

School District No. 53 (Okanagan Similkameen)
Board of Education

INAUGURAL MEETING

DECEMBER 14, 2011
6:30 pm

School Board Office
Oliver, BC

A G E N D A

CALL TO ORDER AND WELCOME Lynda Minnabarriet, Secretary-Treasurer

ELECTION RESULTS

Determination of Official Election Results attached

OATHS OF OFFICE BY TRUSTEES ELECT

Section 50 of the School Act reads as follows:

(1) A person elected or appointed as a trustee must make a prescribed oath of office, by oath or solemn affirmation, within the following applicable time limit:

- a. in the case of a person elected by acclamation, within 50 days after the date set for general voting day had an election by voting been required;
- b. in the case of a person elected by voting, within 45 days after the declaration of the results of the election;
- c. in the case of a person appointed to office, within 45 days after the effective date of the appointment.

(2) The oath must be made before a judge of the Court of Appeal, Supreme Court or Provincial Court, a justice of the peace, a local government corporate officer or the secretary treasurer of a board, and the person making the oath must obtain the completed oath or a certificate of it from the person administering it. Accordingly, each trustee will make the following Oath of Office:

I, _____, do swear/solemnly affirm that:

- I am qualified to hold office as a trustee in School District No. 53 (Okanagan Similkameen) and meet the trustee qualification requirements set out in the *School Act*.
- I have not, by myself or any other person, knowingly contravened the *School Act* respecting vote buying, intimidation or other election offences in relation to my election as a trustee;
- I will abide by the *School Act* and I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
- I will comply with the requirements of the *School Act* that relate to conflict of interest and, in particular, I will comply with the requirements relating to disclosure of pecuniary and indirect pecuniary interest in a matter.

ELECTION OF CHAIRPERSON

In accordance with Section 67 of the *School Act*, the secretary-treasurer shall call for nominations for board chairperson and conduct a vote by ballot in which that person receiving a clear majority shall be elected board chairperson for the ensuing year. If no person receives a clear majority, further ballots shall be taken until the same is achieved or, if, after a second ballot, a tie shall occur, the election shall be decided by drawing of lots.

The chairperson so elected shall assume the chair for the remainder of the meeting.

ELECTION OF VICE CHAIRPERSON

In accordance with Section 67 of the *School Act*, a vice-chairperson may be elected at this time in the same manner as the election of the chairperson.

ELECTION OF BCPSEA REPRESENTATIVE

The Board of Education will elect a representative to the BC Public School Employers' Association (BCPSEA). Attached is BCPSEA Bylaw 2.4 Conflict of Interest information.

[BCPSEA Rep info.pdf](#)

ELECTION OF BCSTA REPRESENTATIVE

The Board of Education will elect a representative to the BC School Trustees' Association (BCSTA) Provincial Council.

BANKING RESOLUTION

SIGNING AUTHORITY

ADJOURNMENT

/mb

SCHOOL DISTRICT NO. 53 (OKANAGAN SIMILKAMEEN)

**DETERMINATION OF OFFICIAL ELECTION RESULTS
SCHOOL TRUSTEE ELECTION – 2011**

| | CATTERMOLE | EDWARDS | HUNT | ZANDEE | COATES | JOHNSON | MARTEN |
|--|-----------------------------|--------------|------------|------------|------------|------------|------------|
| OLIVER TRUSTEE ELECTORAL AREA | Heather Plotz 8:20 pm | | | | | | |
| Advance vote November 9/11 Community Centre | 127 | 211 | 179 | 155 | | | |
| General voting day November 19, 2011 Community Centre | 536 | 812 | 662 | 719 | | | |
| TOTAL NUMBER OF VOTES | 663 | 1,023 | 841 | 874 | | | |
| KEREMEOS TRUSTEE ELECTORAL AREA | | | | | | | |
| General & advance voting Nov 19/11 – Hedley | Wanda Crowell 8:51 pm | | | | 81 | 67 | 136 |
| General & advance voting Nov 19/11 – Cawston | Eileen Oliver-Bauer 9:35 pm | | | | 252 | 125 | 304 |
| General & advance voting Nov 19/11 - Keremeos | Laurie Taylor 10:10 pm | | | | 598 | 324 | 522 |
| TOTAL NUMBER OF VOTES | | | | | 931 | 516 | 962 |

This determination of official election results was made by the Deputy Chief Election Officer on November 19, 2011 and is based on ballot accounts as amended or prepared by the Chief Election Officer.


Deputy Chief Election Officer

Conflict of Interest

BCPSEA Bylaw 2.4 states:

No person with a direct or indirect pecuniary interest, within the meaning of the *School Act*, in teacher or support staff collective bargaining is eligible:

- a. To be elected to the Board of Directors of the Association
- b. To represent a member at any general meeting of the Association
- c. To represent a member at any other function of the Association.

We then turn to the *School Act* for the following definitions:

- Pecuniary interest “means, with respect to a trustee, an interest in a matter that could monetarily affect the trustee and includes an indirect pecuniary interest...” (s.55)
- Deemed pecuniary interest means “...the pecuniary interest of a spouse or of a parent or child of the trustee is, if known to the trustee, deemed to be also the pecuniary interest of the trustee.” (s.57)
- Child means “a person whom the trustee has demonstrated a settled intention to treat as a member of his or her family.” (s.55)
- Section 59(d) provides the only relevant exception to a conflict of interest
“Section 58 does not apply to a pecuniary interest in any matter that a trustee may have
d) by reason only of a pecuniary interest of the trustee that is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the trustee.”

Under the Constitution and Bylaws, as soon as a trustee has a conflict within the meaning of the *School Act*, the trustee is not eligible to participate in all matters of the Association regardless of whether there is an actual conflict in a particular activity.

Each potential conflict of interest situation must be assessed on its own merits, guided by legal opinion and jurisprudence to date. For further information, please contact the BCPSEA office.