



# BC Farm Industry Review Board

May 11, 2022

File: 1680-04\VMC

## DELIVERED BY EMAIL

André Solymosi  
General Manager  
BC Vegetable Marketing Commission

Dear A Solymosi,

## EXTENSION OF MEMBER TERMS

Thank you for your May 3, 2022 letter notifying the BC Farm Industry Review Board (BCFIRB) that the BC Vegetable Marketing Commission (Commission) had voted to extend member terms pending completion of the 2022 elections.

Member terms were voted to be extended as follows:

Member	Position	Term End	Extension
Armand VanderMeulen	Greenhouse Peppers Districts I,II,III	April 30, 2022	May 23, 2022
Blair Lodder	Storage Crops at Large District II & III	April 30, 2022	June 6, 2022 or July 7, 2022 <sup>1</sup>
Cory Gerrard	Storage Crops at Large District I	April 30, 2022	June 6, 2022 or July 7, 2022 <sup>2</sup>

In July 2021, the BC Vegetable Scheme (Scheme) was amended to change the Commission structure. Sections 3(3) and (4) were included to support the structure transition within a clearly defined time period.

<sup>1</sup> Pending final 2022 Special Election Schedule. June 6, 2022 if one nomination received; July 7, 2022 if vote required.

<sup>2</sup> Pending final 2022 Special Election Schedule. June 6, 2022 if one nomination received; July 7, 2022 if vote required

By virtue of s. 3(3)(a)(i) of the Scheme, members' terms may only be extended to May 31, 2022:

- (3) Despite subsection (2) and any term of an elected member established under a practice, procedure or rule referred to in section 3 (5) or (6), as those subsections read on July 30, 2021,
  - (a) an elected member who was serving on the commission as of July 30, 2021 may continue to serve on the commission until
    - (i) May 31, 2022, if the member's term expires on or before May 31, 2022, or
    - (ii) until the member's term expires, if the member's term expires after May 31, 2022, and
  - (b) the term of a commercial producer who is elected, between July 31, 2021 and May 31, 2022, to serve on the commission does not begin until May 31, 2022.

Term extension and vacancy issues can be complex. I urge the Commission to seek its own legal advice on the issue of the authority to extend Mr. Lodder's and Mr. Gerrard's terms beyond May 31, 2022 as this may also involve the election provisions in the Natural Products Marketing (BC) Act Regulations.

Regards,



Kirsten Pedersen  
Executive Director

cc: BCFIRB web site