

Strata Living

Headline: Who determines the agenda of meetings?

Topic: Agendas, Strata Council, Annual General Meeting/ Special General Meetings

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Dear Tony: Our strata council were just elected at our first annual meeting in January. We were told by the manager to stay behind at the meeting so we could elect officers; however, 2 of the people elected were not present, although they had given written permission to be elected to council. In reading the bylaws of the Strata Act our council is concerned that we held a meeting without complying with the bylaws and without giving notice to these other two absent owners. One of the absent owners has now returned and claimed that the meeting is not valid and we need to address this at the next council meeting in a proper fashion with notice of an agenda. It seems like we are already getting off to a bad start and conflicts are already starting to brew. Could you please explain the procedures on setting agendas?

Marion Whitford

Dear Marion: The agenda of council meetings and the agendas of general meetings are both determined by the strata council, with the exception of petitioned or court ordered matters. The owner is correct that the standard bylaws do require proper notice of a council meeting, or at least the consent of those absent for the meeting to proceed, unless it is a matter relating to an emergency. Electing officers is not an

emergency. There is a myth that the elected officers have more power than other council members and that is not true. The president and vice president are the only positions that require specific duties under the Act, such as chairing meetings, or casting an additional ballot in the event of a tie for a majority vote. Other than those requirements, all council members are equal and retain equal voting rights of 1 vote per council member. There are two problems with holding a council meeting immediately after the annual general meeting where the council are elected, and those are the ability to give notice to the owners of a council meeting as required in the bylaws, and the ability to give proper notice of agenda items to other council members. With the exceptions provided, the agenda of council meetings and general meetings is determined by the strata bylaws and the strata council. Strata council make decisions by majority vote. A good practice is for strata councils to try and set a routine council meeting and inform council members to provide agenda items at least 7 days prior to each council meeting.

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