

# Minutes—Annual General Meeting Saturday, June 4, 2016, Birchwood Center

---

## **Condominium Corporation No. 882 0814**

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

(Draft for review & approval at the June 3, 2017, Annual General Meeting).

### **Board Members Attending**

Don Welsh; Lana Southorn; Jan Wells; John Budd; Glenn Gallant; and Crystal Heck; accountant/recording secretary. Lorry Clark was unable to attend.

### **Agenda**

Don Welsh welcomed all owners and called the meeting to order at 10:09 a.m. at the Birchwood Center. Don Welsh introduced the three scrutineers for the meeting: chair, Crystal Heck; Jim Jansen; and Judy Seaman.

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

Crystal Heck confirmed a quorum with 48 owners present and an additional 7 proxies satisfying the 25% requirement for quorum.

### **Motion of Proof of Meeting Notice**

Linda Verhaeghe, Lot 106, moved that there was adequate notice provided for the AGM. Gene Tibbetts, Lot 98, seconded the motion.

### **Minutes of the June 6, 2015, AGM**

Don Welsh asked if there were any errors or omissions. Don Welsh noted that the third scrutineer was Judy Seaman rather than Jeanette Craddock.

Chuck Hughes, Lot 69, moved that the minutes of the June 6, 2015 annual general meeting be accepted as corrected. Wayne Irvine, Lot 76 seconded the motion, carried unanimously.

### **Site Services Report**

Glenn Gallant reported that together with Bruce Swanston, several improvements were made throughout the community: bridge railings and the security gate painted; bridge cleaned; posts installed at corners and driveways in order to slow vehicles down; gravelling was done on the roads in need; and, cleaning the ditches was a major project. Glenn Gallant commented that we have a beautiful community and that it is his hopes to continue with upgrading every year to keep our community looking good. It is his hope that everyone is satisfied, and that anyone with concerns can contact him, and he will do his best to rectify any issues.

### **Financial Report**

Jan Wells is pleased to report that the Board came in within budget this year largely due to dry summer and mild winter, which resulted in reduced snow removal and grass cutting costs. Currently costs are coming in close to budget. The grader was sold last year for \$5,500.00, and the Board took over payments, at zero percent interest, for the Kubota that is used for road maintenance and snow clearing. The Board has been able to make the monthly payments and still remain on Budget. Bruce Swanston and Glenn Gallant were instrumental in searching for a replacement grader and determined that the Kubota would suit the needs after purchasing a heavier blade. Jan Wells reminded owners that 2016 is the next scheduled Reserve Fund

Study to be completed, and the study will be initiated soon. Jan Wells asked the owners if there were any questions from the floor, there was none.

Margaret Oleskiw, Lot 97, moved that the financial report, distributed in advance of the meeting, be accepted as circulated. Larry Kuzio, Lot 62, seconded the motion, carried unanimously.

Beverly Baltesson, Lot 74, moved that the Board use Gary Ruhl Professional Corp. to audit the 2015-2016 finances, seconded by Peter Tadman, Lot 157, carried unanimously.

### **Social Committee Report**

Loretta Welsh gave a report on behalf of the Social Club. She thanked owners for their participation in the Social Club activities during the past year and for their help with clean-up following events. The bank balance as of March 31, 2016 is \$4,316.00. Revenue included silent auction proceeds, 50/50, raffles, and cookbook sales. Expenditures included paper products, cleaning supplies, paint purchased for the shed behind the Center, picnic tables, and doors on the washroom at Nielsen Park. Loretta Welsh asked if any owners would be interested in joining the Social Club. Bev Baltesson responded that she and Randy Finnermore would gladly volunteer. Loretta Welsh expressed appreciation and thanks to Alec and Bev McKenzie for the lovely flower beds in front of the Center; to Richard Cummings and Jeannette Craddock for the work done on cleaning out the grove of trees next to the Center; and, to Jerry Wells for arranging and painting the shed, picnic tables, etc.; and for replacing the steps at Nielsen Park. Loretta Welsh mentioned that once again the Social Club is sponsoring complimentary burgers following the meeting, and invited everyone to stay and enjoy.

### **President's Report**

Don Welsh reported that the previous year went well. Don Welsh reported that last year budgeted funds were used for repairs to an extensive waterline break; and that work was done on the roads and ditches, rather than dust control. He stated that the Kubota has proved to be very versatile. The Board has purchased a tow-behind water tank with a spray bar which has been used on the roads for dust control. Some of the roads are still displaying benefit from the dust control done a couple of years ago. The Board applied to Alberta Environment for a water diversion license, and approval has been received; so spraying the roads with water to keep the dust down is an alternative. The water diversion license is an annual permit so Board will need to apply every year. Don Welsh has contacted Brazeau County to have dust abatement chemical applied to our roads, or at least some of our roads, in the coming year. The Board will monitor this over the next few weeks and decide which areas are in the greatest need. Don Welsh asked the owners in attendance if they are in favor of the product that Brazeau County uses. Betty Baskey, Lot 21, has some concerns regarding the chemicals in the product. The Board will check with Brazeau County to determine if there are any concerns with this product. Clarence Wastle, Lot 84, asked about the new chemical that Brazeau County is using. It was suggested that the Brazeau County is currently testing the product and it is not available until it has been proven. Daniel Smith, Lot 68, told the Board that there should be a MSDS available to look at to help with the concerns. Don Welsh asked the owners, by a show of hands, if they were in favor with dust control; most owners at the meeting want to see this continued. Margaret Oleskiw, Lot 97, would rather have dust control applied, than eating the dust. Clarence Wastle, Lot 84, felt that if Brazeau County feels it is safe, the owners and Board should continue.

Don Welsh advised that due to the underground utilities in our area, we as a community are utility line owners and have now registered with the Alberta One Call System. The membership fee was \$50.00, with each call for location at a cost of approximately \$5.00. Don Welsh stated that Rod Yakubow and Jerry Wells attended a ground disturbance training course last fall, since they are involved when there is a waterline break. Don Welsh reminded owners of the Brazeau

County Household Hazardous waste roundup on June 18<sup>th</sup> at the Lindale Transfer Station. Additional information is available on the Brazeau County website. He also mentioned that the AGM mail out included a copy of the Rules and Regulations; mainly changes to items having been grouped into subject areas, with no major changes being made.

### **Guest Speakers**

Anthony Heinrich, Division 5 Councillor, Brazeau County; and Clarence Wastle, Lot 84, Birchwood. Anthony Heinrich introduced the Alberta Environment FireSmart program. He noted FireSmart is living with and managing for wildfire, and preparing for the threat of wildfire. Anthony Heinrich is attempting to determine if there is interest in this program in various areas of Brazeau County. The program would have to be accepted by the community as a whole, and would require a leader or someone to champion the program. It would require that owners clear out underbrush, grass, and dead trees on their lots. The Brazeau County and Alberta Environment have representatives who would be available to give a presentation on the program. The Government is also committed to helping with the disposal of trees, etc. Clarence Wastle, Lot 84, provided brochures for any owners to pick up following the meeting. Al Wachter, Lot 80, asked Anthony Heinrich if the Brazeau County will be contacting neighbors in the area to enroll in the FireSmart program. Brazeau County does not have any control over the land owners and because Birchwood is surrounded by private land, Anthony Heinrich suggested inviting our neighbors to attend the presentation on the FireSmart program. Clarence Wastle, Lot 84, has the understanding that insurance could be reduced if the community joins this program. Beverly Baltesson, Lot 74, suggested that Board do their part to help with this incentive. Clarence Wastle, Lot 84, requested the Board send a letter to Marko Schoeninger at Brazeau County requesting a presentation on FireSmart for our community. Don Welsh requested a show of hands; and this will be discussed at the next Board meeting on June 15<sup>th</sup>.

### **Land Use Bylaw (LUB)**

Don Welsh explained that Clarence Wastle has spent many hours working on the Land Use Bylaw on behalf of the owners at Birchwood. Anthony Heinrich commended Clarence on his help and his great service for Birchwood residents. Clarence attended approximately 27 meetings, and collected the research required in preparation for the meetings.

Clarence Wastle summarized the status of the Land Use Bylaw draft which passed the First Reading on May 11, 2016. He mentioned that the slope of 10% was proposed but is back to 30%, which was in the previous bylaws; and the setback for hazardous areas is 6 metres or 20 ft., but the Province could change that. For slopes over 30%, a geotechnical study is no longer required; instead an Engineer can sign off on slopes, but he suggested owners check into costs as they can vary considerably. Bev Baltesson, Lot 75, asked for clarification. Clarence stated that the creek is considered a hazardous area. Clarence Wastle used his own property to better explain how this will work, i.e., an engineer will tell you where the top of the slope is. Shawn Little, Lot 161, asked if an engineer can override the floodplain regulations. Clarence responded that "no" an engineer cannot override the flood plain regulations. Clarence mentioned that he has a copy of the 1988 original report, and that in approximately 1990; five flood plain markers were installed. Judy Seaman, Lot 77, said that there is a marker on the corner of her lot. Betty Baskey, Lot 21, mentioned that she had a report completed with an engineer signing off on it, but Brazeau County rejected it. She then had to have a geotechnical survey done.

Anthony Heinrich outlined the proposed permitted and discretionary uses in our community which must have our Board approval as well as Brazeau County approval. Permitted uses include: Accessory Structures, Single-Detached Dwellings, Tiny Homes, and Manufactured Homes. For clarification, a tiny home is 400 sq. ft on wheels. Discretionary uses include: Bed &

Breakfast, Day Care Homes, Group Homes, and Places of Worship. Don Welsh stated that the Board must comply with our legal documents, Condominium Bylaws, and Rules and Regulations, when approving any development permits. Anthony Heinrich stressed that any application must comply with the regulations of Birchwood district and the Land Use Bylaw. Shawn Little, Lot 161, asked when the next public hearing will be held. Anthony Heinrich explained that it is June 21 at 10:00 a.m., and Council is hopeful that the second and third reading will take place that day as well. The new Bylaw would come into effect as soon as approved. Clarence Wastle noted that recreational vehicles have been taken out of the Land Use Bylaw, as no development permit is required. Clarence Wastle has an additional change to bring forward, specifically LUB 8.2.1 which states you must have a principle residence before you can have an accessory building, i.e., a recreational vehicle is not considered a principle residence and therefore cannot have a shed or garage. He wants to change that so that RV occupants can have an accessory building. Judy Seaman, Lot 77, asked if the Board should be involved at this stage. Clarence Wastle will bring this item forward at the June 21<sup>st</sup> meeting. There was some discussion as to whether an RV or tiny home on wheels would then be considered a principle residence. Sueanne Rehill Holt, Lot 45, wondered if there should be any concern regarding tax assessments on Birchwood properties if RV's or tiny homes would then be considered principle structures. The understanding is that there will be no changes to how the tax assessments are being determined. Wayne Irvine, Lot 76, did some checking with a bank about what is considered a dwelling that can be mortgaged, for example a park model, if screw anchors, etc. are used; it is considered a principle residence. Tom Mclean, Lot 13, commented that in California, RVs, and 400 sq. ft trailers, having a license plate are not taxed. Clarence Wastle stated that moveable buildings are not taxed. Don Welsh extended thanks to Clarence Wastle and Anthony Heinrich for their efforts and information.

### **Members Forum**

Beverly Baltesson, Lot 74, asked if there is an update from the Enhancement Project Committee. Shawn Little, Lot 161, responded that there was nothing to report. Dave Southorn, Lot 82, has some concerns on the use of golf carts by persons under the age of 16, and inquired as to whether there is an age limit for driving golf carts. The Board will discuss at the June 15<sup>th</sup> meeting. John Budd, Lot 1, commented on what insurance would cover if an accident occurred when a golf cart is driven by anyone under the age of 16, and could the Board be held responsible. John Budd had concerns about the corner where the yield sign is situated between Lot 1, and Lot 65; drivers are not adhering to the sign as well as going way too fast. Jim Jansen, Lot 41, asked if the NDP carbon tax will have an impact with the budget planning for the upcoming year. Gary Holt, Lot 45 and Clarence Wastle, Lot 84, volunteered to form a committee for the FireSafe program.

### **Election of the Board of Directors**

John Budd and Lorry Clark do not want to let their names stand for the Board. Jan Wells has agreed to let her name stand for the next term.

Don Wells, Glenn Gallant and Lana Southorn have one year left on their two-year terms; there were four vacancies for two-year terms:

- Cory Horton, Lot 72, has recorded in an email to Don Welsh that he wishes to let his name stand for election for a two-year term. Loretta Welsh, Lot 94, nominated Cory Horton. Don Welsh accepted on behalf of Cory Horton.
- Sharon Kuzio, Lot 52, nominated Sueanne Rehill Holt, Lot 45, who accepted the nomination.
- Jim Jansen, Lot 41, nominated Betty Baskey, Lot 21, who accepted the nomination.

- Bruce Swanston, Lot 90, nominated Richard Cummings, Lot 92, who accepted the nomination.
- Vic Henry, Lot 77, nominated Clarence Wastle, who declined the nomination.

Linda Verhaehge, Lot 106, moved that nominations cease. Tom McLean, Lot 12, seconded the motion, carried unanimously.

Jan Wells, Cory Horton, Sueanne Rehill Holt, and Richard Cummings were elected to the Board for two-year terms.

The new Board scheduled an Organizational meeting and Budget meeting immediately following the AGM.

Linda Verhaeghe, Lot 106, moved that Crystal Heck destroy the voting list and proxies. Fran Irvine, Lot 76, seconded the motion, carried unanimously.

Don Welsh reminded all owners to stay for burgers, immediately following the AGM.

**Motion to Adjourn**

Gary Holt, Lot 45 moved to adjourn the meeting at 12:10 p.m.