



April 26, 2013

Pat Vincent
Chief Administrative Officer
Parkland County
53109A Hwy 779
Parkland County AB T7Z 1R1

Dear Pat:

The Yellowhead Regional Library (YRL) Board would like to inform you that at their March 4, 2013 meeting they approved a motion recommending to the members that changes be made to *Clause 15 – Withdrawal* of the YRL Master Membership Agreement.

A document outlining the reasons for the recommended changes along with the proposed amendments to Clause 15 is attached for your information.

According to *Clause 18 – Amendment*, a motion to amend the YRL Master Membership Agreement “shall be effective upon receipt by the YRL Board of written notification from at least two-thirds (2/3) of the Parties to this Agreement representing at least two-thirds (2/3) of the population of the membership as defined by this Agreement that they have so authorized such amendment. The Parties to this Agreement shall conform with any such amendment upon written notification from the YRL Board.”

The YRL Board requests that Parkland County consider the proposed amendments and by a motion of your Council approve the recommend changes to Clause 15 of the YRL Master Membership Agreement.

I ask that you provide the YRL Board with a copy of the approval motion no later than July 31, 2013.

If you have any questions about the proposed changes to the agreement or the approval process, please contact me at kdodds@yrl.ab.ca or 780-962-2003 (toll free 877-962-2003), extension 226.

Yours truly,

A handwritten signature in black ink that reads 'Kevin Dodds'.

Kevin Dodds, Director
Yellowhead Regional Library

Attachment: YRL Master Membership Agreement – Background and Proposed Changes

Copy: YRL Board Trustees

YRL Master Membership Agreement

Background and Proposed Changes

April 26, 2013

Background

In November 2012, YRL received a notice of withdrawal from St. Thomas Aquinas Roman Catholic Separate School Division No. 38. This notice raised an issue regarding the interpretation of the withdrawal clause of the YRL Master Membership Agreement.

Clause 15.1 (municipal members) and Clause 15.2 (school division members) state that “a Party to this Agreement may withdraw from this Agreement in accordance with the Act and the notice periods provided for in the Act.”

In addition, Clause 15.1 (municipal members) states “any such termination will be effective as of December 31st of the applicable year” and Clause 15.2 (school division members) states “any such termination will be effective as of August 31st of the applicable year.”

The Libraries Act, Section 22, Withdrawal from the Library System Agreements, states “At any time after the expiration of 3 years from the date the party entered into the agreement, a party to an agreement described in Section 13 may, by giving 12 months’ notice, withdraw from the agreement.”

The dates specified in the withdrawal clauses of the Agreement coincide with the respective fiscal years of municipal and school division members. Past notices provided by members intending to withdraw were sent at the end of a fiscal year with 12 months’ notice that coincides with the member’s fiscal year.

The notice from St. Thomas Aquinas Roman Catholic Separate School Division No. 38 has provided only nine months’ notice as this School Board interpreted the August 31st date in Clause 15.2 as a mechanism to shorten the 12 months’ notice period outlined in the Act.

Proposed Changes

At the March 4, 2013 YRL Board meeting, a motion was approved recommending that the members approve the following changes to Clauses 15.1 and 15.2 in the YRL Master Membership Agreement.

15.1 Any municipality that is a Party to this Agreement may withdraw from this Agreement in accordance with the Act and the notice periods provided for in the Act. ~~Any such termination will be effective as of December 31st of the applicable year.~~ At any time after the expiration of three years from the date that the Party entered into the Agreement, a Party to the Agreement may, by giving 12 months’ notice, withdraw from the Agreement.

15.2 Any school division that is a Party to this Agreement may withdraw from this Agreement in accordance with the Act and the notice periods provided for in the Act. ~~Any such termination will be effective as of August 31st of the applicable year.~~ At any time after the expiration of three years from the date that the Party entered into the Agreement, a Party to the Agreement may, by giving 12 months’ notice, withdraw from the Agreement.