

Preparing for a General Meeting: A Checklist for Owners

*by Deborah M. Howes, A.C.C.I., F.C.C.I., C. Arb., C. Med.
President, High Clouds Incorporated*

Condominium Directors often receive information about how to prepare for a general meeting. I've chaired many meetings and often wonder how much information the owners receive about their role and how to prepare. What should they do, read or get ready? The following information and checklists can be useful guides for owners preparing to go to a general meeting. The information is based on the Alberta Condominium Property Act and Regulation.

Two Types of Meetings

The Corporation's annual general meeting ("AGM") is a guaranteed annual opportunity for owners to be active in their condominium community. All owners receive notice of this meeting and are entitled to attend, speak, and, if qualified, vote.

From time to time the Board or owners want to have other general meetings to conduct business in between AGMs. These meetings are called extra-ordinary general meetings ("EGM").

When to Hold

An AGM must be held once every calendar year (January - December) and no more than 15 months from the last AGM. Section 30 of the *Condominium Property Act* sets these time limits, but the Corporation's bylaws may be even more specific on the date. EGM's can be held any time the Board calls the meeting or when enough owners ask the Board to call a meeting. The bylaws set out the number of owners or unit factors held by owners required to call a meeting. Corporation bylaws will also set out the process and requirements around general meetings.

Business at the Meeting

Business at a meeting follows the agenda and is conducted using motions or reports. This keeps the business on track and moving forward.

No business can occur unless a quorum is present. Quorum is the minimum number of owners required to do business. The quorum is set in the Corporation's bylaws.

The agenda for the AGM is normally set out in the bylaws. If not, the Board will normally follow a fairly standard agenda which includes:

- call the meeting to order
- elect or appoint a chair, if required
- proof of notice of meeting
- call the roll and establish the quorum
- amend and adopt the agenda
- read and dispose of minutes of the previous general or annual general meeting
- officers' reports
- committee reports
- financial report (annual or audited financial statements, budget, appointment of auditors)
- old business
- new business (often includes owners' questions and comments)
- election of the Directors
- adjournment

The agenda for an extra-ordinary general meeting is limited to the business identified in the notice of meeting. This is because owners will choose to attend or not based on the notice of meeting and to bring up business not included in the notice would not be fair to those who chose not to attend.

Voting

The Act and the Corporation's bylaws determine an owner's voting rights. An owner's right to vote can only be bypassed in two cases. First, if the first mortgagee (lender) on title to the unit decides it wants to attend the meeting and vote (and sends written notice to the Corporation about that intention), the owner cannot vote (but can still attend the meeting and speak). Rarely does this occur. Second, if the owner owes money to the Corporation for more than 30 days as of the day before the meeting, neither the owner nor any mortgagee on that unit can vote. Owners need to understand that they must be current with their condominium contributions and other financial obligations to the Corporation to enable them to vote. Owners cannot bring money or a cheque to the meeting and hope to get a voting card. They must pay any outstanding amounts the day before the meeting.

An owner may not be able to attend all general meetings, but may want to send someone in their place. This person is called their "proxy". Check the Corporation's bylaws for information on proxies.

How to Prepare

Just as the Board prepares, so must owners prepare for the AGM. Consider the following steps:

- watch the newsletter for information about the upcoming meeting (usually sent out well before the actual notice of meeting).
- think about any items you want discussed at the AGM. Write the items in a letter and send it to the Board. No one likes surprises - not the Board and not the other owners.
- generally last minute additions result in conflict and often prevent the Board from gathering necessary information to give to the owner at the meeting.
- read the bylaws, meeting notice, agenda and any information sent with the meeting notice. Prepare your comments and questions. Get ready to discuss motions and vote on motions.
- gain a basic understanding of rules of order - the rules which help guide meetings. Two basic rules of order are Bourinot's (Canadian) and Robert's (American). Both are available at the library or local book store.
- think about the Directors on your Board. What do you know about their roles? What do the bylaws say about the qualifications for Directors? Are you satisfied with the current Directors' governance of the Corporation? Do you know who else is interested in being on the Board? What do you know about these people? What knowledge or experience do other candidates have for the role of Director? Who will you vote for? Are you interested in being a Director? Do you have the time and the energy to commit to the role? Are you willing to learn and to work hard for all the owners?
- pay your condominium contributions and any other money owed to the Corporation by the day before the meeting.
- arrange to attend the meeting or complete, sign and give your proxy to someone on your behalf. If you choose a proxy, inform that person of your questions or comments to pass on. Remember, if enough owners do not attend or send it proxies, the meeting cannot proceed, which causes inconvenience to everyone.
- if you choose to attend the meeting, plan to arrive ½ hour early for registration and take all your documents with you (bylaws, meeting notice, documents sent with the meeting notice, budget, financial statements, etc.). Most often extra copies are not provided at the meeting.

At the Meeting

At the meeting, register at the front door and pick up your voting card and any new information that is being handed out. Find a chair and read any new information. Follow the rules of order and the agenda for the meeting. The Chair of the meeting controls the order in the meeting and makes sure everyone follows the agenda.

When you want to speak at the meeting, raise your hand and wait until you are recognized by the Chair. Identify yourself by name and unit number and then state your comments or your motion. If you are unsure and have questions, ask the Chair to help you.

If you want to make a motion at a point in the meeting, raise your hand and wait until you are recognized by the Chair. Identify yourself by name and unit number and then state your motion as "I move that _____". A motion should be for action and be positive. It must be on topic. Then wait for the Chair to repeat the motion, obtain a seconder for the motion and return to you to ask if you want to speak to your motion.

Speak to motions if you have something to add. Ask questions to learn more. Make informed decisions when you vote. Be courteous to other owners and the Directors. Everyone is a volunteer and wants the best for the condominium community, even if they hold different views than you do.

Most votes at the meeting will occur by show of hands or voting cards. Your bylaws will outline the process. You can also request a vote using unit factors - with the value of each person's vote being equal to the person's share of the unit factors, shown on the condominium plan or unit title. There is no provision for secret ballot votes in the Act or Regulation, but the rules of order may assist the Chair in dealing with any requests for a secret ballot.

Some simple guidelines to keep in mind:

- everyone is bound by the bylaws
- rules of order are used to ensure everyone can participate in an orderly manner - no one should attempt to take over or take all the time at the meeting
- respect all owners and persons - whether present or not - refer to others by their role or as an owner, rather than by name
- do not accuse or blame others - there may be more than one side to the story or a reason for actions that you do not know - be curious rather than blaming
- every owner has the right to participate - all bring information and ideas, whether the same as yours or not
- remember that the owners elected the Board last year - even if you may not like all their

decisions - they agreed to volunteer and make the tough decisions along the way - they are, most often, also owners like you

- treat everyone as being honest, until proven otherwise - do not cast stones hastily - apply the golden rule
- informed decisions are made using information - not emotion
- a general meeting is also a time to get to know your neighbours and build the community - make the best of the opportunity.

Deborah M. Howes, C. Arb, C. Med, FCCI is the President of High Clouds Incorporated. She has been involved in the condominium industry for over 20 years. Deborah is a past National President of the Canadian Condominium Institute and currently serves as Chair of the North Alberta Chapter.