

# Minutes–June 20, 2011, Board Meeting

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## **Condominium Corporation No. 882 0814 www.birchwoodcountrycondo.com**

*(Draft for review & approval)*

Attending: Peter Tadman, Sharon Kuzio, Jim Jansen, Don Welsh & Crystal Heck (Accountant/Recording Secretary). Wally MacNeil and Dan Hill were unable to attend.

Guests: Wes Irvine, Lot 100; Theresa & Clarence Wastle, Lot 84; Gary Verhaeghe, Lot 105; Mae & Al Wachter, Lot 80; Rod Yakubow, Lot 133; & Rita Bijeau, Lot 70.

### **Agenda**

Jim Jansen called the meeting to order at 6:58 p.m. at Birchwood Center.

### **Open Forum**

Rita Bijeau, Lot 70, explained that she was in attendance because she wanted some information on a development permit she had previously submitted to the Board. It was suggested that this was not an item requiring discussion during the open forum and that the Board would deal with the matter once the open forum ended.

Al Wachter, Lot 80, asked how the changes to the bylaws came about. He wondered why the owners were not involved in the discussions about the changes. He said he had some problems with the wording and said it did not pertain to a bare land condominium. He had concerns that the Board did not spend enough time with the lawyers making it work for the owners.

Peter Tadman explained that the bylaws haven't been updated since 1999 and it was the condo owners' lawyer who expressed concern that the bylaws needed to be updated to comply with the *Condominium Property Act of Alberta*, as they failed to properly protect the interests of the owners. The 2010/2011 Board announced at the 2010 AGM that it would work with our lawyers to get the bylaws updated. The Board provided our lawyers with our 1999 bylaws, our rules and regulations, and background about our bare land condominium status to be taken into account with the drafting of our new bylaws in conjunction with the provincial law. The Board did go back and forth several times with our lawyers for numerous revisions.

Al Wachter told the Board that the 1999 bylaws were put together by a committee and he suggested that the new proposed bylaws should have been done the same way, letting the lawyer later review what the committee came up with. He suggested that you don't ask the lawyer what is best you tell the lawyer what you want.

Peter Tadman reminded the owners in attendance that the matter is out for a vote by all owners, 75% approval is required, and if the 75% is not attained then we will have to live

with our outdated bylaws and the condo association would have to go back to the drawing board.

Mae Wachter, Lot 80, advised the Board about a water run-off problem near her property. She said she has tried on her own to rectify this but hasn't had any results. She said she will continue trying to solve this ongoing problem.

Gary Verhaeghe, Lot 105, said he too had some issues with the new proposed bylaws. He handed an 11 item list to the Board outlining his concerns.

The list was accepted, filed and will be available to our lawyers or bylaw committee, should one be formed, once the special resolution results are known.

Gary Verhaeche, Lot 105, also expressed concern regarding the problems with ditching and the problems with water. He volunteered to help come up with a ditch or culvert patrol. He said he has taken on issues near his property using a shovel to clear some of the culverts.

Clarence Wastle, Lot 84, also has problems with water and ditch concerns near his property. Jim Jansen explained that Wally MacNeil and Larry Kuzio need to be informed of any issues and they will do their best to rectify any problems.

Clarence Wastle, Lot 84, also had some concerns regarding the new bylaws, concerns similar to the ones expressed earlier by other owners.

The Board suggested that the owners in attendance and any other owners should express their concerns in writing so that the Board has something to take to its lawyers or bylaw committee, if one is formed, once the special resolution results are known.

Wes Irvine, Lot 100, said he wouldn't name names but when some snowbirds return to Birchwood after the winter the community goes from being quiet to one that is not so friendly and pleasant.

Peter Tadman suggested that Wes Irvine, Lot 100, might want to look at himself for a solution.

Jim Jansen told the meeting that the gravel and dust control program would resume once the weather cleared up and there was more available crushed gravel. He said the gravel dumping is about 50% done. Once it's finished, Brazeau County will supply the dust control.

Jim Jansen and Board members thanked the owners who attended the meeting.

The development permit for Rita Bijeau, Lot 70, was then approved. Rita Bijeau, Lot 70, then asked for some clarification about correspondence sent to her from the Board regarding her proposal for the playground. She was advised by Peter

Tadman that the Board had concerns regarding the need, costs, and overall interest of owners. She was thanked for her efforts and encouraged, if she felt there was a need, interest from the community and support from those willing to form a committee of support, to pursue the idea.

The open forum was completed at 8 p.m.

### **Board Portion of Meeting**

Jim Jansen called the Board portion of the meeting to order at 8:08 p.m. Sharon Kuzio moved that the June 5, 2011, Budget meeting minutes be accepted as corrected, seconded by Don Welsh, carried unanimously. Corrections to the minutes were to the dates of the meetings at the Birchwood Center from Monday evening to Wednesday evening for all months listed in the minutes.

Sharon Kuzio moved that the May 16, 2011, meeting minutes be accepted, seconded by Peter Tadman, carried unanimously by the previous Board members in attendance.

### **Water Report**

Rod Yakubow handed in his water report for filing. He reported that usage for May 2011 was normal. Water usage: Aspen Grove, 53,176 gallons; Cedar Glen, 47,146 gallons; Willow Ridge, 135,695 gallons, for a total of 236,017 gallons. Chlorine used was 19 gallons. Rod Yakubow reminded the Board that an Alberta Environment representative would be coming to Birchwood on Thursday to check out the well houses.

### **Site services**

Larry Kuzio submitted his written report which detailed duties provided for the month of May 2011. Wally MacNeil also submitted a written report outlining site services activities including highlights such as: revising the development permit application; contacting Alberta Environment to inspect the Birchwood area; working on the road gravelling program; and proposing golf cart rules and regulations for youth who are not adhering to safety practices.

### **Financial Report**

Crystal Heck handed out the April 2011 financial statements. She asked for an updated form for payment to contractors for use in the current year. Crystal Heck will send Sharon Kuzio the form used for 2010/2011 and Sharon will update the form and get it signed. Sharon Kuzio moved that the financial statements be accepted as presented, Don Welsh seconded, carried unanimously. Jim Jansen asked that payables be recorded before year-end of \$2,600 for Birchwood Center office cupboards; \$14,000 for gravel; \$3,000 for dust control; and \$3,200 for flooring as the invoices may not be received before the 2010/2011 June year-end budget record.

### **New Business**

The Board discussed whether it was necessary to replace the Liaison Officer position which is vacant due to Sadie Thorsen stepping down after the AGM election. Wally MacNeil is presently filling in.

Don Welsh suggested that all Board members look to owners and try to find a replacement Board member. Tabled to the next meeting, pending Board members reporting back.

The Board looked into the concerns raised by Al Pinkoski, Lot 122, at the AGM regarding the unsightly golf course and future autumn, tall grass fire hazard. Wally MacNeil has someone coming from Alberta Environment with regard to the bridge hazard but the potential fire hazard will have to be dealt with by the Brazeau County. Tabled to the next meeting for site services.

Also tabled to the next meeting was the item regarding disposal of leaves.

Sharon Kuzio explained that the budget/condo fee mail-outs are ready to be sent to owners but due to the postal strike are being held until the strike is over. There is currently still enough time for the owners to get payment back as long as the strike is over soon.

Jim Jansen explained that the flooring and cabinets have been ordered for Birchwood Center. Once the flooring is completed the Board will assess sound problems if they still exist.

Jim Jansen noted that the *Reserve Fund Study* has been completed by Keystone Field Engineering Inc. and we are currently awaiting a written report, which could take up to three weeks.

When it comes to youth not adhering to golf cart safety practices, the Board, with the facts before it, will consider meeting with the parents or issuing warning letters. In addition, Larry Kuzio has asked the RCMP if a member would attend a meeting in order to assist in handling this ongoing problem.

Peter Tadman confirmed for the Board that there is not a federal condominium law as referenced by Al Wachter, Lot 80, at the June AGM. The Board adheres to the *Condominium Property Act of Alberta*.

The Board decided it will not continue with the big item pick-up as several owners noted at the AGM that owners should look after their own garbage and the Board should not be involved. Aaron Dennison, Lot 74 (780-514-3301) offered at the AGM to let his number be available to any owners who do not have the means to dispose of big items. Wayne Irvine, Lot 76, also at the AGM, talked about a truck and trailer being available to move items as well.

With regard to our road grader and storage fuel tank that have been stored outside and repaired in all weather conditions, the Board approached Tom MacLean, Lot 13,

regarding the possible storage of the grader in his large Quonset. Jim Jansen will pursue this matter. Tabled to the next meeting.

### **Other Business**

Wally MacNeil will retain development permits for filing whether approved or not.

Roy Silver expressed concern to the Board that during a pump-out oil was evident; he did what he could with the pump-out and explained to the owner and the Board that it was the owner's responsibility to get rid of the rest left in the bottom. The Board will put a reminder in the *Bugle* regarding obligations of the owners on this type of disposal. Roy Silver will not pump out oil as it will contaminate the lagoon as well as his truck.

Concerns were brought forth by an owner to Larry Kuzio regarding shooting of beavers down by the creek/river. The Board will check with fish and wildlife to find out if this is allowed and how to deal with this complaint.

### **Correspondence**

No correspondence received since last meeting.

### **Adjournment**

Meeting adjourned at 9:55 p.m. with a motion by Peter Tadman, Sharon Kuzio seconded, carried unanimously.

**The next meeting will be @7 p.m., Wednesday, July 20, 2011, @Birchwood Center.**

**Please check the security gate notice board prior to the meeting date.**