



**erin
woods**
COMMUNITY ASSOCIATION
83 ERIN PARK DRIVE S.E.
CALGARY, ALBERTA T2B 3A2

EWCA Meeting July 5, 2021 Meeting @ 7 pm

Note – This was an “additional” board meeting per Bylaw 5.5.4.

Call To Order: 7:06 pm

Present: Lori Losowy, Shannon Coleman, Anne Miller, John Stark, Kassi Davidson, Lois Williams, Ali Myshrall. Absent: Tammy Amstutz

Meeting opened with Lori calling for a motion per bylaw 5.1.2 to close the meeting to non-board members with a two-thirds majority needed to pass the motion. Ali approves, Shannon seconds, motion passed unanimously. Meeting was closed to all but the present board members.

Approval of Agenda – Approved (no motion or vote necessary)

1. Motion to accept the report by parliamentarian Todd Brand of June 24, 2021 on the vacancy of the 2nd VP position, stating that in his professional opinion that Lori Petersen is not 2nd VP. Ali approved, Shannon seconded. Ali agreed with report, Shannon agreed with report, Lois agrees with report, John agreed with report, Anne feels we hired Todd to help us and did what we needed to do. All in favour, motion passed. NOTE: Per Leslie of FCC: Article 10.1 states that the Erin Woods Community Association board has the power of interpretation when it comes to parliamentary procedures in direct relation to managing of the community association. This also means the board has the right to choose which Rules of Order to follow, (which might include Roberts Rules) and as fiduciaries it is prudent to hire a professional when there is uncertainty or when objectivity is required. **Action Item:** Send letter to Lori Petersen by email and Canada Post, to inform her that the board has voted to ratify Todd Brand’s report. Action completed July 9, 2021.

2. Motion to pay Todd Brand's invoice #228 in the amount of \$300 (no GST). Kassi approves, Lois seconds, motion passed. **Action Items:** a) Bookkeeper will pay Todd Brand his fee of \$300 for invoice #228 the week of July 5 – 9, 2021. B) John will take the cheque to the post office on the week of July 5-9, 2021 and send via mail. Actions completed July 9, 2021.
3. Motion to repeal Anne in the 2nd VP Position as the email vote wasn't legitimate per bylaw 5.10.8. Lois approves, Ali seconds it, all in favour with Anne abstaining, motion passed.
4. Motion to appoint Anne Miller as the 2nd Vice President per 7.4.1 for the remainder for the term which ends at the 2022 AGM. Anne agrees to take the position and was asked by Lois if she was taking this position for the right reasons to which she replied yes, with all the Covid restrictions now done she wants to be able to help open the hall up again for events for the members and community; she is not doing it to get back at anyone. Ali moved to approve, Shannon second, motion passed. 5 voted in favour. Anne abstained from the vote. **Action Items:** Inform Lori Petersen in same letter per Item #1 by email and Canada Post. Item completed July 9, 2021. Announce Anne Miller as the 2nd VP at board meeting on July 12, 2021.
5. Motion to go 'in camera' to discuss a staffing matter. Ali makes the motion; John seconds the motion, all in favour. Motion passed and board went 'in camera' at 8:03 pm. Exited 'in camera' at 8:50 pm. **Action Item:** To deal with staffing matter and related issue. Action completed July 8, 2021.

Adjournment: 9:10 pm

Next General Meeting is: Monday July, 12 @ 7:00 pm

Please Sign In



DATE: July 5, 2021 – GENERAL MEETING
ERIN WOODS COMMUNITY ASSOCIATION

NAME	MEMBER
Anne Miller	EWCA
John Stark	EWCA
Leis Williams	Yes.
Ali Myshra	Yes EWCA
shannon coleman	EWCA ✓
Lori Losoway	EWCA ✓
Kessi Davidson	EWCA yes ✓



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Erin Woods Community Association

Board Meeting Agenda – Monday, July 5th, 2021 @ 7:00 pm

Note – This is an “additional” board meeting per Bylaw 5.5.4 and is closed to the public.

Call Meeting to Order

Approval of Agenda

Board business:

1. Motion to accept the report by parliamentarian Todd Brand on the vacancy of the 2nd VP position
2. Motion to pay parliamentarian Todd Brand's invoice #228 in the amount of \$300
3. Motion to repeal Anne M in the 2nd VP position as the email vote was not legit per 5.10.8
4. Motion to "appoint Anne M as the 2nd VP" per 7.4.1 for the remainder of the term which ends at the 2022 AGM
5. Carolyn's letter to the Board, Denise B, Lori P, Carol C, Shelley C, and Howard J:
– Board's response to the non-board-members

Adjournment

Next General Meeting is: Monday, July 12, 2021 @ 7:00 p.m.

TODD BRAND Consulting

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June 24, 2021,

I have been asked by the Chair of the Erin Woods Community Association (EWCA) to review the business proceedings of their Annual General Meeting dated May 10, 2021. This meeting was held virtually via Zoom. The meeting was recorded.

I have been asked to provide a parliamentary opinion on the following two areas of concern.

- 1. Review the AGM proceedings to determine if the 2nd VP position is filled or vacant.**
- 2. Determine what to do with the second person elected into the 2nd VP position if the position is "filled".**

To prepare this parliamentary opinion I used the following sources:

- Erin Woods Community Association Bylaws as provided by email link
- Agenda of the May 10 AGM
- Video recording of the May 10 AGM
- Minutes of the May 10 AGM
- Robert's Rules of Order Newly Revised, 12th Edition

Sequence of Events

Here is what happened in relation to the acclamation of Lori P. as 2nd Vice-President and her subsequent resignation.

1. The AGM progressed to the point that the processing of elections was turned over to the Chief Electoral Officer.
2. During the course of the elections, Lori P. was properly and clearly acclaimed to the position of 2nd Vice President.
3. A few minutes after the acclamation, Lori P. gave clear indication that she did not wish to remain in this position. At roughly the one hour and twenty-five minute mark of the recording, Lori P. stated "Mark and I have decided that we are actually stepping away... so technically I am resigning at the moment"
4. After some further commentary from Lori P., she, to the best of my knowledge left the meeting and did not return.
5. Some members discussed the issue and raised concerns about what had transpired however no one raised any ambiguity as to the intent of Lori P to resign.
6. The Chief Electoral Officer noted that the position of 2nd Vice-President is vacant and no one in the meeting contested that interpretation.

Interpretation & Opinion

Concern #1. Review the AGM proceedings to determine if the 2nd VP position is filled or vacant.

As noted in the listing of events above, Lori P. was clearly acclaimed (appointed) to the position of 2nd Vice President. Lori P. was also clear that she was resigning and stepping away and did not want to continue in this role. In my opinion, this was a clear resignation from the elected position of 2nd Vice President.

The EWCA bylaws indicate two means by which a resignation is automatic. One is a written resignation and the other is absenteeism (7.3.2). These stipulations in the bylaws are meant to look at removal of an officer outside of a general meeting. This resignation took place inside a general meeting of the body and in fact the resignation occurred during the very meeting with the very same body that made the appointment. While there was no vote to accept the resignation, this step is not necessary, and the membership in fact accepted the resignation through not challenging the interpretation and subsequent announcement by the Chair that the 2nd Vice President position was vacant and would be left that way at the adjournment of the meeting. There would be no logic nor requirement to require a written resignation when the body that is in charge of accepting that resignation is present in the form of a properly called meeting.

I would like to note a principal that provides additional illumination on this interpretation. Robert's Rules of Order Newly Revised, 12th Edition, notes an important parliamentary principle that is factored into this opinion. The power to appoint or elect persons to any office or board carries with it the power to accept their resignations (RONR 47:57). It is my opinion that the assembly did indeed accept the resignation of Lori P.. While some echoed the frustrations expressed by Lori P. there was informal, but very clear, general consent from the assembly that the person was now resigned and no longer served in that position.

It is my opinion that at the end of the Annual General Meeting of May 10, 2021 the position of 2nd Vice President of Erin Woods Community Association was vacant.

Concern #2. Determine what to do with the second person elected into the 2nd VP position if the position is "filled".

This second question now becomes moot.

Respectfully Submitted,

Todd Brand
Professional Registered Parliamentarian

Disclaimer: The author of this opinion, Todd Brand, PRP, is qualified through the National Association of Parliamentarians to provide professional advice on parliamentary procedure and bylaws. The author, Todd Brand, is not a lawyer and does not offer this advice as a professional legal opinion.