

**MINUTES OF THE ANNUAL GENERAL MEETING
of THE LAKE AT HERITAGE POINTE OWNERS ASSOCIATION**

*held in the Summit Room at the Heritage Pointe Golf Club located
at 1 Heritage Pointe Drive, RR#1, De Winton, Alberta
on the 4th of June, 2013 commencing at 7:00 p.m.*

1. **CALLED TO ORDER at 7:43 PM** by Joe Friedel, President and Meeting Chairperson
2. **VERIFY QUORUM & PROOF OF NOTICE OF MEETING**

CALLING OF THE ROLE & CERTIFYING THE PROXIES

Joe Friedel, Association President, called the role and verified that 109 Members were represented which included 34 Members being represented by proxy and 75 members present in person. He advised that the Quorum was 98. Therefore, Pursuant to Article 3.01(c) of the Association's By-Laws, the Chairperson declared that the quorum requirement of 20% of the 490 votes eligible to be cast at the meeting had been met; and that the 2012 Annual General Meeting was regularly and duly constituted for the transaction of business.

3. **PROOF OF NOTICE OF MEETING**

Joe Friedel advised that the appropriate Notice of Meeting setting forth the date, place and time of the Meeting was mailed to all Members on or about May 17, 2013 in compliance with Article 3.01(b) of the Association's By-Laws.

Moved by Sam Chahda and seconded by Nilesh Dave that the Notice of Meeting providing at least 14 days advance notice, and specifying that the Annual General Meeting of The Lake at Heritage Pointe Owners Association will be held on June 4, 2013 at 7:00 p.m. in the Summit Room at the Heritage Pointe Golf Club in De Winton, Alberta, be accepted as presented.

By a show of hands vote, the Chairperson declared the motion unanimously carried.

4. **APPROVAL OF THE AGENDA & ADDITION OF ITEMS**

Chair asked members present if there were any additional items to be added to the Agenda; it was requested the item of grass clippings and garbage pick-up be added.

Moved by Terry Gallant and seconded by Gordon Oliver that the Agenda be accepted.

The Chairperson declared the motion unanimously carried by a show of hands vote.

5. **APPROVAL OF THE 2012 AGM MINUTES**

At this time, a member in attendance stated she had not received a copy of the 2012 AGM Minutes in her Notice of Meeting package; others present indicated their package was missing this document as well. In light of this, the 2012 AGM Minutes were provided on screen via power point presentation for member review. Once review was completed, it was moved by B. Balagh and seconded by Terry Gallant that the Minutes of the Annual General Meeting held on April 17, 2012 be accepted and approved as presented.

The Chairperson declared the motion unanimously carried by a show of hands vote.

6. **INTRODUCTIONS**

Joe Friedel introduced the Board of Directors and Guests:

Joe Friedel (President)	Quinn Zapach (V. President)
Gordon Gee (Treasurer)	Janice Davis (Secretary)
John Jennings (Director)	

Harry Riva-Cambrin, Municipal Manager, MD Foothills
Fire Chief, Jim Smith
Deputy Fire Chief, Greg Scalia
Geoff Carpenter, Protective Services Coordinator, MD Foothills
Teresa Linzmayer, Manager ATB Walden
David Moote of RF Moote & Associates
Chris Pagenkoph, Accountant for LAHPOA

7. BOARD OF DIRECTOR REPORT

Topics covered in the report are as follows:

- Community management & activities/initiatives
- Legal Counsel
- Financial position and fee increase
- Water license
- Corix issues
- Lake health, aeration and Upper Pond
- Communication

The Chairperson requested all questions and discussion regarding any presentation and/or report be held until all reports are completed.

- Our community events this year were quite successful; some of which were the Stampede Breakfast, the Haunted House, Sticks vs Hoses, and the Ice Fishing Derby. With a big assist from the HP Fire Hall volunteers, our ice condition was greatly improved providing skating and hockey enjoyment for many community members. We also improved the Christmas Holiday lighting at the Lake House and community entrance. ATB Walden partnered with our community providing volunteers and donations to assist in many community initiatives over the past year.
- \$265 raised by the Hoses vs Hockey Sticks was donated to the Heritage Pointe Firefighters Association
- Water License work is now complete. Corix determines water levels; there is no correlation to low levels and water license. We can now track amount of water taken out of the lake.
- The LAHP Board, together with Boards from each of the other Heritage Pointe Communities, appealed the Corix rate increase. This committee, while not able to mitigate the rate increase, was able to get the Alberta Utilities Commission to look closer at the Corix operation in terms of justification for increases and rate riders. The increase we did receive was less than what Corix applied for and spread over a longer period.
- The Lake Aeration project is now complete. The Water Committee and R.F. Moote and Associates worked tirelessly to ensure the success of this project. Corix contributed nothing to the aeration system.
- It was determined the fountain aeration of the upper pond was ineffective; 2 of the 3 inlets to the upper pond were broken; partial drainage, cleaning and repairs, as well as landscaping was conducted.
- In order to maintain quality of service, the annual dues were slightly increased this year.
- BFI is the new community garbage provider. The bag limit is 3 bags per week; this limit may consist of any combination of garbage and or grass clippings. It was determined a 4 bag limit was too expensive and not within the budget.
- The Board changed legal counsel this year. It was felt a firm specializing in 'not for profit' associations would be a better fit for our community. Turnaround time on legal matters has improved. The Board has a responsibility to the members of the community to collect on all outstanding dues and are proceeding with this process through the legal firm of McLeod Law.
- The Board has also changed auditing firms to ensure timely provision of documents.
- In an attempt to achieve better AGM attendance, as well as avoid the tax season crunch for our auditor's, it was decided to change the AGM date to June. The Board also felt this would also provide community members who are usually away for the winter an opportunity to attend and participate.
- Property on the Boulevard and at the front entrance of the community is the responsibility of the M.D. Arborists have marked trees to be replaced, removed dead trees and pruned and treated as required. M.D. protocol will be followed regarding tree replacement. The Board will work with the M.D. on this matter.
- The Board is looking into the feasibility of growing trees on open community property to replace community trees that have died.
- The website is the main source of information for the community; it is constantly updated and seeing increased usage. A data base is being looked into to facilitate an E-pay program. A resident suggested we look into using a Twitter account as opposed to e-mail due to privacy concerns.
- The Board is continually exploring opportunities to address the lack of community equipment storage. We were approached by the Separate School Board regarding the feasibility of a Distance Learning Centre moving to the sports field site, in turn, the School Board would include in their building design, meeting rooms and storage facility for our community usage. The Board held an information and feedback session at the Lake House to inform members of this proposal as well as to garner community feedback. It was determined the community was not in favour of the project and, subsequently, the Learning Centre has found and is moving to a new site. The Board is pursuing discussions with the M.D. regarding the possibility of equipment storage at the sports field as well as maintenance responsibility of the sports field.
- Funding opportunities: \$20,000 garbage container re-cycling bins; \$10,000 Dunbow Rec Board for stand up boards and soccer equipment and \$5,000 Family and community services
- Maintenance issues:
 - The Lake House electrical system requires work
 - Lake House front steps need replacement
 - Lake House front door needs replacement

- A study regarding 2 playground replacements was conducted and it was determined that it was cost prohibitive at this time; as well, liability issues are always a concern.
- Fish stocking: There is a good supply of large fish in our lake so no re-stocking will take place at this time.
- A Reserve Study is required for our community.
- A traffic study was conducted; as a result, a 3-Way Stop sign is scheduled for the south entrance of the community. This is scheduled for this upcoming summer.
- Our street signs are being vandalized. They will be replaced by metal, not wood, but aesthetically pleasing and similar to present signs.
- The Board is looking into some community drainage issues with the M.D. Asset transfer shows some land is owned by the community and some by the M.D.
- Maintenance standards are also being discussed with the M.D.
- An in-depth review during the asset transfer process revealed our sidewalks are on municipal land; in light of this, the M.D. will be responsible for snow clearing. This, however, does not include private home frontage; this is the responsibility of the individual homeowner. M.D By-law states residents have 24 hours to clear the snow from their sidewalk. Joe clarified, as the M.D. owns some of those sidewalks (not home fronted), liability procedures dictate how we proceed.

Motion to accept the Board of Directors Report was moved by Tony Davis, seconded by Seamus Coyne. Motion unanimously carried.

8. TREASURER'S FINANCIAL REPORT

APPROVAL OF 2012 AUDITED FINANCIAL STATEMENTS

Joe Friedel advised that the Audited Financial Statements for the Association's 2012 fiscal year was distributed to the Members along with the Notice of Meeting.

Gordon Gee, Board Treasurer, presented, via power point presentation, the Statement of Financial Position reviewing the financial information provided in the Notice of Meeting package.

Questions/discussion went as follows:

- Q: Amount of our fees that go to garbage removal?
- A: \$82,000
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- Q: Reserve fund is tight; should we have a one-time cash call?
- A: A 90% member agreement is required for cash-call; very difficult to obtain.
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- Q: What is the total management fee and do we have a cost breakdown?
- A: \$450,000 which covers all community expenses. David provides the Board with a breakdown.
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- Q: How do our taxes compare to those of the city?
- A: We are paying more

Moved by Tony Davis and seconded by Yvette Gallant that the Audited Financial Statements for the Association's 2012 fiscal year be accepted and approved as presented. This was approved unanimously by a show of hands..

APPOINTMENT OF THE AUDITOR

Motion to accept that the appointment of auditor is at the discretion of the Board, moved by Ryan Sawatsky, seconded by Gordon Oliver. Motion unanimously carried.

9. ELECTION OF THE BOARD OF DIRECTORS

Janice Davis and Gordon Gee, having fulfilled the maximum three year Board positions, will not be standing for re-election. Larry Greer resigned due to time demands. Article 4.01(g) of the Association's By-Laws set the membership of the Board of Directors as not less than 3 or more than 7 persons; and that Article 4.01(i) specified the specific number was to be set each year by the Members at the AGM.

The following three (3) Board members, currently serving, are willing to continue in their capacity of service for the upcoming term - Joe Friedel, Quinn Zapach and John Jennings. This leaves open positions.

The Chair called for nominations from the floor, resulting in the following eligible members being duly nominated for election to the Board of Directors:

Peter Newton, Ryan Sawatsky Eugene Nagai

Given that there are six (6) names only, the Chairperson advised there is no need for a vote and the following members are elected to the Board of Directors by acclamation:

Joe Friedel Quinn Zapach John Jennings
Peter Newton Ryan Sawatsky Eugene Nagai

Motion was made to accept the new Board of Directors; moved by Chris McLean, seconded by Linda Klipenstein. Motion carried unanimously.

10. Q & A

By-Law (Geoff Carpenter)

Q: Has any progress been made regarding clean-up of unsightly acreage property at community entrance?
A: By-law office is working on that.

Q: What can be done regarding empty lake lot in disrepair?
A: By-law will inspect and monitor.

Q: What is the status of the burned out house in the Mews?
A: By-law, M.D. LAHPOA lawyers are addressing this, working on getting matter finalized. As bank and lawyers are involved, progress is slow. Due to this being a court matter, the community is forbidden to enter property.

M.D.

Q: How will the 3-way stop work?
A: Residents should call by-law if they observe infractions. Sidewalk and crosswalk are being moved as well.

GENERAL

Q: Regarding the empty lot in the community, are there any building obligations/timelines?
A: This matter has been turned over to the community legal counsel regarding liability as lot is on the lake. A letter has been written but there is nothing on the title regarding timeline. The Board did request the property be fenced. Also, the owner indicated he would contact a maintenance company.

11. NEW BUSINESS

Date of Next AGM – to be determined

12. ADJOURNMENT

There being no further business at this time, Joe asked for a motion to adjourn. Motion to adjourn made by Gordon Oliver, seconded by Yvette Gallant.

The Chair declared the motion unanimously carried by a show of hands vote, and the meeting was adjourned at 9:38 p.m.