

Minutes–Annual General Meeting Saturday, August 15, 2020, Village Golf Course-JLR’s Pool Room

Condominium Corporation No. 882 0814

[www/birchwoodcountrycondo.com](http://www.birchwoodcountrycondo.com)

(Draft for review & approval at the June 5, 2021 Annual General Meeting).

Board Members Attending

Bev Baltesson, John Budd, Frazer House, Kevin Souther, Greg Jansen, Lyle Banack & Crystal Heck, accountant/recording secretary. Outgoing director Marilyn Osaka was unable to attend.

Agenda

Greg Jansen welcomed all owners and called the meeting to order at 10:06 a.m. at JLR’s Pool Room at the Village Golf Course.

Greg Jansen introduced the four scrutineers for the meeting: Chair Crystal Heck; Judy Seaman; Peter Tadman; and Toni Kazmir.

Greg Jansen explained that there are three vacancies on the Board and reminded owners that when they were going to speak to please give their name and lot number so it can be recorded.

Greg Jansen asked for a motion to accept the agenda as presented. Sharon Kuzio, Lot 62, moved the agenda be accepted as presented. Jim Jansen, Lot 41, seconded the motion. All in favor. **Motion Carried**

Calling of the Role/Certifying the Proxies/Issuing Voting Cards

Crystal Heck confirmed a quorum with 52 owners present and an additional 4 proxies satisfying the 25% requirement for quorum.

Motion of Proof of Meeting Notice

Sharon Kuzio, Lot 62, moved that there was adequate notice provided for the AGM. Charles Hughes, Lot 69, seconded the motion. All in favor. **Motion Carried.**

Minutes of the June 1, 2019 AGM

Greg Jansen asked if there were any errors or omissions. Clarence Wastle, Lot 84, moved that the minutes of the June 1, 2019 Annual General Meeting be accepted as circulated. Peter Tadman, Lot 157, seconded the motion. All in favor. **Motion Carried.**

President Report

Greg Jansen expressed gratitude for all the work that the previous Board had done over the previous year. The Board worked well with Brazeau County, the contractors working on site, and the engineer on the water upgrade issue. Greg Jansen also thanked the Board for all their

hard work on the Water Upgrade Project bringing the cost of the project down to a more reasonable cost for owners.

Site Services

Frazer House reported that Site Services, Water Services, and Grass Maintenance contractors had a very busy season this past year. Frazer House wanted to thank the contractors for their fine work provided over the year keeping the roads clear, trees cut back, lawn mowed and the water system providing water to the community. Rod Yakubow and Jerry Wells have been keeping water flowing in the community. Road maintenance has been well kept during the winter and summer by Bruce Swanston. Thanks to Randy Finnamore for the grass maintenance.

Volunteers hours have also been donated to handle several site services issues in the community including time spent in meetings, water repairs, electrical repairs, resident concerns and development, etc. Frazer House wanted to acknowledge all the volunteer time and expertise provided by Jerry Wells. Jerry has provided the owners with many hours on electrical and plumbing projects.

Highlights for the last year are as follows:

Replaced some culverts in the community as well as filled the ditches with some bigger rocks to stop erosion. More work will be completed in the community this summer.

Built 12 new electrical boxes for replacement in the community. These will be replaced on a need to do basis.

Repaired a couple of electrical outages in the past year. Kevin Souther worked to restore service to the affected lots. Frazer House explained that future outages could occur.

Traded in the 2014 Kubota and replaced it with a new 2019 Kubota. The Board discussed the idea of making this change and felt that we could receive good value for the existing Kubota, new equipment would be under warranty and the likelihood of equipment malfunction would be decreased with new equipment. Also, with the value of trade in received and surplus of the Grounds Maintenance budget this year, new equipment was purchased with no financing.

Xplornet replaced their tower on Brazeau County property. Xplornet moved our shed from Brazeau County property on to Condominium common property.

The community was busy this past year with numerous development permits issued.

Yard and lot maintenance have improved over the past year and Frazer House is pleased with that. The Board will continue to work with owners to make improvements with areas of concern.

Water Upgrade Project. The Board spent many hours working towards an acceptable solution for the upgrades required to our water well houses. Water Upgrade bids were sent out to four companies who had expressed an interest in completing the work. The Board did not receive any quotes back, however, we did receive feedback on why the companies would not bid on the project, the Board then agreed to divide the Water Upgrade Project into two separate bids, one for construction and one for plumbing. The construction portion of the project was then sent to six interested companies and only two companies provided quotes for the project. Construction of the new storage buildings are currently underway at the three existing water well locations. New water

storage tanks have been ordered and will arrive in September. Frazer House wanted to thank all the volunteers for their hours spent on this project. Frazer House advised that he and John Budd have agreed to sit on the Water Upgrade Project Committee even though they will no longer be Board members.

Frazer House wanted to thank the community for giving him the opportunity to work on the Board but wanted to remind owners that they need to be patient as the Board is a volunteer Board.

Greg Jansen thanked Frazer House and Kevin Souther for all their great work on site services this past year.

Financial Report

Bev Baltesson noted to the owners in attendance that the Audited Financial report, budget and yearly assessment notice were included in the AGM package.

Bev Baltesson wanted to thank all the owners that were able to pay their water upgrade special levy and the Condominium fees by the payment options outlined by the Corporation. Owners who prepay their yearly assessment made it possible for the Board to allow owners who were financially affected by the COVID-19 pandemic to defer their fees without penalty to August 15, 2020. Many Condominium Corporations had to borrow money from their reserve fund or a lending institute in order to maintain their levels of service to their owners. Our Corporation did not have to consider either of these options because of our owners and contractors.

Bev Baltesson also wanted to thank all contractors of the Corporation through the COVID-19 pandemic as they continue to provide uninterrupted services, at no extra cost to owners.

Bev Baltesson wanted to thank Frazer House, Marilyn Osaka, and John Budd for all their help during the last year on the Board.

Bev Baltesson wanted to address the owners' queries regarding how the Board tenders' contractors. Most recent tenders for the Water Upgrade Project were initially sent to four contractors who expressed interest in bidding for the work. We received no quotes from these four companies. We then revised the tender and sent to six companies who expressed interest in our project. We only received two quotes from the six sent. A tender was also put out to three engineering firms for the Water Upgrade Project and only two quotes were submitted. Every consideration is made, when hiring contractors, to insure we have the owner's best interest in mind. Contractors are hired based on cost, reliability, past performance, availability, safety and insurance record, etc.

Bev Baltesson talked about replacing the 2014 Kubota with a new 2019 Kubota. The Board felt that we wanted to ensure that we have reliable, affordable equipment in place during the winter months for road maintenance. Frazer House investigated trade in values and found that we could get good value for our existing Kubota on a trade in and we did have a surplus in the 2019-2020 budget. The Board also felt that a new Kubota would carry a warranty for a period of time, in the event of needed repairs. Required repairs to the 2014 were very minimal so it was decided that replacing the Kubota of the same size and attachments would be adequate for our use. Bev Baltesson indicated that future Boards should plan for maintenance or replacement of equipment used for road maintenance as it is a very important piece of the common property

maintenance. Condominium Corporations have limits on how much they can borrow without 75% approval from owners, if necessary, or assess a special levy if approval can't be attained for large purchases such as the Kubota.

John Zyda, Lot 6, asked Bev Baltesson for a breakdown of the snow removal and operation of the Kubota cost in the ground's maintenance budget. Bev Baltesson explained that the grounds maintenance costs involved more than snow removal and costs for operating the Kubota. Bev Baltesson provided cost breakdown for several goods and services included in the ground's maintenance budget including gravel, replacing culverts, ditching, tree removal, dust control, steaming and cleaning culverts, etc. The grounds maintenance was under budget this year and the surplus in the budget went towards the purchase of the new Kubota.

John Zyda, Lot 6, also asked when was the last time that the current contractors' jobs in the community were sent out for tender. Lyle Banack explained that the contracts were reviewed last year and the provisions in the contracts are very explicit with the notice required and that to date there has been no need to change contractors.

Brazeau County Liaison

Lyle Banack provided a report on his communication with Brazeau County over the past year. The main dealing with Brazeau County over the past year was the Water Upgrade Project. The councilor and the County staff were helpful with regards to possible grants or financing, however, with the new governments elected last fall, access to grants was on hold and financing options were not easy to obtain. As there was a delay in receiving approval for our proposed well house upgrades from Alberta Environment, the Board felt a Special Levy was the best solution to fund the Water Upgrade Project. Brazeau County paid to gravel and maintain the south access road which will now be worthy for access to ambulance, police, fire or emergency use for our community.

Lyle Banack gave a brief explanation of the letter that Brazeau County had written regarding taxation changes that will be sent to Premier Kenney and MLA Mark Smith. Brazeau County asked that if the letter was something that owners agree with, please sign and leave with Lyle Banack at the end of the meeting and he would make sure they were given to Brazeau County to present to the government.

Anthony Heinrichs, our county councilor, spoke on the two recent meetings he has attended regarding these taxation changes and impressed upon the owners that the County would like all residents to help by signing the letter. Brazeau County has concerns about the provincial proposals and how it will result in large tax increases to rate payers in the Brazeau County.

Social Committee

The bank balance on June 1, 2019 was \$4,044.56, and the bank balance of \$2,226.33 on May 31, 2020. Expenditures included repairs to the shed located at the Center, sandwich notice Boards for the three community entrances, and miscellaneous supplies. As well, the Social Club sponsored burgers at the 2019 AGM; burgers and hot dogs at our 2019 Canada Day celebration; and prizes at the Halloween and Christmas potlucks.

The Social Club is pleased that all events held last year were well attended. Fifty-five golfers took part in the Owners and Guests Tourney; and 60 residents and guests attended the Lumberjack breakfast. The Harvest Fest was a huge success, bringing in revenue of \$426.60.

Unfortunately, due to COVID-19, we have not been able to host some of our events this year. We did have a parade on Canada Day but there are no plans to host future events at this time.

The Social Club would like to thank everyone for your participation. Your support, help and enthusiasm are always greatly appreciated.

Fire Smart Program

Clarence Wastle, Lot 84, explained that there were 200 or so odd grants available for the Fire Smart program. He was able to secure a \$500.00 grant to spend in the community. He is hoping that the community could host an event to educate the community on the Fire Smart program and possibly put some of the money towards signage. Clarence Wastle would also like to organize a cleanup of dead or fallen trees.

Statement from President – Greg Jansen

Greg Jansen, in closing of the reports explained that he received an email from an owner questioning the ethics around decisions and how the Board conducts business. The owner asked him to address this issue with owners present at the AGM. Greg Jansen explained that if there is ever an issue with conflict of interest, the Board member with the conflict leaves the meeting until the issue is discussed and voted on, if necessary. This is the Board's policy and has been adhered to for a number of years.

Approval of 2019 Audited Financial Statement

Carol Milner, Lot 134, moved that the audited financial report, distributed in advance of the meeting, be accepted as circulated. Paul Mah, Lot 154, seconded the motion. All in favor. **Motion Carried.**

Appointment of Auditor

Toni Kazmir, Lot 130, moved that we use Heather Zeniak Professional Corp. to audit the 2019-2020 finances. Judy Seaman, Lot 77, seconded the motion. All in favor. **Motion Carried**

Approval of the 2020/2021 Budget

Greg Jansen asked if there were any questions regarding the 2020-2021 budget information supplied to all owners in the AGM package.

John Zyda, Lot 6, asked about the security services budget and what were the times that the security contractor did his patrol around the community. Bev Baltesson explained that the contractor patrols once a day, however, he also provides other services to the community aside from the security drive through. Those other services are listed on his contract. This contractor works 365 days of the year and is available to owners through phone for site services issues. John Zyda commented that crime occurs during the overnight hours and security patrols during this time would serve the community better. John Zyda also indicated that he felt the Board's, past and present have had an old boys club mentality and believe they have not been looking out for the little guys. He also feels the budget is too high for the security services owners receive.

Lyle Banack, Lot 79, feels that this issue should be addressed at the Board level and not at the AGM.

Judy Seaman, Lot 77, expressed her appreciation for the security contractor and his ability to watch over everyone's properties.

Greg Jansen asked for a motion for the budget to be approved as circulated.

Sharon Kuzio, Lot 62, moved that the budget, distributed in advance of the meeting, be accepted as submitted. Carol Milner, Lot 134 seconded the motion. All in favor. **Motion Carried**

Members Forum:

Paul Mah, Lot 154, wanted to confirm with Greg Jansen, that he was not the owner that questioned the ethics of the Board. Greg Jansen assured Paul that he was not the owner he was referring to. Paul Mah then indicated that he has some concerns with the grass maintenance.

Bev Baltesson excused herself from the meeting due to conflict of interest.

Paul Mah advised he wrote a letter to the Board on July 21, 2020 and wanted to thank the Board for the opportunity to speak at the AGM. Paul Mah advised that he has concerns and has heard from other owners in the community regarding grass maintenance and how it is being managed. Paul Mah provided two different points that he would like the Board to address.

Firstly, Paul Mah wanted to address the greens and the common property that is currently in disrepair in their community.

Secondly, he wants a timeline from the Board on when the contract will be sent out for tender and be open to other providers to bid. Consensus of owners in the community expressed to Paul Mah that there is room for improvement in this area of maintenance.

There was discussion on the timing of grass maintenance in the community and the conduct of the current contractor.

Greg Jansen was disheartened to hear that owners have approached Paul Mah with grass maintenance issues and not the Board as there have been no other owners come forward with concerns this year. Greg Jansen explained that if owners have concerns, they should bring those concerns to the Board to address. Greg Jansen said that the new Board will assess the grass maintenance service and action as necessary at the next Board meeting. Paul Mah requested a response to his letter and that response be included in the next Board meeting. Paul Mah also advised owners in attendance that if they are not happy with grass maintenance service, they need to speak up.

Greg Jansen explained that the current contracts contain a 60-day cancellation notice by either party.

Carol Mah, Lot 154, advised that she has concerns regarding the weeds around their neighborhood.

Shawn Little, Lot 161, explained that action needs to be taken right away. He feels that the Site Services directors should have noticed that work is not being done correctly in their area.

Frazer House, Site Services director, explained that he has driven around the community and has noticed that there are some owner's lots that should be maintained better. In the past year's owners were given notice to make improvements to their property. If they failed to comply, fines were levied against the lot. Current legislation does not allow fines unless the Condominium bylaws indicate such. Frazer House accepted responsibility for owner's concerns regarding Site Services.

Bob Clarke, Lot 155, suggested that Bruce Swanston was aware of owner concerns regarding grass maintenance. Bruce Swanston indicated that he had heard from some owners regarding this issue, however, owners are to advise the Board of any issues, not another contractor of the corporation.

Clarence Wastle, Lot 84, indicated that he does not live in the community full time and suggested that the conversation regarding grass maintenance has gone on long enough and the meeting should move on. Clarence Wastle can appreciate the owner's concerns, however, a drive through any city or town reflects some delay in grass maintenance due the frequency and amount of rain we have received over the last couple of years. He expressed that we have a beautiful place here and would like to see the bickering end. All owners should work towards making things better for all.

Margaret Oleksiw, Lot 97, explained that she is a part time resident here also and lives full time in Leduc. Marge indicated that a big portion of the mowing that she does at her home in Leduc should be done by Leduc, however, she mows the area when she mows her property.

Paul Mah, Lot 154, in closing wanted to mention again that the community common areas need to be maintained like owner's lots. If owners are not happy and still paying for it, we have a problem and it needs to be rectified.

Carol Milner, Lot 134, explained that lots of owners do not know where our lots end or begin. Her husband mows their area and does not complain that he may be mowing common property. Maybe some of the residents that are complaining here today should take a look at their own yards.

Bob Kornelson, Lot 103, expressed concerns about the gate and it being left open for days at a time. During the winter he would like to see more sand on the approach. His question to the Board was "Does the Board have a ceiling on the money that they can spend without going to owners." Lyle Banack explained that there is no ceiling in place and the Board utilizes monies that have been approved. They cannot borrow money as a Condominium Corporation without owner approval. The Board can, however, assess a special levy if additional money is required in addition to the budget money that owners approve at the Annual General Meeting.

Alana Bennett, Lot 88, has concerns that the gate has been open for over a month. She questioned that the community is secure.

John Budd, Lot 1, commented that the owners of the Village Golf Course are considering putting speed bumps in their parking lot to attempt to slow drivers down while travelling through their lot.

Frazer House explained that there are numerous reasons why the gate is left open. The gate is operated by power and it is opened by the Site Services contractor if there is a chance of a power outage. Owners may also request the gate be opened for various reasons, from time to time. The gate may also be open during road maintenance, deliveries, etc. Frazer House assured owners that the gate is not left open without a valid reason.

Bev Baltesson returned to the meeting.

Election of the Board of Directors

Greg Jansen called for the election of three new Directors to begin. John Budd, Frazer House, and Marilyn Osaka have completed their terms. Greg Jansen explained that their work over the last few years is greatly appreciated and thanked them for their contribution to the community. Currently there are 3 vacancies up for election for two-year terms.

Greg Jansen called for nominations from the floor.

Bob Clark, Lot 155, nominated John Zyda, Lot 6, who accepted the nomination.

Meagan McAleese, Lot 120, asked if owners had to live full time in the community in order to serve on the Board. Lyle Banack advised that owners do not need to live full time in the community and outlined the criteria for being a Board member. Bev Baltesson advised that owner's account must be in good standing in order to be a Board member.

John Budd, Lot 1, nominated Meagan McAleese, Lot 120, who accepted the nomination.

Bob Clark, Lot 155, nominated Alana Bennett Lot 88, who declined the nomination.

John Zyda, Lot 6, nominated Bob Clark, Lot 155, who declined the nomination.

Lyle Banack, Lot 79, moved that nominations cease. Kevin Souther, Lot 63, seconded the motion. All in favor. **Motion Carried**

John Zyda, Lot 6 and Meagan McAleese, Lot 120 have been acclaimed to the Board for two-year terms.

Bev Baltesson reminded everyone about the owner contact sheet included in the AGM package and asked for any owners who have not completed it to please do so and return it to the mailbox at the Center, mail by Canada Post or email to the corporation. The information on the sheet is required by law as well as a useful tool in providing updates and communication to owners effectively and efficiently.

The new Board had scheduled an organizational meeting immediately following the AGM.

Motion to Adjourn

Carol Milner, Lot 134, moved to adjourn the meeting at 11:34 p.m.

Note: The Organizational Meeting scheduled to take place following the AGM was postponed to a date to be determined, as one director acclaimed to the Board was ineligible to sit on the Board. Lyle Banack will contact the corporation's lawyer to determine the correct way to proceed with this matter.

08/15/2020