

## **Minutes of the Constitutive Assembly for the Establishment of the Verco R2 Association on February 17<sup>th</sup> 2018**

Start of the session: 16:30 hours

Present:

- Interim Committee composed of Andreas Saurer (Chairman), Anne Keller (Secretary), Michka Kovats (Treasurer) and Jacques Perret
- About a hundred people potentially interested in becoming a member of the Association
- Dany Perruchoud, counsel of the association and former President of the Commune (municipality) of Chalais-Vercorin
- Alain Perruchoud, President of the Commune
- Martine Perruchoud - Hofstädter, Councillor responsible for local economic and touristic affairs

### 1. Welcome by Andreas Saurer

Mr. Saurer welcomed the many participants to this meeting and welcomed the representatives of the local authorities. He thanks Mr Dany Perruchoud for his help.

The interim Committee members introduce themselves.

Mr. Saurer reminded the audience that the purpose of this meeting was to set up the Verco R2 Association. The issue of priorities would be discussed at a subsequent meeting on Saturday, May 19<sup>th</sup> at 5 p.m.

Those who wish to become a member of the Verco R2 association at the end of the meeting would have the opportunity to register on sheets made available on the tables near the exit.

As chairman of the provisional Committee, Mr. Saurer received about thirty e-mails raising questions about which language would be used by the Association to communicate with its Members, the relationship with the Commune and the criteria for becoming a member of the Association.

He reminds us that the main language is French. We are in a French-speaking country and we are not necessarily going to translate all texts and debate minutes. On the other hand, the committee fully agrees to reply to emails in German and English, which it has already done so far.

As for relations with the Commune, the question of convening the owners of the 800 secondary residences was raised. Thanks to the generosity of the Commune, it was possible to contact all the owners by post and we thank the Commune for its participation. The provisional Committee also hopes that collaboration with the Commune will be carried out in a constructive spirit. That being said, Mr. Saurer specifies that the Commune has no right of control over the functioning of the Association and that the people who live in the Commune and have their main place of residence there, cannot be members of Verco R2.

Finally, the question of the criteria for membership will be addressed during the statutory debate.

## 2. Appointment of a Secretary and Auditors of the Association's Accounts

Mrs Anne Keller was appointed Secretary of the meeting.

Yves Meylan and Jean-Pierre Borel were appointed Auditors of the Association's accounts.

## 3. Commune's Opinion by Alain Perruchoud, President of the Commune of Chalais-Vercorin.

Mr Alain Perruchoud points out that the initiative in favour of an association of owners of second homes is a wish of the Commune because it is important for the latter to have an interlocutor, if possible representative, of this group of tourists. He also insists on the importance of the constructive spirit he wishes to see between this Association and the local authorities. Finally, he points out that this Association has only an advisory function and that the decision-making power pertains to the local authorities.

## 4. Presentation of the process by Andreas Saurer

The purpose of this association is to defend the interests of second home owners and long term (year-round) tenants. One of the priority interests will certainly be the development of tourism given the fact that we are in Vercorin essentially as tourists who could be described as "sustainable" and "faithful". The problem is that no one can define the priority interests of all R2s (acronym for second home owners), or at least those who are interested in this issue. It is therefore necessary for such an Association to define these priority interests collectively, via a democratic process.

As for the evening's proceedings, Mr. Saurer appealed to the attendees' understanding, given that the scope of today's meeting is only meant to discuss setting up the Association and the confirming its Statutes. He also recalled that an Association does not live by virtue of its Statutes, but by virtue of the activities it carries out and the commitment of its Members.

## 5. Statutes: Discussion and Votes

### **Art 1**

One person would like to add "not-for-profit". Mr. Perruchoud specifies that this is not necessary with reference to Art. 60 et seq. of the Swiss Civil Code.

Accepted without objection

### **Art 2**

AI 1 Accepted by a large majority, 1 opposition

AI 2 Accepted without opposition

### **Art 3**

Accepted without objection

### **Art 4**

Accepted without objection

**Art 5**

Accepted without objection

**Art 6**

Accepted without objection

**Art 7**

Accepted without objection

**Art 8**

Item 1

- Add after... the President "among the Members of the Association".

Item 10

- Replace "Company" with "Association".

**Art 9**

This Article, in conjunction with Article 10, raises a broad debate regarding the relevance of proxy voting and the question of a quorum.

Proxy voting is carried out in some associations, even if in the majority of associations (trade unions or parliamentary), postal voting does not exist in order not to distort the democratic debate. On voting, the principle of voting by proxy was rejected by 47 no votes to 39 yes votes.

As for the quorum, it could potentially paralyze the functioning of the Association. The Commune of Chalais has about 2'000 people who can vote, but only about one hundred people participate in the primary assemblies, meaning barely 5%. If there was a quorum, most of the time the primary assemblies would not be able to make decisions. During the vote, the quorum principle was rejected by a large majority with only 4 votes in favour of the quorum, with 2 abstentions.

The issue of communication by e-mail was also discussed. Considering that communication is not conducted exclusively by e-mail - if necessary, the Committee may communicate by regular mail - the proposed principle was accepted by a large majority.

Article accepted by a large majority

**Art 10**

The 15-day notice period has been replaced by 30 days.

Accepted without objection

**Art 11**

Accepted without objection

**Art 12**

Accepted without objection

**Art 13**

Accepted without objection

**Art 14**

The 10-day notice period is replaced by 20 days

Accepted without objection

**Art 15**

Accepted without objection

**Art 16**

Accepted without objection

**Art 17**

AI 4

The sentence..." at the earliest 30 days after the first Assembly" is replaced

In a final vote, the Statutes were accepted by 84 yes, with no objections and 2 abstentions.

**6. Election****a. Committee**

Anne Keller, Andreas Saurer, Michka Kovats, Jacques Perret and Renato Di Gisi were elected by acclamation.

**b. President**

Andreas Saurer was elected by acclamation.

**c. Auditors of the Accounts**

Yves Meylan and Michel Fatton were elected by acclamation.

**7. Setting the annual subscription fee**

There were 3 proposals: 25 Swiss francs, 40 Swiss francs and 50 Swiss francs.

10 yes for 25 Swiss francs and 49 yes for 50 Swiss francs.

During the second vote, 45 yes for 50 Swiss francs and 38 yes for 40 Swiss francs. The annual membership fee for 2018 has been set at 50 Swiss francs.

The meeting was adjourned at 18:15 hours