

86 TRANSPORT VIETNAM ASSOCIATION INCORPORATED

GENERAL MEETING NO 1/2018

HELD AT THE TPI (SA) HOUSE ON MONDAY 26 FEBRUARY 2018 AT 10.00am

MINUTES

PRESENT: Ken Brown, Denis Hicks, Bill Hignett, Rudi Bos, Mick Hicks, Ian Milnes, Graham Bulger, Dean Butler, Bill Denny (Chair), Gary Linde, Sally Hignett

ITEM 1: WELCOME AND INTRODUCTIONS

The Chair declared the meeting open at 10.am and welcomed everyone to the meeting. He called for those present to engage in a minute's silence to acknowledge our fallen comrades. Chair declared that as there were 10 Ordinary Members present at the commencement of the meeting the quorum requirements for the meeting had been met. The Chair also notified the meeting that he would be leaving at 11.30am in order to attend a funeral and he had asked Bill Hignett to take over as Chair

ITEM 2: APOLOGIES

The following apologies were accepted by the Chairperson:
Mick Park, Julian Holden, Ray Wesson, Michael & Sue Merrifield, Barrie Chong, Don Kalis, Philip O'Riley, Dennis Lowder, Colin Locke, Ron Kratzmann, Peter Price, David Carne, Russell Allan, Richard Dunn, Peter Southwell, Gary Zbierski, Trevor and Jenny Whalan, Ken Parker, Graham Anderson.

ITEM 3: PRESIDENT'S REPORT

The Chair presented the Report to the meeting and asked for any questions or comments.

Moved/ Bill Denny: Seconded/Rudi Bos

That the President's Report tabled at this Meeting be accepted.

CARRIED

ITEM 4: SECRETARY/TREASURER'S REPORT

The Secretary/Treasurer circulated his written report and asked for any questions or comments.

Ian Milnes asked who the member was referred to in the report relating to not receiving the notice of the 2013 Annual General meeting. The Secretary reported it was Gary Linde.

Moved/ Bill Hignett: Seconded/Ken Brown

That the Secretary/Treasurer's Report tabled at this Meeting be accepted.

CARRIED

ITEM 5: FINANCIAL REPORT

The Secretary/Treasurer presented the Association's financial statements for the period 1 January 2018 to 25 February 2018 and made the following comments.

Our term deposit of \$10,000 matured on 4 February 2018 resulting in \$1,000 of this amount along with the \$59.18 interest earned being placed in the Association's operating account.

As of 25 February 2018, the Association has \$1,302.93 in our NAB Community Saver Account (the Association's operating account) and \$9,000 in a 5 month term deposit with the NAB.

Moved/Bill Hignett: Seconded/Ian Milnes

That the audited financial statements presented at this meeting and included in the 2016 Annual Report be accepted.

CARRIED

ITEM 6: 2019 REUNION REPORT

The Secretary/Treasurer presented the 2019 Reunion Committee's report on behalf of the Committee Convenor Peter Southwell and made the following comments.

The Reunion will commence with a meet and greet at the Wagga RSL on 22 April 2019 and end with a gala dinner on 26 April 2019 at the same venue. In not charging for room hire the Wagga RSL effectively was waiving \$1,000 in fees.

Registration costs had been set at \$250 a person.

The Committee allocated \$5,000 as seed money to assist with the initial costs of the 2019 reunion but the 2019 Reunion Committee has to return this amount for the next reunion.

The Association will be sending out an electronic newsletter with all of the reunion details before the end of March 2018.

ITEM 7: MOTIONS ON NOTICE – SPECIAL RESOLUTIONS

Special Resolution 1

Moved/Bill Hignett: Seconded/Ian Milnes

That the existing constitution of 86 Transport Vietnam Association Incorporated be repealed and replaced in its entirety with the proposed redrafted, renumbered and consolidated constitution circulated to all members by the Secretary/Treasurer to their registered email address on Monday 8 January 2018. In addition that the following words be inserted into a new rule numbered 2.1.5. 86 Transport Platoon means Detachment 86 Transport Platoon and 86 Transport Platoon.

CARRIED BY 90% MAJORITY

Special Resolution 2

Moved/Gary Linde: Seconded/

3 OBJECTS AND PURPOSES

Delete the existing rule

3.1 To foster links between Australian returned servicemen who served in South Vietnam as part of 86 Transport Platoon.

Substitute with the following:

To foster links between Australian returned servicemen who served in South Vietnam in a posting to Detachment 86 Transport Platoon or 86 Transport Platoon.

As there was no seconder, the Chair relaxed meeting procedure rules to allow Gary Linde to speak to the motion and in order to try and obtain a seconder from the meeting for the motion.

MOTION LAPSED DUE TO NO SECONDER

Special Resolution 3

Moved/Gary Linde: Seconded/

5 MEMBERSHIP

5.1 Ordinary Membership

Delete the existing rule

5.1.1 a) the person served in 86 Transport Platoon or Detachment 86 Transport Platoon in South Vietnam.

5.1.1 b) the person applied for membership and been approved for membership by the Committee of the Association.

Substitute with the following:

5.1.1 a) the person was posted to Detachment 86 Transport Platoon in South Vietnam or to 86 Transport Platoon in South Vietnam.

5.1.1 b) Listing of the person on the Nominal Roll of Vietnam Veterans as being posted to Detachment 86 Transport Platoon or 86 Transport Platoon shall be sole proof criteria.

5.1.1 c) The person applying for ordinary membership shall be automatically entitled to be a member.

As there was no seconder, the Chair relaxed meeting procedure rules to allow Gary Linde to speak to the motion and in order to try and obtain a seconder from the meeting for the motion.

MOTION LAPSED DUE TO NO SECONDER

Special Resolution 4

Moved/Gary Linde: Seconded/

5 MEMBERSHIP

5.2 Family/Associate Membership

Delete the existing rule

5.2.1 a) A veteran whose service and contribution was linked to 86 Transport Platoon or Detachment 86 Transport Platoon in Vietnam.

Substitute with the following:

5.2.1 a) A veteran from any other Vietnam posting as evidenced by the Nominal Roll of Vietnam Veterans.

Delete the existing rule

5.2.1 b) The partner of a person who was deployed to 86 Transport Platoon or Detachment 86 Transport Platoon in Vietnam.

Substitute with the following:

5.2.1 b) The partner of a person who was posted to Detachment 86 Transport Platoon or 86 Transport Platoon in Vietnam.

Delete the existing rule

5.2.4 A family/associate member must not vote, but may have other rights as determined by the Committee.

Substitute with the following:

5.2.4 A family/associate member must not vote, but may have other rights as determined by the ordinary membership.

As there was no seconder, the Chair relaxed meeting procedure rules to allow Gary Linde to speak to the motion and in order to try and obtain a seconder from the meeting for the motion.

MOTION LAPSED DUE TO NO SECONDER

Special Resolution 5

Moved/Gary Linde: Seconded /Bill Hignett

REUNIONS

Delete the existing rule

14.1 The Committee may establish a reunion committee to specifically organise a reunion of members and their families in Australia.

Substitute with the following:

14.1 The Committee may establish a reunion committee to specifically organise a reunion of 86 veterans and their families in Australia.

CARRIED BY 90% MAJORITY

Special Resolution 6

Moved/Gary Linde: Seconded /Rudi Bos

20 VOTING RIGHTS

Delete the existing rule

20.1 Subject to these rules, each ordinary member present in person shall be entitled to one vote.

Substitute with the following:

20.1 Subject to these rules, each ordinary member shall be entitled to one vote, either present in person or by submission of a written vote. A written vote may be made by Australia Post mail or electronic means.

CARRIED BY 90% MAJORITY

Special Resolution 7

Moved/Bill Hignett: Seconded/Ian Milnes

That the wording in rule 17.6 be deleted and replaced with the words, "At least 28 days' notice of any general meeting, including a meeting that has an agenda proposing a special resolution, shall be given to members. The notice shall set out where and when the meeting will be held; and particulars of the nature and order of business to be transacted at the meeting. For proposed special resolutions the notice must state the text of the proposed special resolution, and provide an adequate explanation. The notice must specify the intention to propose the resolution as a special resolution.

That wording in existing Rule 17.8 be deleted and replaced with the wording in existing wording in rule 17.9.

That existing rule 17.9 be deleted.

CARRIED UNANAMOUSLY

Procedural Motions

Moved/Bill Hignett: Seconded/Rudi Bos

That the President and Secretary/Treasurer be instructed to review the final document relating to the rule changes prior to its submission to SA Business and Consumer Affairs for registration and authorised to correct any spelling, grammatical and typographical error before the document is submitted.

CARRIED

Moved/Bill Hignett: Seconded/Rudi Bos

That the President and Secretary/Treasurer be instructed to prepare a definition of 86 veteran in the definitions section of the rules.

CARRIED

ITEM 8: GOVERNANCE ISSUES

The Chair declared that he had allowed this agenda item to be included on the agenda even though there were no motions or proposals being put forward to progress the issues. He would allow the meeting to move into committee to allow open discussion and would allow Gary Linde as the proposer of this agenda item 6 minutes to put forward his issues. Documents comprising 5 pages were produced and copied for the members at the meeting.

The Chair left the meeting and Bill Hignett commenced as the new Chair. Issues put forward by Gary Linde included

- Lack of notices for meetings
- Breach of privacy by the Secretary
- Secretary giving false information to SA Business & Consumer Affairs on Gary's membership of the Association
- Not posting minutes of AGMs and General Meetings on 86 website
- Lack of quorums for AGMs

Discussion followed and concern was on what was being achieved by just raising these issues continually with no solutions being put forward.

Bill Hignett reported that he had provided a response to some of these issues in his Secretary/Treasurer's Report.

Concern was expressed that if this continues people will not put their hands up to run the Association and organise reunions.

Dean Butler asked what is the point of all of this?

The meeting then moved out of Committee.

It was agreed by all present that the major function of the Association was to organise reunions and that all of the reunions had been a success.

It was agreed by all present that if the Association is to survive we need to look forward by focussing on the objects of the Association.

It was agreed by all present that by continually complaining about the past we are losing our focus.

It was agreed that an attempt would be made to conduct the next AGM and a forum at the 2019 Reunion.

Meeting closed at 12.15pm

ADDENDUM FROM THE COMMITTEE MEETING ON 19/03/18

These minutes were presented to the Committee Meeting on 19/03/18 by the Secretary/Treasurer for confirmation that they were a true and accurate record of the proceedings of the General Meeting held on 26/02/18.

The Committee confirmed their accuracy and instructed the Secretary/Treasurer to distribute the confirmed minutes all members as soon as possible.

Minutes Confirmed.....

Date.....

SECRETARY/TREASURER'S REPORT TO GENERAL MEETING ON 26/2/18

1. APOLOGIES

I have received apologies from the following members who have asked for their apology to be recorded in the minutes of the general meeting.

Mick Park, Julian Holden, Ray Wesson, Michael & Sue Merrifield, Barrie Chong, Don Kalis, Philip O'Riley, Dennis Lowder, Colin Locke, Ron Kratzmann, Peter Price, David Carne, Russell Allan, Richard Dunn, Peter Southwell, Gary Zbierski, Trevor and Jenny Whalan.

2. MEMBERSHIP

As of 31 January 2018, the Association has 51 Ordinary Members and 16 Family/Associate members. These are eligible members who have applied to join the Association and have been approved by the Committee. It also includes the members who have renewed their membership after their membership has expired.

3. INSPECTION OF THE MINUTES

The Association is an incorporated association under the South Australian Associations Incorporation Act 1985 and under section 51 (6) of this Act it states:

"The books containing the minutes of proceedings of general meetings must be made available for inspection by any member without charge."

At its meeting on 11 December 2017, the Committee noted the 7 emails sent by Gary Linde seeking access to the Annual General Meeting Minutes and General Meeting Minutes for all of the 18 years since the 86 Transport Vietnam Association was formed in 1998. I confirmed the minutes are held in 2 books; one covering the period 1999 to 2008, and the second covering the period from 2009.

The Committee agreed Gary Linde will be able to access the minutes by inspecting the 2 books at TPI House (SA) 171 Richmond Road, Richmond SA 5033. The inspection date was from 10 am to 12pm on 17 January 2018 and Gary was accompanied by his partner who also inspected the minutes with him. In attendance from the Committee were Bill Denny, Bill Hignett and Rudi Bos.

I have brought the 2 minute books today and they are available for inspection by any member attending this meeting. Also available for inspection are the official compliance documents held by the Association.

4. ITEM 7 – MOTIONS ON SPECIAL RESOLUTIONS

At its meeting on 11 December 2017, the Committee reviewed all of the special resolutions being put to this meeting and agreed that the Special resolution 1 should be amended by including the following words at the end of the sentence.

"In addition that the following words be inserted into a new rule numbered 2.1.5. 86 Transport Platoon means Detachment 86 Transport Platoon and 86 Transport Platoon."

It was also agreed that once all of the special resolutions have been considered by the meeting the following procedural motion be put to the meeting.

"That the President and Secretary/Treasurer be instructed to review the final document prior to its submission to SA Business and Consumer Affairs for registration and authorised to correct any spelling, grammatical and typographical errors before the document is submitted."

5. GOVERNANCE

Governance is the system by which the Committee ensures that the Association's responsibilities are met. Governance is not a separate activity but an overarching framework for running the Association. Governance involves authority, accountability, leadership, direction and control of the Association.

I would encourage members at the meeting to see if the Committee is following effective governance principles by asking the following questions.

Transparency – Is the Committee telling us what is going on?

Accountability – Is the Committee taking responsibility?

Control – Is the Committee doing the right thing?

6. COMMITTEE MEETINGS IN 2017

The Committee held 5 meetings in 2017 and its first meeting in 2018 on 23 January 2018.

The main issues discussed at the Committee meetings were

- Establishing the 2019 Reunion Committee
- Supporting the 2017 Reunion Committee
- Developing a social media policy for our website and Facebook page
- Approving new memberships
- Completing and acquitting a grant application to DVA for the 2017 Reunion
- Reviewing the constitution and proposing rule changes for the 2016 AGM
- Improving the 86 website
- Reviewing the reunion reports from 2010 and publishing on the 86 website
- Moderating the 86 Facebook page.
- Dealing with a complaint that a member without any authority or the knowledge of the Committee made representations to change the date and organise an 86 Transport Reunion at Caloundra in August 2016.

In addition the Committee at its meeting on 11 December 2017, after receiving an email from Gary Linde decided it will not authorise reimbursement of any costs incurred by him to conduct his inspection of the minutes in Adelaide on 17 January 2018.

The Committee has also refused Gary Linde's demand that all of the General Meeting minutes be placed on the 86 website.

7. ITEM 8 –GOVERNANCE ISSUES

In item 8 of the agenda for today's general meeting, Gary Linde alleges that a member was not given notice was not given of the 2013 Annual General Meeting of the Association held on 21 February 2014. The notice of the meeting was sent to all members by me on 27 December 2013.

It was me who advised SA Consumer and Business Service of the person's non membership of the Association when as the Association's Public Officer I was contacted by an investigator on 14 July 2015. I was informed that Gary Linde had lodged a complaint against the Association.

I subsequently told the investigator that Gary Linde was not a member of the Association as he had not renewed his membership. The basis of my advice was Gary Linde had lodged a membership application on 9 May 2013 and been accepted as a member but he had not renewed his membership for 2014 or 2015. In my view, Gary Linde did not become a member of the Association again until I received his membership renewal form on 3 July 2017.

There is not a summary of the 2014 reunion financials in any of the AGM minutes. However, the complete report of the 2014 Reunion Committee has been posted on the 86 website. The report includes the audited financial reports from the 2014 reunion and hard copies of the report are available for members to inspect today.

7. RECOMMENDATION

That the Secretary/Treasurer's Report be accepted.

2019 REUNION COMMITTEE'S REPORT TO GENERAL MEETING ON 26/2/18

At its meeting on 4 May 2017, the Committee established the 2019 Reunion Committee with Peter Southwell as the Convenor. The other 2019 Reunion Committee members are Faye Southwell as Secretary, Sue Merrifield as Treasurer and Committee Members Barry Field, Mick Merrifield, Don Kalis, Wayne Lyons, Colin Locke and Margaret McDonald.

The 2019 Reunion Committee has been delegated the responsibility of organising the 2019 reunion in Wagga Wagga for 86ers and their families around Anzac Day 2019.

\$5,000 of seed money was allocated to assist with the initial costs of the 2019 reunion but the 2019 Reunion Committee has been asked that it be returned at the end of the reunion to assist the next reunion committee. An audited financial statement has to be provided to the Secretary/ Treasurer by 30 November 2019.

The 2019 Reunion Committee has met on 3 occasions and organised the reunion from 22 to 26 April 2019. The RSL Wagga has been booked for our Meet and Greet on 22 April 2019 and the Gala Dinner on 26 April 2019. The 2019 Reunion Committee's application to the Wagga RSL Club to waive room hire fees was successful. This amounts to a donation equivalent to \$1,000.

We have set the registration fee at \$250 per person, the same as the last two reunions and we feel this figure will enable the Reunion Committee to run the reunion to the expectations of our 86 members.

Memorabilia was discussed and an order will be placed with a local supplier in the near future after a few minor details are finalised.

The Wagga Beach Caravan Park (02 6931 0603 www.wwbcp.com.au) has been reserved for our sole use until the end of 2018.

The Wagga Beach Caravan Park is filling up fast and they also have cabins available. Other caravan parks are the Big 4 at 93 Hammond Ave (02) 6921 4287 and Carinya Caravan Park 449 Pine Gully Road (02) 69331256. Wagga Wagga Visitors Information Centre 1300 100 122 or visit www.wagga.com will provide a great amount of information but we suggest members secure their accommodation as soon as possible because Easter and NSW school holidays all fall within the same period in 2019.

All is going well and on budget and on time. We will keep members up to date as we move towards 2019.

Once the details have been finalised an information sheet and registration form will be forwarded to members.

Peter Southwell

Convenor

2019 Reunion Committee

