they feel are necessary or may be required by the local health authorities.
- viii. Question was asked about how this was going to be presented and Chris advised, once it was approved by the BC Athletics Board, it would be up to each individual club to take to their membership and then up to each individual to sign off on the applicable documents through Trackie.
- ix. It was asked if the checklists needed to be approved by BC Athletics and then returned to BC Athletics or Athletics Canada. Chris noted the Club Risk Assessment is only a recommendation for best practises to undertake and no further approval was required from BC Athletics. The only requirement is for the Club to provide a copy of the BC Athletics' Return to Training Addendum, signed off by the club to confirm they are willing to abide by the guidelines. Chris further noted that it would be a good resource for the association to receive a copy of the Club's plan but it was not a requirement.
- x. **Motion to accept and approve the Athletics Canada Back on Track Return to Athletics Plan as presented – J. Emerson/T. Heisterman – Passed**
- xi. **Motion to approve the BC Athletics' Return to Training Addendum as presented – J. Emerson/J. Gay – Passed**
- c. Chris noted that both of these documents are living document and as new information comes to light, they may need to be updated. The Board agreed that any minor changes, that do not change the spirit of the document, can be updated by staff and then circulated to the Board as information.
 - i. It was noted that, should the province make extreme changes to their requirements, Staff would not have to come back to the Board. Staff will follow the provincial guidelines.
 - 1. It was asked if an announcement would be made and yes, staff confirmed the Board would be advised and then the information would be sent to the members.
 - 2. Chris noted that he anticipated small tweaks but any significant change would likely be at Phase 3 and Chris confirmed he would share any documents received with the Board at that point.
- d. Chris also noted, in the BC Athletics document, vertical and horizontal jumps were currently off the table due to the challenges around hygiene. Staff may receive suggestions as to how to handle them and Athletics Canada has noted it

may include, on branch by branch basis, if evidence is provided for the measures to follow.

- i. Chris asked if the Board would be comfortable with the staff handling those suggestions, on a case by case basis, when presented by the Board of a Club and would advise the BC Athletics Board of the decisions made.
 - 1. It was asked if there was discussion about using the sand pits and if there was anything more brought up given people are being allowed back on the beaches. Chris noted the liability of using the public beaches is not known and across the country they are staying out of the sand pits as there is no way to ensure proper sanitation measures are taken. There are also no experts to consult with. There doesn't seem to be an obvious solution at this point. Looking to the athletes and Coaches to come forward with possible solutions to consider. Brian noted they have reached out to Volleyball BC and Volleyball Canada but neither have addressed the issue and have no recommendations at this time.
 - 2. If clubs present BC Athletics Staff with a plan for safe measures to conduct these events, the Board agreed they were okay with Staff providing approval.
 - a. A recommendation was made to have staff provide a global approval and sending it out to all the other member clubs as to what was being done and advising of the approval. The Chair suggested sharing what has been considered, presented and approved and noting the Club it was been approved for. Therefore if anyone else wished to make an application to present their case, and it was similar, staff could sign off. That would allow staff to monitor who was holding the events. Brian agree that it would help to know who was proceeding in the event contact tracking needed to be done.
 - b. Chris felt it was best to consider suggestions on a case by case basis once a club can demonstrate they meet the hygiene needs. If presented with a sound plan, staff could present to the it to the other clubs as a standard and then if other clubs meet that standard, staff could approve it. The Board agreed
- e. The BC Athletics Release of Liability Waiver and Indemnity – Circulated
 - i. It was noted that, once finalized, the waiver and indemnity would be sent to the insurance company for information.
 - ii. **Motion to approve the BC Athletics Release of Liability, Waiver of Claims and Indemnity Agreement as presented – C. Johnson/D. Willis – Passed**

- f. The BC Athletics Informed Consent and Assumption of Risk (for Minors) – Circulated
 - i. It was noted that, once finalized, the waiver and indemnity would be sent to the insurance company for information.
 - ii. **Motion to approved the BC Athletics Informed Consent and Assumption of Risk Agreement (for those under the Age of Majority) as presented – J. Hinze/T. Heisterman – Passed**
 - iii. Question was asked if, for participants under the age of majority, the parent or guardian had to sign off on the form at every practise or, once they sign off on the liability waiver, it was okay for the athlete to fill out the informed consent at each practise. Chris noted the initial form, done through Trackie, must be signed off my the parent or guardian but the second document was a best practise and strongly recommended but was to be managed on a club by club basis and BC Athletics would not be tracking them.
- g. The BC Athletics COVID 19 Questionnaire, Attestation and Participant Agreement – Circulated
 - i. It was noted that, once finalized, the waiver and indemnity would be sent to the insurance company for information.
 - ii. Brian noted all of the documents were drafted by Athletics Canada Legal Counsel and had been reviewed by BC Athletics Legal Counsel. At the time of the meeting, Brian had not heard back from BC Athletics' Legal Counsel, so pending any major changes, the agreement could be approved in principal, pending the finalization by legal counsel. Greg asked that a final version be sent to the Board before being sent to the members.
 - iii. **Motion to approve the BC Athletics COVID-19 Questionnaire, Attestation and Participant Agreement as presented – J. Gay/J. Emerson – Passed**
- h. Club Sign Off – Brian noted, as was referred to by Chris earlier in the meeting, a copy of the Club's plan, approved by the Club's Board would be required by BC Athletics. This would include any modifications to be implemented and/or more stringent measures added, so that they could be shared as best practises to other member clubs. Brian further noted that they would include, in the communication to the clubs, the requirement for sign off and providing a copy to BC Athletics.

7. 2020 Membership Fee question

- a. It was previously approved by the Board to make a decision and address the membership fees toward the end of May. Staff discussed options for the membership fees, including consideration of the impact and administration aspect of refunds, waiving fees, extending fees, etc. BC Athletics Staff prepared the following for consideration by the Board:
 - i. No Refunds, including the rationale for such as provided during the COVID-19 pandemic (i.e. RJTW, Coaching Education, Officials Training

(to be available soon), liability and sport accident insurance, plus others that would be listed).

- ii. The following options would accompany the No Refunds statement.
 1. Option 1 (recommended by staff as the best option): That all 2020 paid and registered BC Athletics members be given or provide with either directly or through their club registrar a discount code valued at 25% of their 2021 Membership Fee
 - a. The mechanics of providing this will be developed and implemented as of September 1st, 2020 when the 2021 Membership year registration opens.
 - b. Individuals who did not join BC Athletics for the 2020 Membership Year would not be provided the 25% discount code.
 - c. This could result in a \$100,000.00 reduction in Membership Revenue for fiscal yr 2021-2022.
 2. Option 2: That the 2020 membership year for those who paid and registered with BC Athletics be extended as follows:
 - a. To the end of March 2021 (March 31, 2021)
 - b. Those individuals who register for 2021 who pay a pro-rated registration fee for their 2021 membership that would be equal to 75% of the normal membership fee.
 - i. i.e. a Training Member would pay $\$15.00 \times .75 = \11.25 plus GST = \$11.81
 - c. The membership would be valid to Dec 31, 2021 at which time the regular fee schedule would resume for the 2022 membership year.
 - d. This could result in a \$100,000.00 reduction in Membership Revenue for fiscal yr 2021-2022.
- b. Brian noted that the matter of the membership fees were discussed with Gerry Dragomuir and he agreed no refunds should be given as services have continued to be provided. Given the additional administrative work with Option 2, staff was recommending Option 1.
- c. It was clarified that if no assistance was received from the federal government, the options presented equate to \$100,000 less in membership revenue if money was not found from other sources and therefore BC Athletics would have to cut back on programs.
 - i. A recommendation was put forward to consider no refunds and no credits for next year and only plan to send out the 25% discount as long as the government provided support for non-profit organizations.
 - ii. Brian did advise that the budget includes funding to teams, which they hope will still go ahead but may not. So it's not known if the association will be saving money there or not as it's based on a number of factors.

- d. Another recommendation was put forward to consider the two options at a later date when more information would be known about the other funding options like the gaming, loan and wage subsidy.
- e. One Director noted that everyone has been hit by COVID and is feeling it in their pocketbooks. People have done their part but as an organization, BC Athletics said they would revisit the matter in May, so something needs to be done. Feels it's important to respond. The membership has been waiting and deserves a response and giving them something will speak volumes. Also feels people would be turned off by receiving no answer or getting absolutely no refund and nothing else. Sam noted she's had less than ten individuals and six or seven clubs, out of 70, that have inquired about refunds.
- f. A Director asked, when considering these scenarios, if there was consideration to targeting a specific area of the membership that might have lost a whole season as opposed to athletes that are training more year round. Asked if it would be possible to target the potential \$100,000 revenue loss. Brian noted there was some discussion around certain membership types but if they target membership types, they may get into other situations and circumstances coming forward for consideration. Additionally, it would open it up to anyone of any membership type if they begin to target for a non-season.
- g. It was also noted that some clubs use programs like KidSport to support fees that cannot afford membership. Asked if BC Athletics might look at option one for next season and require some sort of an application to target families that face hardship and can't afford to pay. Brian said it was possible to apply to KidSport for the 2021 year, to reduce the fee 25% and go out to KidSport for the balance but would have no control over. Would be a separate thing to their the provincial KidSport or to their Local KidSport Chapter in their community.
 - i. It was clarified that the Director meant, adopting as part of the process next year, for BC Athletics to have an application for people joining and only upon demonstration of need would BC Athletics provide the 25% discount. Suggested a code, or a couple codes, that work on Trackie, to go to the clubs, one for 25%, one for 15%, that the clubs could disseminate depending on need and use at the discretion of the clubs.
- h. It was noted that there could be two options within Option 1 – the codes are automatically entered in for the 2021 season or the code is offered out to the members and it's up to them to use it. Some members may feel that they have not been impacted financially by COVID-19 and will pay the registration fee as it is. Brian confirmed that was the intention of Option 1 – to provide the code and it would be at the discretion of the member to use. Option 1 was not a blanket discount.
- i. Some directors believed providing an option for people to use a discount would be well received and appreciated.
- j. One director noted the understanding of the hardships during this time and wants to see programs continue without having to be cut back. Also noted that they like

the communication of no refunds at this time but also recommended noting it was pending government assistance.

- k. Motion to approve proceeding with all 2020 paid and registered BC Athletics members be given or provided with either directly or through their club registrar a discount code valued at 25% of their 2021 Membership Fee.
 - i. Friendly amendment: **Motion to approve proceeding with all 2020 paid and registered BC Athletics members be given or provided with either directly or through their club registrar a discount code valued at 25% of their 2021 Membership Fee for use at their discretion – J. Hinze/J. Myers. Darren Opposed – Passed**
 - 1. Darren noted he would like to see more information as to the financial implications when deciding on matters like this. Brian asked for clarification as to an outline for staff on what financial implications he would like to see. Program by Program or what would have to be compromised in the scenario? Darren said he would provide his thoughts to Brian.
 - l. Jim thanked Staff for all the hard work they have done and for preparing this.
 - m. A director noted, as the 25% was moving forward, need to look at the current budget and identify where that money can be saved over the next six to nine months. Brian noted it would depend on what funding is received from gaming, the federal wage subsidy and the loan. It was agreed, as the money comes in, will need to make adjustments.
 - n. One final clarification was asked – that the discount code be for those that rejoin for the 2021 season and those that don't rejoin and paid their fee for 2020 would not get their money back. It was confirmed that that was correct.

8. New Business

- a. Liability Insurance Protection
 - i. SportBC is in the process of finalizing, with the underwriter, a liability extension to current policy, which flows down to the Clubs, which would provide legal fee coverage for any COVID related claims. There would be limits and premiums associated with the coverage, the premiums are not known yet. Aggregate total of all claims that could be within a PSO (Provincial Sport Organization) is provided under three levels of coverage: \$200,000, \$250,000 and \$500,000. Premiums are not known yet and some information will need to be provided to get a quote.
 - ii. Provided only for information at this time. Once premiums are known, further discussion would be needed as to what, if any, level would be necessary to have in place over and above what is in place now for liability insurance.
- b. Province announces liability protection for sport organizations
 - i. Provincial government addresses the Ministerial Order that would protect against liability claims for not-for-profit amateur sport organizations and would prohibit liability against those organizations unless there is proof of gross negligence by the Club or the provincial sport body. More information is to come. Brian noted he was not sure if they cannot initiate

legal action unless there is gross negligence so the extension of coverage for legal fees could be quite beneficial.

1. Clarification was request as one Director noted they thought the release meant the government was, effective immediately, covering the liability related to COVID. Brian noted he understood the release meant that they would not allow claims for damages resulting from exposure to COVID-19 by this order. Therefore that there was no way to make a financial claim against the association or the club. More information is needed as to the intent of the order but it was understood that all liabilities would be covered related to COVID for non-profit. Greg noted he too understood the order would not allow someone to take legal action again a non-profit and therefore interpreted it as not being able to go after a non-profit.
2. Brian noted the club or association might still have to engage a lawyer so the other extension of liability related to COVID claims and legal costs may be valuable to have in place. Brian will provide further information as it's received.

9. Next Board of Directors meeting to be announced.

10. **Motion to Adjourn – C. Johnson/J. Hinze – Passed.** Meeting was adjourned at 7:50pm.

Director Signature _____

Director Signature _____