

JANUARY 25, 2017

Motion: It was moved by S. Maguire, seconded by J. Porter, to **go in-camera**. (5:34 pm)

By a show of hands:

Motion carried unanimously

Motion: It was moved by M. Collins, seconded by C. Desrochers to **come out of camera**. (6:31 pm)

By a show of hands:

Motion carried unanimously

Motion: It was moved by J. Squires, seconded by N. Burrton to adopt the January 25th, 2017 NEC agenda as amended.

By a show of hands:

Motion carried

20170125 - 01: Motion to approve the CAPE Family Care Policy as presented

Be it resolved that the NEC approve the Family Care Policy and Expense Claim Form;

Be it further resolved that they will apply for any meeting organized by CAPE from this point onwards;

Be it further resolved that this policy and Expense form be made available on the CAPE website by the end of December 2016.

Motion to approve the CAPE Family Care Policy as amended (see Annex 1) was moved by M. Collins, seconded by C. DesRochers.

By a show of hands:

Motion carried unanimously (2 Abstentions)

201710125 - 02: Motion to approve the Terms of Reference of the CAPE Defense Fund as presented (see Annex 2)

Be it resolved that the NEC approve the CAPE Defense Fund Terms of Reference.

- 1) Members who wish to maintain status quo: **3 in favour**
- 2) Members who wish to limit /narrow the section to remove the targeted communications and the legal actions: **8 in favour**

By straw poll: Option #2 carried

Members continued their review of the TORs where other amendments were suggested and agreed upon.

Moved by: E. Tremblay

Seconded by: S. Maguire

Recorded vote:

In favour: 12(N. Giannakoulis, A. Picotte, N. Burren, A. Butler, M. Collins, C. Desrochers, J. Hove, A. Nemec, S. Maguire, S. Mullin, S. Powell, J. Squires)

Opposed: 0

Abstentions: 2

Motion carried unanimously

20170125 - 03: Motion to approve the Terms of Reference and name change of the MJAC to “Mobilization Committee” (see Annex 3)

Be it resolved that the NEC approve the recommendation by the Mobilization and Job Action Committee to changing its name to “The Mobilization Committee”, and;

Be it further resolved that the NEC approve the Mobilization Committee Terms of Reference.

Moved by: J. Squires

Seconded by: S. Maguire

By a show of hands:

Motion carried unanimously

20170125 - 09 Motion to nominate Andrée-Cybèle Bilinski as the TR representative to the Elections and Resolutions Committee (ERC)

She was confirmed as a member in good standing.

By a show of hands:

Motion carried unanimously

20170125 - 07: Motion from Finance Committee to re-allocate \$200 000 of the Executive contingency funds to professional services line for anticipated cost

The Finance Committee recommends to the National Executive Committee that \$200,000 be transferred from the Executive Contingency Fund to Professional Fees for anticipated costs.

Moved by: S. Maguire

Seconded by: S. Mullen

By a show of hands:

Motion carried unanimously

The NEC meeting officially adjourned at 11:21 p.m.

FEBRUARY 1, 2017

Motion: It was moved by P. Scholey, seconded by A. Picotte to adopt the February 1st, 2017 NEC agenda as presented.

Motion carried unanimously

20170125-04: Motion to approve change to Bylaw 11 on solemn declaration for CAPE so it applies to all Committee members

Moved by: P. Scholey

Seconded by: J. Porter

Discussion: A concern as to the lack of a formal removal process for committee members was raised. As a potential solution, it was suggested clearly stating that the signing of the solemn declaration must be completed “within 30 days from their appointment to the committee”. Both the mover and seconder agreed to the proposed amendment and the above statement will be reflected.

By a show of hands:

Motion carried unanimously

20170125-06: Motion that a forensics audit of CAPE’s finances, encompassing the years 2013-14, 2014-15, 2015-16 and 2016-17 in their entirety, be commissioned and performed forthwith commencing no later than 30 days from the passing of this motion

Moved by: M. Collins

Seconded by: A. Butler

By a show of hands: Motion deferred

Motion to go **in-camera** (7:04 pm)

Moved by: P. Scholey

Seconded by: S. Mullen

Motion carried unanimously

Motion to come **out of camera** (7:14 pm)

Moved by: N. Pothier

Seconded by: J. Porter

Motion carried unanimously

Motion to go back **in-camera** (7:31 pm)

Moved by: M. Collins

Seconded by: A. Butler

Motion carried unanimously

20170125-08: Motion to approve an additional amount of \$15 000 in legal fees for Emmanuelle Tremblay’s defense due to a large volume of complaints lodged and additional hardship related to social media attacks.

Motion: Be it resolved that CAPE's lawyer (Peter Engelmann of Goldblatt Partners LLP) be requested to reply to Janice Payne's letter (Nelligan O'Brien Payne) dated December 19th, 2016 addressed to the NEC, requesting a detailed breakdown of the \$46 500 referenced in the letter, that have been spent in legal fees by subject matter and by founded and unfounded complaints and/or allegations as appropriate.

Be it further resolved that other respondents and witnesses who have submitted requests for reimbursement for legal fees must provide similar information for said reimbursement.

Be it also resolved that such statement will be submitted to the Association's liability insured as a claim prior to CAPE's reimbursement.

Moved by: M. Collins

Seconded by: N. Pothier

Recorded Vote:

In favour: 11 (N. Giannakoulis, A. Picotte, N. Burrton, A. Butler, M. Collins, J. Hove, A. Nemec, S. Mullen, J. Porter, N. Pothier, P. Scholey)

Opposed: 0

Abstain: S. Maguire

Motion carried

Motion: Be it resolved that the President's request for an additional \$15 000 for legal fees be deferred for consideration until apportion of the previous \$46 500 is settled/finalized.

Moved by: M. Collins

Seconded by: S. Mullen

Abstained: S. Maguire

By a show of hands: Motion carried

E. Tremblay was absent for this vote

Motion to come **out of camera** (8:16 pm)

Moved by: N. Pothier

Seconded by: M. Collins

Motion carried unanimously

Motion to go **in-camera** (9:09pm)

Moved by: S. Maguire

Seconded by: N. Pothier

Motion carried unanimously

Motion to come **out of camera** (9:16 pm)

Moved by: S. Maguire

Seconded by: N. Pothier

Motion carried unanimously

The NEC meeting officially adjourned at 10:24 p.m.

FEBRUARY 22, 2017

Motion to suspend the SNEC meeting (7:01pm)

Moved by: P. Scholey

Seconded by: N. Burron

5 Abstentions

Motion Carried

Motion to adopt the February 22nd, 2017 regular NEC agenda as amended

Moved by: M. Collins

Seconded by: S. Mullen

By a show of hands:

Motion carried unanimously

Motion to adopt the February 1st, 2017 public NEC minutes as amended

Moved by: S. Maguire

Seconded by: M. Collins

1 Abstention

By a show of hands:

Motion carried unanimously

Motion to adopt the February 1st, 2017 in-camera NEC minutes as presented

Moved by: A. Butler

Seconded by: S. Maguire

2 Abstentions

By a show of hands:

Motion carried unanimously

Motion to accept Sean Maguire on the 3-person subcommittee volunteering to commit to address the TR complaint. The Committee will consist of Sean Maguire, Pam Scholey and Maureen Collins.

Moved by: C. DesRochers

Seconded by: N. Pothier

By a show of hands:

Motion carried unanimously

Motion that the NEC recommends to the ERC that the election/voting for the EC Directors be cancelled pending the result of the hearing of the appeal of the ERC decision, and then re-initiate with any appropriate changes.

Moved by: S. Mullen

Seconded by: S. Maguire

1 Abstention

By a show of hands:

Motion carried unanimously

Motion to go in-camera (9:40pm)

Moved by: A. Butler

Seconded by: P. Scholey

1 Abstention

1 Opposed

By a show of hands: Motion carried unanimously

***Note: As Myranda Dyck's scrutineer, M. Collins recused herself for the purpose of the vote*

Motion to come out of camera (10:06pm)

Moved by: C. DesRochers

Seconded by: N. Pothier

By a show of hands: Motion carried unanimously

Quorum was lost at 10:07 pm

The NEC meeting officially adjourned at 10:51 p.m.

MARCH 8 2017

Motion: Whereas it has been determined that 519 votes were cast by voters who were not properly entered on the voters list;

Be it resolved that the NEC recommends to the ERC that the votes cast by those not properly entered on the voter's list be deemed to be spoiled ballots. It was moved by M. Collins, seconded by S. Mullen.

Recorded vote:

In favour: 6 (A. Picotte, N. Burrton, M. Collins, C. DesRochers, S. Mullen, J. Porter)

Opposed: 3 (A. Butler, A. Nemec, S. Maguire)

Abstained: 2 (N. Pothier, J. Squires)

Motion carried

