

Headline: The five things to avoid at general meetings

Topic: AGM/SGM

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A strata corporation is just a simple version of government. People are elected to run the business of the strata, owners approve budgets for operating expenses, contributions to their reserve funds and special levies when required for unplanned expenses. The most important meeting every year is the Annual General Meeting (AGM), when the strata approves the budget, reports on insurance to owners, elects a new strata council and approves newly proposed resolutions such as bylaw amendments, changes in the use of common property, contingency expenses or special levies for major construction. This is the meeting where the strata council and consequently the strata manager are given the authority and direction they require to run the business of the strata. A well planned well run meeting makes all the difference. Commonly avoidable errors create ongoing problems that may result in meetings that more resemble a WWF wrestling event than a business meeting.

1. The notice package is essential. Review your bylaws to determine the agenda. Any item that your strata will vote on must be included with the notice. Majority vote items, like the budget don't require a worded resolution, but the proposed budget and financial statement for the period must be included. Three quarter's (3/4) vote resolutions must include the exact wording. If your strata plans on proposing new bylaws or amendments you must include the exact wording of the proposed bylaws and a 3/4 resolution that indicates what the strata is doing. Are they repealing old bylaws and adopting new ones, amending current bylaws or repealing everything and starting with a clean slate? Include reports of council, building operations and depreciation report summaries, and a copy of the insurance policy coverage

summary. It saves time and provides owners with advance information. Attach a proxy, Form A for the convenience of owners who cannot attend the meeting.

2. Delivery of notice is a constant source of dispute. Notice must be delivered at least 14 days in advance of the meeting. Allow for 4 days delivery and 2 days for the date of delivery and receipt. 20 days in total. If owners owe strata fees or special levies, include a demand with the notice if this is going to affect their ability to vote at the meeting. A generic statement on the notice package that informs owners they are ineligible to vote if they owe money to the strata is not correct. The strata must have a valid voting eligibility bylaw, the must provide at least a 14 day written demand notice for strata fees, special levies or interest owing to affect voting eligibility.
3. The day of the meeting. You will need: a copy of the Act, the strata bylaws and schedule of voting rights if any unit gets more than one vote, a current owners list showing eligible voters, voting cards to identify eligible voters, ballots for resolutions and council elections in the event a secret ballot is requested, a display board for council nominations, voting booths, ballot boxes, pens, markers and a calculator. A comfortable room with good lighting and sound is essential. Confirm who is doing registration, the scrutineers to count ballots, the recording secretary and who is chairing the meeting. Only the chairperson has the authority to make decisions about proxy certification, eligibility for council or other registration issues.

4. A competent chairperson is essential. A respectful businesslike manner is the only solution. Whether the chairperson is the president, vice president of council or elected, it is crucial for the chairperson to understand the basic procedures. Matters are decided at general meetings by majority vote unless a different vote is required. Calling the vote on resolutions, ending debate, amendments to majority votes, and procedural decisions are simple majority vote of the owners. Permit voters to speak on resolutions and motions, but stayed focused on the time and motion. Avoid debates between voters and stop confrontational or threatening language before the meeting gets out of hand.

Recording the decisions at the meeting and calculating the votes correctly will provide the strata with the evidence of a properly convened meeting. Remember voting on majority and 3/4 votes only includes those eligible voters who vote yes or no, and do not abstain. For 3/4 votes count the exact voting numbers report the results in the minutes. Accuracy helps avoid conflict. Never allow the voting boxes or the counting of ballots to leave the room. It's the secrets that create the greatest problems.