
Voting, Lawsuits and Other Updates

FRIENDS OF RED DEER TENNIS · JUNE 7, 2025

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Greetings once again tennis friends! As a follow-up to yesterday's issue reviewing the amended Bylaws proposed by the RDTC Board, here is Part 2 of our updates to prepare you for the vote tomorrow, Sunday, June 8.

Bylaws review

In our last issue, we reviewed our Top Five major concerns about the amended Bylaws. These concerns were:

1. reduced membership involvement in Board elections;
2. reduced representation of certain members in the Club;
3. precarious membership status, subject to the whims of the Board;
4. lack of fair or detailed process to address concerns about members; and
5. overall concerns about unchecked power concentrated in the hands of the Board.

If you had concerns about the Code of Conduct, these amended Bylaws give the Board President the authority to enforce this Code. As we discussed in the last issue (and are living through with one of our group members), the Board can weaponize these tools to silence anyone who disagrees with them by **revoking people's membership, almost at will, with minimal process, no appeals, and no oversight**. We are concerned by this kind of power without accountability, especially given [the concerns we have already voiced](#) about the actions and apparent intentions of this Board.

Know your voting rights!

Going into Sunday's meeting, make sure you know your membership status and whether you can vote! It is likely that the Board will not allow you to speak unless you have a current membership. If you are unsure about your membership status, call the Club prior to the meeting to ask. If you can vote, please come out and do so!

If you do not currently have a membership but wish to vote, know that the current Bylaws allow you to take out an annual or summer membership in advance of the meeting, making you eligible to participate and vote.

We understand that many folks do not feel comfortable giving this Board any financial support and therefore do not wish to purchase memberships; know that many of us feel the same. **Note also that the current Bylaws do not require anyone to sign a Code of Conduct to purchase a membership or to be eligible to vote.**

Even if you cannot vote, consider coming to the meeting anyway! Let us offer support to those who remain members in the Club. And let us show the Board that even though some of us cannot vote we still care about the Club and those trying to navigate within it, as well as the environment we are creating for potential future tennis players in Red Deer.

Updates: Director of Tennis position, vast legal expenditures, new and ongoing lawsuits

Some of the information provided at the Town Hall on May 25 is relevant to the financial future of

the Club. Additionally, there have been some recent developments related to the legal difficulties of the Board. We will review these briefly here in case they help you make an informed vote on Sunday.

1. Director of Tennis position, with no projected budget

In addition to the highlights that we provided in our last newsletter issue, the amended Bylaws include the new position of Director of Tennis. The details of this position were discussed at the Town Hall, after the review of the Club's finances. William Poggemiller, RDTC Board President, stated that this position would likely start with a base salary of \$36,000 per year with the possibility of top-ups related to performance, and that he would like to hire into this position as soon as possible.

This annual salary amounts to more than 10% of the RDTC's operating budget. How will this salary be paid? When asked directly about budget forecasting, William responded that the Board has **not done any budget projections** for next year to show how they are going to afford this position.

Can the Club afford such a significant ongoing expense?

In the income statement of the past fiscal year shared at the Town Hall, much of the income from this past year cannot be counted on going forward. This past year's Net Income was \$39,000; but this includes \$23,000 in donations (see below), the \$17,000 grant from Tennis Canada, and almost \$12,000 in court usage fees from the private lessons taught by Simon Tennis School. Removing these three line items leaves a net **deficit** of \$13,000 - a far cry from the \$36,000 **surplus** needed to guarantee cash flow for a new Director of Tennis staff position.

Additionally, there are obviously some unknown figures in the budget going forward. A significant chunk of income (\$49,677) this past year was from the public lessons taught by STS that have mostly been cancelled and/or converted to the Board's new pathways program. The Board seems to hope that their new programs will replace or exceed the income generated by the past year's public lessons; but that remains to be seen. Wouldn't it be prudent to see whether this hope is borne out before committing the club to a new, permanent staff position?

2. Legal costs of \$38,000 and counting

This Board has spent a staggering \$38,000 in legal fees over seven months, from October, 2024 to April 30, 2025. (The total budget line of "Accounting and Legal" in the budget shared at the Town Hall was \$41,383.) This amount can be compared with the \$3,333 spent in this category by last year's Board and the \$3,500 projected for this category for this recent fiscal year.

What has prompted such vast expenditures in legal fees? When asked directly, William stated that these legal fees were spent to:

1. address some "internal Board issues"; and
2. draft some new documents and policies.

Re: 1), what "internal Board issues" require this sort of unprecedented legal consultation? And how is the Board being accountable to the membership for these expenses? Previous Boards have held special meetings of the membership to authorize expenditures of this size (for instance, with the recent new lighting in the Bubble). Why has the membership had no say in such a significant expense? It is our opinion that **such sizable expenses shouldn't be incurred without input from the membership**.

Re: 2), we presume that the documents William is referring to are the new Code of Conduct, the amended Bylaws, the privacy policy, and the harassment policy. If we can accept that [ChatGPT's analysis](#) of all these new documents has reasonable accuracy, it seems that we should be **very concerned about the end results** of this massive financial output. To remind you, the AI analysis of this collection of documents ends with the following recommendations:

RECOMMENDED ACTIONS

1. **Seek Legal Injunction (if feasible)**
Halt adoption or enforcement of these policies until legal review is complete.
2. **Request Third-Party Governance Audit**

Push for external governance experts to evaluate compliance with the Societies Act, PIPA, and OH&S.

3. Prepare Member Mobilization Materials

Create a side-by-side rights comparison between Alberta Societies Act and RDTC documents for members.

4. Formal Complaints to Service Alberta or Privacy Commissioner

Especially if privacy or membership rights are violated.

Does that mean all of these documents offered up by the Board - documents to which all members and players are now bound by, according to the new Code of Conduct - **might actually present legal risk** to the Club? While we recognize the limits of a review by an AI tool, these results are alarming. (We have also brought these concerns forward to the Board but have, as yet (and as per usual), received no response).

Where is this money coming from?

We also learned at the Town Hall that \$23,000 of the Club's revenue this year was from anonymous donations to the Club for legal fees. This is a lot of anonymous money. What are the intentions behind these donations?

Moreover, the total legal expenditures of this Board have already exceeded the donated amounts to the tune of \$15,000. We can only presume that these expenses are now coming out of the Club's general revenue, for which the greatest line item is membership fees. **How does the membership feel about their money contributing to the Board's legal consultations with no opportunity for input and no transparency into how or why it is being spent?** The Board is meant to be accountable to its membership; that is certainly not happening here.

3. Ongoing lawsuits and future legal costs

This Board's behaviour does not engender confidence that legal costs will be slowing down any time soon. Why do we say that? Well, in response to an inquiry at the Town Hall about these legal costs that the Board is incurring, William stated that there were no active legal cases against the club when questioned directly about such. After being challenged on this assertion, he acknowledged that there was in fact one open lawsuit, stemming from his conduct toward another Director; he further clarified that it was being covered by Club insurance.

We can now announce that there is another active lawsuit brought about as a consequence of this Board's decision-making. As of last week, **the Board is facing a lawsuit prompted by their (in our opinion) unlawful termination of the contract with STS**. Responding to this lawsuit will contribute further to the legal expenses of this Board.

One wonders if the Board prepared themselves to face a lawsuit when they made the decision to terminate the contract with STS without cause (in our opinion). Did they budget for the legal fees that such a decision might bring? Did they discuss how they would justify potential legal costs when they asserted that terminating this contract was in the "best interests" of the Club? Have they been exercising their fiduciary duty to manage the financial well-being of the Club in their role as Board Directors while they undertake these legal matters?

And, again, why does this Board feel **no need to consult with the membership prior** to making such significant decisions that could impact the future of the Club?

We have stated our concerns [elsewhere](#) about the competency of this Board to govern. **Given all these additional financial concerns discussed above**, we question the long-term vision of this Board and worry about the future of the RDTC in their hands.

Which brings us back to Sunday's Vote

In our opinion, this Board has not demonstrated respect for their membership. Their flagrant disregard for meaningful process and engagement is exemplified by their approach to the Code of Conduct: a minimalistic "review process" prior to implementing the final version, and a lack of meaningful response to letters of concern.

In our last issue, we clarified how the amended Bylaws would greatly restrict the voice of members in the nomination and election process for Board positions and would essentially allow the current Board to handpick the next Board. **Is this the Board you would choose to govern**

the Club into the foreseeable future?

If the membership body votes to approve these Bylaws, this Board's increased power and authority will be enshrined in quasi-legislation and reinforced going forward. We are concerned this will lead to continued poor governance and further weaponizing of the Code of Conduct and Bylaws to target and remove dissenting members and players; any attempts to undo this resulting culture are likely to be challenging.

So please, if it is at all possible for you to do so, show up on Sunday to cast your vote!

If you do not have a vote yourself but know someone who does, please encourage them to come out to vote! This Board ought to be accountable to its membership. **We entreat all of you with voting power to exercise your vote while you still can.**

If you are concerned about facing potential conflict at this meeting, we can say that the Town Hall meeting was civil. We will also be there to offer support to all those who show up and we encourage each of you to do the same, whether you can vote or not!

We look forward to seeing all of you tomorrow :)

Keep rallying,

The Friends

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