

Resolutions To Be Voted Upon At The 2018 OHA Convention

RESOLUTION 18-1: Be it resolved that: the Ontario Horticultural Association express appreciation to the Province of Ontario for the assistance provided to Horticultural Societies and to this Association by means of grants and by the continued review and implementation of policies aimed towards the promotion of interest and participation in horticulture.

RESOLUTION 18-2: Be it resolved that: the Ontario Horticultural Association convey to the Minister of Agriculture, Food and Rural Affairs, his Deputies and Staff, our thanks for the support, assistance and co-operation accorded this Association by Ministry Personnel.

RESOLUTION 18-3: Be it resolved that: the Ontario Horticultural Association extend its thanks to the Director, Assistant Directors, Societies and members of District 3 who worked to plan and conduct the 2018 Convention, and to all others who had any part in contributing to its success.

RESOLUTION 18-4: Be it resolved that: Article VII of the Constitution be amended as follows:

Current Wording:

The Constitution may be amended or revoked provided that the changes are approved by a two-thirds majority of the votes cast at an annual general meeting or special meeting called for that purpose. A notice of motion in writing of such proposed amendment or revocation must be submitted to the Association Secretary at least 60 days in advance of the meeting so that all societies may be notified within a period of 50 to 10 days prior to the meeting. Any member of a society may submit such a notice of motion.

Proposed Amendment:

The Constitution may be amended or revoked provided that the changes are approved by a two-thirds majority of the votes cast at an annual general meeting or special meeting called for that purpose. A notice of motion in writing of such proposed amendment or revocation must be submitted to the Association Secretary at least 60 days in advance of the meeting so that all societies may be notified within a period of 50 to 40 days prior to the meeting. Any member of a society may submit such a notice of motion.

Rationale:

1. Brings the notification timeline into line with By-Law 6, 6.3 and By-Law 16, 3. - all required notifications now will have the same timelines.
2. Using the 10-day minimum would not allow adequate time for members to properly review a proposed amendment.

RESOLUTION 18-5: Be it resolved that: By-Law 6, 6.3 be amended as follows:

Current Wording:

A Nominating Committee, chaired by the Immediate Past President or the person identified in By-Law 6, 6.9, shall be appointed by the Board to ensure that candidates are available for each Office. All nominations must be forwarded to the Association Secretary, who shall forward them to the Committee Chair. A Report of the Nominating Committee shall be submitted to member societies 60 days prior to the Annual Meeting. The Chair of the Nominating Committee shall call for any further nominations from the floor at the Annual General Meeting, and complete the nomination process. (17-6)

Proposed Amendment:

A Nominating Committee, chaired by the Immediate Past President or the person identified in By-Law 6, 6.9, shall be appointed by the Board to ensure that candidates are available for each Office. All nominations must be forwarded to the Association Secretary, who shall forward them to the Committee Chair. A Report of the Nominating Committee shall be submitted to member societies 50 to 40 days prior to the Annual Meeting. The Chair of the Nominating Committee shall call for any further nominations from the floor at the Annual General Meeting, and complete the nomination process.

Rationale:

1. Allows for the notification to be done via the Trillium with no extra notifications needed.
2. Brings the time line into line with Article VII of the Constitution.

RESOLUTION 18-6: Be it resolved that: By-Law 16, 3 be amended as follows:

Current Wording:

The Secretary shall notify all societies of proposed amendments 50 days prior to the meeting.

Proposed Amendment:

The Secretary shall cause all societies to be notified of proposed amendments 50 to 40 days prior to the meeting.

Rationale:

1. Allows for the notification to be completed by publishing the information in the Trillium.
2. Brings the timeline into line with Article VII and By-Law 6, 6.3.

RESOLUTION 18-7: Be it resolved that: By-Law 8, 8.2 be amended as follows:

Current Wording:

Awards. The Awards Committee, chaired by the President, and consisting of the President, the Vice President, the Immediate Past President, the Secretary, the Chair of the Past Presidents' Council, and the two Directors as identified in By-Law 5, 5.2, shall select award winners in recognition of their outstanding work in the pursuance of the objectives of the Association and the budget approved by the Board. The Awards Coordinator shall attend all Awards Committee Meetings. The Awards Coordinator has a voice but no vote. Regulations for the presentation of awards are presented in a separate Awards document.

Proposed Amendment:

Awards. The Awards Committee, chaired by the Awards Coordinator, and consisting of the President, the Vice President, the Immediate Past President, the Secretary, the Chair of the Past Presidents' Council, and the two Directors as identified in By-Law 5, 5.2, shall select award winners in recognition of their outstanding work in the pursuance of the objectives of the Association and the budget approved by the Board. The Awards Coordinator shall attend all Awards Committee Meetings. Regulations for the presentation of awards are presented in a separate Awards document.

Rationale:

1. The OHA pays an honorarium to the Awards Coordinator who currently cannot chair the committee he/she coordinates.
2. By placing the Awards Coordinator as Chair, the Awards Coordinator would still have voice as is the current case and would only have a vote in the case of a tie vote.
3. By title, the person is the Awards Coordinator and cannot coordinate/chair the meeting/committee.

RESOLUTION 18-8: Be it resolved that: By-Law 5, 5.10 be created as follows:

The OHA Board of Directors may establish and approve Policy and Procedure for implementation by the OHA and the Districts.

Rationale:

1. Currently, there is no governance to allow the Board to establish any Policies or Procedures.
2. This authorizes the Board, which is the governing body of the OHA, to establish Policies and Procedures which are not required to be a part of the Constitution and By-Laws but will still require the same degree of compliance.

RESOLUTION 18-9: Be it resolved that: By-Law 5, 5.2 be amended as follows:

Current Wording:

The OFFICERS of the Association shall be the President, Immediate Past President, Vice President, Secretary, Treasurer and two Directors one from each identified region of the province.

Proposed Amendment:

The OFFICERS of the Association shall be the President, Immediate Past President **or the member of the Past Presidents' Council appointed under By-Law 6, 6.9**, Vice President, Secretary, Treasurer and two Directors one from each identified region of the province.

Rationale:

1. Allows for the person appointed to be an Officer and assume those responsibilities associated with being an Officer of the OHA.

RESOLUTION 18-10: Be it resolved that: **By-Law 13, 13.7 be amended as follows:**

Current wording:

The District Treasurer shall present to the membership at the AGM, reviewed financial statements of assets and liabilities as well as income and expenditures for the prior fiscal year, with copies for each society. The Treasurer, having made copies, shall transmit the original documents, statements, bills and receipts, along with the reviewers' comments, to the Association Treasurer no later than 1st of February each year. The District financial year shall be from 1st of January to the 31st of December as of the 31st of December 2010. (10/7)

Proposed Amendment:

The District Treasurer shall present to the membership at the AGM, reviewed financial statements of assets and liabilities as well as income and expenditures for the prior fiscal year, with copies for each society. The Treasurer, having made copies, shall transmit the original documents, statements, bills and receipts, along with the reviewers' comments, to the Association Treasurer no later than **2 weeks after their AGM but no later than May 31st each year**. The District financial year shall be from the 1st of January to the 31st of December as of the 31st of December 2010. (10/7)

Rationale:

1. 1st of February is before most if not all District AGM's.
2. This date allows Districts to have audited financials produced after the year end of Dec 31 as required and to present them to the membership at the District AGM as required.
3. This gives Districts ample time to hold District AGM's in the spring in good weather and gives them time to submit the required documentation to the Treasurer of the OHA so that the Treasurer can keep the District financials on file as required by CRA.

RESOLUTION 18-11: Be it resolved that: **The following By-Law be created as follows:**

By-Law 18 Age

1. No person under the age of 18 years shall take any action nor hold any position as described in The Constitution and By-Laws of the Ontario Horticultural Association.

Rationale:

1. Follows most closely the intent of the Age of Majority and Accountability Act R.S.O. 1990 c.A.7.
2. Ensures that people who may be held accountable are able to be held fully accountable.

RESOLUTION 18-12: Be it resolved that: **By-Law 13, 13.10 be amended as follows:**

Current Wording:

Each Society shall be entitled to send two voting delegates to a District meeting. Any society having membership exceeding 100 shall be entitled to one additional voting delegate for each 50 members or fraction thereof up to a maximum of 20 voting delegates. Society membership count shall be based upon reports filed for the previous year with the Ontario Ministry of Agriculture, Food and Rural Affairs.

Proposed Amendment:

Each Society shall be entitled to send two voting delegates to a District meeting. Any society having membership exceeding 100 shall be entitled to one additional voting delegate for each 50 members or fraction thereof up to a maximum of 20 voting delegates. Society membership count shall be based upon the annual report filed for the previous year with the **Ontario Horticultural Association**.

Rationale:

1. Follows the wording in the Proxy Authorization form.
2. Allows for easier verification for the calculation of votes allowed.
3. Keeps all information used in one location and from one source.
4. OMAFRA have no requirement that the membership numbers submitted to OMAFRA be used for determining voting members

RESOLUTION 18-13: Be it resolved that: **By-Law 6, 6.1 be amended as follows:**

Current Wording:

The Board shall hire the Secretary and the Treasurer. The Board shall appoint from within itself two regional representatives from different identified regions of the province to serve as Officers. The President and Vice President are elected annually by the general membership. (16/13)

Proposed Amendment:

The Board shall hire the Secretary and the Treasurer. The Board shall appoint from within itself two regional representatives from different identified regions of the province to serve as Officers. The President and Vice President are elected annually by the general membership. **The two Regional representatives shall be elected during the Post-Convention Board meeting held in conjunction with the Convention and AGM. The term of the regional representatives shall start at the time of election and terminate at the Post Convention Board meeting held at the Convention and AGM the following year.**

Rationale:

1. Allows the representatives to serve even if their term as Director within their respective District has ended.
2. The current wording creates a void in that no person can hold the position and the Officers' numbers are reduced.
3. New wording allows for the regional representatives to act in the capacity of Officers and also be included in By-Law 14-Indemnification.

RESOLUTION 18-14: Be it resolved that: **By-Law 6, 6.7 be amended as follows:**

Current Wording:

A serving Director, other than the two Directors identified in By-Law 5, 5.2, whom is elected to provincial office of the OHA shall give up the directorship, and the District affected shall replace him within ninety days at a District General Meeting called for that purpose.

Proposed Amendment:

A serving Director, other than the two Directors identified in By-Law 5, 5.2, who is elected to provincial office of the OHA shall **resign** the directorship, and the District affected shall **rely upon the process set out in By-Law 13, 13.5.1.**

Rationale:

1. This eliminates the two different processes currently identified in the Constitution and By-Laws to address the same circumstance of a serving Director being unwilling or unable to fulfill the mandate.
2. Using the process noted in By-Law 13, 13.5.1 where the District Board appoints a replacement is easier and less onerous upon the affected District - eliminates mileage costs and scheduling problems to get Society delegates together to hold an election.
3. The two Directors identified in By-Law 5, 5.2 are elected from and by the Board, thus this process would not apply to them.
4. The current wording in By-Law 13, 13.5.1 covers any and all possible circumstances where a serving Director should be replaced.

RESOLUTION 18-15: Be it resolved that:

The OHA purchase Abuse Liability insurance as a part of the current coverage through Co-operators Insurance. The cost of this additional insurance would be added annually to the billing each Society receives. The cost for 2019 will be an additional \$25.00 per Society/Club with a coverage limit of \$100,000.00.

Rationale:

1. With the increased number of claims coming over the past year in the insurance industry and considering that the OHA would be named along with the Society/Club regardless, due to their association, this coverage would protect both parties.
2. Purchase of insurance through the OHA insurance policy would be much less expensive than individual Societies/Clubs seeking this protection solely. Therefore, the Board is proposing that the coverage be added to all Societies/Clubs to ensure coverage for all Societies, Districts and the Association.
3. Because Societies/Clubs deal with the public at large and in situations such as school environments, situations involving those persons who may be deemed to be "challenged in one capacity or another", etcetera, the actual contact possibilities are real and thus expose the Societies/Clubs and the OHA at risk.
4. The abuse insurance would provide coverage for all members of the Societies/Clubs, Districts and the OHA. This insurance coverage would not be specific to children only; moreover, cover adults and children.

RESOLUTION 18-16: Be it resolved that:

The position of Second Vice-President be added to the definition of the Officers of the OHA and that the noted position be added to all relevant By-Laws where the Officers are defined and/or mentioned, as applicable.

Rationale:

1. The elimination of the position with an argument of financial considerations has not truly been shown. The claimed expense savings would appear to have been in the \$450 to \$500 range annually. There would be additional expense for rooms, meals and travel for Board meetings.
2. The elimination of the position has created a very steep learning curve for anyone in the current Vice-President position with the individual having basically only one year of experience. It is felt that this is insufficient time to prepare for the position of President and to have the experience required to perform the duties of President.
3. This all-encompassing approach is more efficient than identifying each section applicable than having multiple Resolutions for each By-Law and section affected.

RESOLUTION 18-17: Be it resolved that: **By-Law 13, 13.1 be amended as follows:**

Current wording:

The Province shall be divided into Districts as follows:

- 1 - Dundas, Glengarry, Prescott, Russell, Stormont, Grenville and the eastern portion of the city of Ottawa composed of the former municipalities of Gloucester and Cumberland.
- 2 - Lanark, Renfrew and the portion of the city of Ottawa excluding the former municipalities of Gloucester and Cumberland. (14/5)
- 3 - Frontenac, Hastings, Leeds, Lennox & Addington, Prince Edward
- 4 - Haliburton, Northumberland, Peterborough, Kawartha Lakes (13/3)
- 5 - Toronto East, York Region East
- 6 - Brant, Halton, Hamilton, Norfolk
- 7 - Dufferin, Wellington Counties
- 8 - Bruce, Grey, Huron Counties
- 9 - Haldimand, Niagara North, Niagara South
- 10 - Elgin, Middlesex, Oxford, Perth
- 11 - Essex, Kent, Lambton Counties
- 12 - Cochrane, Timiskaming, North Nipissing
- 13 - Algoma, Manitoulin, Sudbury
- 14 - Kenora, Rainy River, Thunder Bay
- 15 - Peel, York Region West, Toronto West
- 16 - Simcoe County
- 17 - Durham Region
- 18 - Parry Sound, Muskoka, South Nipissing
- 19 - Regional Municipality of Waterloo

Proposed Amendment:

The Province shall be divided into Districts as follows:

- 1 - Dundas, Glengarry, Prescott, Russell, Stormont, the eastern portion of the city of Ottawa composed of the former municipalities of Gloucester and Cumberland and the municipality of North Grenville.
- 2 - Lanark, Renfrew and the portion of the city of Ottawa excluding the former municipalities of Gloucester and Cumberland.
- 3 - Frontenac, Hastings, Leeds and Grenville except the municipality of North Grenville, Lennox and Addington, Prince Edward
- 4 - Haliburton, Kawartha Lakes, Northumberland, Peterborough,
- 5 - Toronto east of Bayview Avenue, York east of Road 34
- 6 - Brant, Halton, Hamilton, Norfolk and that portion of Haldimand known as Ward #3
- 7 - Dufferin, Wellington
- 8 - Bruce, Grey, Huron
- 9 - Haldimand except Ward #3, Niagara
- 10 - Elgin, Middlesex, Oxford, Perth and that portion of Lambton that is Lambton Shores
- 11 - Chatham-Kent, Essex, Lambton
- 12 - Territorial District of Cochrane, Territorial District of Timiskaming
- 13 - Territorial District of Algoma, Territorial District of Manitoulin, Territorial District of Sudbury
- 14 - Territorial District of Kenora, Territorial District of Rainy River, Territorial District of Thunder Bay
- 15 - Peel, York west of Road 34, Toronto west of Bayview Avenue
- 16 - Simcoe
- 17 - Durham and the portion of York that includes Georgina
- 18 - Territorial District of Parry Sound, Territorial District of Muskoka, Territorial District of Nipissing
- 19 - Waterloo

Rationale:

1. This wording conforms with the current legislation of the Province of Ontario under the Territorial Divisions Act, 2002, Ontario Regulation 180/03, Division of Ontario into Geographic Areas and allows the OHA to identify legally the areas that each District represents.
2. There is no move to change or force change upon Societies and how they locally/colloquially refer to their respective geographic area descriptors. As an example, some Societies in District 2 refer to their geographic area as "The Ottawa Valley" or "The Upper Ottawa Valley" neither of which is a legally identified area- colloquially the reference is one that the Societies make and use of such reference is not affected by this proposed amendment. In the same vein, references to "The GTA" as a geographic area are colloquial and not legal.
3. This amendment now allows for the OHA to legally describe the geographic areas of the province that are associated with each District.
4. This amendment allows the OHA to report legally to OMAFRA the geographic area that was covered by any Society which ceases to operate or in the instance of a Society coming into existence, allows the legal geographic area in which the new Society is located in to be identified.
5. The current wordings in this By-Law have not been addressed since at least the 1950's in at least one case, the wordings used were in conflict with descriptors from the 1850's.
6. This amendment does not change the geographic boundaries of any District.
7. In the case of a Society wishing to move from one District to another, there is a requirement upon numerous parties to debate the move and it is incumbent upon the OHA to legally identify where such a Society would be coming from and/or going to.

TABLED FROM 2017 CONVENTION:

RESOLUTION 17-24: Be it resolved that: By-Law 13, 13.1 be amended as follows:

Current wording:

The Province shall be divided into Districts as follows:

- 1 - Dundas, Glengarry, Prescott, Russell, Stormont, Grenville and the eastern portion of the city of Ottawa composed of the former municipalities of Gloucester and Cumberland.
- 2 - Lanark, Renfrew and the portion of the city of Ottawa excluding the former municipalities of Gloucester and Cumberland. (14/5)
- 3 - Frontenac, Hastings, Leeds, Lennox & Addington, Prince Edward
- 4 - Haliburton, Northumberland, Peterborough, Kawartha Lakes (13/3)

- 5 - Toronto East, York Region East
- 6 - Brant, Halton, Hamilton, Norfolk
- 7 - Dufferin, Wellington Counties
- 8 - Bruce, Grey, Huron Counties
- 9 - Haldimand, Niagara North, Niagara South
- 10 - Elgin, Middlesex, Oxford, Perth
- 11 - Essex, Kent, Lambton Counties
- 12 - Cochrane, Timiskaming, North Nipissing
- 13 – Algoma, Manitoulin, Sudbury
- 14 - Kenora, Rainy River, Thunder Bay
- 15 - Peel, York Region West, Toronto West
- 16 - Simcoe County
- 17 - Durham Region
- 18 - Parry Sound, Muskoka, South Nipissing
- 19 - Regional Municipality of Waterloo

Proposed Amendment:

The Province shall be divided into Districts as follows:

- 1 - Dundas, Glengarry, Prescott, Russell, Stormont, Grenville and the eastern portion of the city of Ottawa composed of the former municipalities of Gloucester and Cumberland.
- 2 - Lanark, Renfrew and the portion of the city of Ottawa excluding the former municipalities of Gloucester and Cumberland. (14/5)
- 3 - Frontenac, Hastings, Leeds, Lennox & Addington, Prince Edward
- 4 - Haliburton, Northumberland, Peterborough, Kawartha Lakes (13/3)
- 5 - Toronto East, York Region East
- 6 - Brant, Halton, Hamilton, Norfolk, **Haldimand West**
- 7 - Dufferin, Wellington Counties
- 8 - Bruce, Grey, Huron Counties
- 9 - Haldimand, Niagara North, Niagara South
- 10 - Elgin, Middlesex, Oxford, Perth
- 11 - Essex, Kent, Lambton Counties
- 12 - Cochrane, Timiskaming, North Nipissing
- 13 – Algoma, Manitoulin, Sudbury
- 14 - Kenora, Rainy River, Thunder Bay
- 15 - Peel, York Region West, Toronto West
- 16 – Simcoe County
- 17 - Durham Region
- 18 - Parry Sound, Muskoka, South Nipissing
- 19 - Regional Municipality of Waterloo

Rationale:

- 1. More accurately reflects the geographic areas of Ontario Horticultural Societies.
- 2. As the listing for District 6 stands now as “Brant, Halton, Norfolk, Wentworth, Hamilton” it does not include Haldimand West which is in fact not in any of the currently listed geographic areas.
- 3. Haldimand Horticultural Society is currently listed on the OHA web-site in the Alphabetic listing of Societies as being in District 6 yet its location is not listed in By-Law 13, 13.1.
- 4. This geographically better describes the catchment areas of Haldimand Horticultural Society.
- 5. It is the opinion of the Society that the omission of Haldimand Horticultural Society’s geographic identity is a clerical error and would not affect either District 6 or District 9 as the Society is already affiliated with District 6.