



*Welcome!*

Annual General Meeting  
June 8, 2015



## Your Board of Directors 2014/2015

- Louise Ascah
  - Chairperson/Communications & Social Media (1<sup>st</sup> term)
- Ryan Sawatzky
  - Deputy Chairperson/Arch-Landscape/Waste-Water (2<sup>nd</sup> term)
- Eugene Nagai
  - Secretary/Arch-Landscape (2<sup>nd</sup> term)
- Peter Newton
  - Treasurer/Finance (2<sup>nd</sup> term)
- Don Francis
  - Director/MD Liaison (1<sup>st</sup> term)



## Your Community Management Team

- David Moote
  - Community Manager
- Cheryl McCord
  - Lake House Manager
- Susan Lefsrud
  - Property Manager
- Larry Spilak, Reeve, MD of Foothills No. 31
- Harry Riva-Cambrin, COM, MD of Foothills No. 31

Guests



## *Agenda*

Call to Order, 6:45 PM

Confirmation of Quorum/Proof of Notice of Meeting

Approval of Agenda/Request Additions

Approval of Minutes, AGM 2014

Board of Director's Report

Treasurer's Report (audited financials)

Bylaws Amendment Process

Welcome Guest, Reeve Larry Spilak

Question Period

Election of Board of Directors 2015/2016

Adjournment





## *A Fabulous Year in Review!*



- Responding to the Needs
- Strong Financial Management
- Building Contingency Funds
- Introduction of household Blue Box collection and Organics Waste processing
- Finalization of MD & LAHP Land Swap
- Growing Community Relationships



## *Responding to the Needs in 2014/2015*

- Continued lake water quality testing, treating and reporting to AB government
- Fish restocked in lake April 30, 2015
- Top up of beach sand coming mid-June, 2015
- HOA has assumed responsibility for booking HP soccer and softball fields; these are available to any community member for any personal use at NO COST.
- Successful collaboration with MD to install traffic safety measures in community
- MD introduced a more streamlined method for snow removal on community streets; fast-tracked our community for spring street clean-up
- Improved security system monitoring installed at Lake House
- Introduction of new community and family events
- Trees on boulevards, lost to last fall's heavy snowfall, will see replacement at the end of June. The MD requests that residents in receipt of these replacements maintain a steady watering schedule to ensure their survival.



## *Protecting and Improving our Infrastructure*

*The Priorities... now and in the years to come*

- The Lake House
- Heritage Pointe Lake & the Upper Lake
- Irrigation Systems
- Green Spaces, Gardens & Hardscapes
- Roads and Sidewalks



# *The Lake House*





## *The Lake House*

- Repairs to structural damages are critical in this coming year
- Shifting and heaving caused by below grade water seepage has caused foundational damage
- Concrete patio at lower rear has dropped 4 – 5 inches at centre

- Mitigation costs have been estimated at \$90K minimum; contingency funds may be targeted
- Application for Alberta's *Community Facility Enhancement Program* Grant has been submitted





# *Our Water Systems*





## *The Lake at Heritage Pointe*

### **Treatment/Aeration**

- Aeration system is operating as intended
  - Anticipate consistently “safe” water (regularly tested), minimize algae (will always be some) and keep the water clear – achieving in all areas.
  - Ran 24/7 for a few weeks. Now 15 hours per day. Water quality excellent.
- All required treatments are environmentally friendly.

### **Fish Restocking**

- Added 300 Rainbow Trout (10-12”). They are surviving at a better than expected rate.

### **Water Levels & Replacement**

- Corix owes LAHP 5000 m3 which will be added in next two weeks. This will increase depth by 2 inches. Examining cost to increase depth further.





## *The Upper Lake (the Pond)*

### Upper Lake

- Significant water quality issues were experienced in the past
- Several summers of treatment have resulted in much improvement here
- May be possible to resume creek/water fall to lower lake
- 4" of water will be added following the Corix top up to lower lake

### Canada Geese & Goose Control

- A greater number of adult pairs returned this year
- Nesting occurred earlier than anticipated/ some goslings have hatched
- Our Community Manager is presently investigating options for goose control later this year and an improved process for next spring



# *Irrigation Systems*

- Critical to quality maintenance of our green spaces
- \$17K was invested to repairs in the summer of 2014
- The LAHPOA worked in partnership with the MD of Foothills to identify and make repairs to any damaged heads on common property
- Your Community Management Team continue to trouble shoot and encourages feedback from residents where areas appear to be lacking adequate irrigation



## *Environmental Stewardship*



## *Fully Co-Mingled Recycling & Organics Program*

- Waste collection represents 17% of the HOA's budget.
- Three-year contract with BFI/Progressive concluded the end of April.
- In February, the HOA went to tender for a new contract, ideally to include both Blue Box recycling and Waste Collection within the limit of set budget.
- Multiple companies responded and, from there, tenders were shortlisted to four: BFI/Progressive, Envirocan, The Garbage Good Guys and GFL Environmental.
- Envirocan was awarded the contract.





## *Fully Co-Mingled Recycling & Organics Program*

### *Why Envirocan?*

- Lowest Cost (and within current budget)
- Best Approach
- Best Value

### *Best Approach? How so?*

- Every other vendor focused solely on waste collection cost and needed to subcontract recyclables.
- Envirocan focused on reduction of waste going to landfill, leading to increased cost savings in a sustainable way.
- Recycling without sorting!
- Reduction of waste to landfill by recycling, grass clippings to compost processing and availability of Organics Waste Bin.
- Compost will be returned to LAHP for use by residents at NO charge.





## Fully Co-Mingled Recycling & Organics Program

### Total Potential Waste



- FOUR types of waste going to landfill can be reduced to ONE.
- Your HOA fees pay for the cost of weight going into the landfill... let's reduce that weight!
- How do all of us save money *and* become environmental stewards?
  - Put grass in clear bags to identify they are NOT waste
  - Place out recycling in either a bin or clear bag
  - Deposit household organic waste in the new bin residing at the Lake House



## *Fully Co-Mingled Recycling & Organics Program*

### ***The Upside!***

- Reduction to the LAHOA's waste collection costs increases the availability of funds required in other, more desirable, areas.
- Opens the opportunity for increased deposits to your Reserve Funds!



# *Our Neighbourhood*



## *Green Spaces, Gardens & Hardscapes*

### **MD & LAHP Land Swap**

- The LAHP has been caring for MD green space for many years.
  - Sidewalk snow removal
  - Grass & Berm mowing, herbicide & fertilizer application
  - Spring clean-up
- The LAHP currently bills the MD for this activity.
- Goal of a Land Swap was to simplify the maintenance of these spaces, eliminate administration cost and reduce liability.
- A consensus was reached as to the exact envelopes to be exchanged, presented to MD Council and subsequently approved.

### **Proposed Land Swap 27/01/15**

**LAHPOA to MD of Foothills: 7.25 acres**

**MD of Foothills to LAHPOA: 7.80 acres**







## *Green Spaces, Gardens & Hardscapes*

- MD officials are currently evaluating the approved spaces and will finalize with an official survey of land and titles.
- Once this is complete, our Reeve, Mr. Larry Spilak, will take to council for a final approval.
- The LAHP Board would like to thank Larry Spilak, Hugh Pettigrew and his MD team, for working with us in making this happen.





## Growing Community Relationships

Heritage Pointe Fire Station: an incredible partner in our neighbourhood!



Santa tour on Christmas Eve!



Flooding our lake ice surfaces for winter skating!



The community Slo-Pitch tournament!



Joining our Parade of Garage Sales!



## *Growing Community Relationships*

*Sponsors who are always there for us...  
and businesses that give so much back to our community!*

- ATB Financial, Walden Branch
- Stockman's Restaurant
- Save On Foods, Walden Location

*Watch for these coming events!*

- Stampede Breakfast, Saturday July 4<sup>th</sup>
- Family Movie Night at the Fire Hall, August
- Family Fun Days at the Lake all summer



# *Treasurer's Report*



## Treasurer's Report

### LAHPOA Financial Summary - Operating Fund

(Thousands of dollars)

	2008	2009	2010	2011	2012	2013	2014
<b>Association fees</b>	\$ 441	\$ 455	\$ 456	\$ 488	\$ 504	\$ 529	\$ 589
Grants and other income	10	3	15	29	125	38	14
Operation revenue	451	458	471	517	629	567	603
<b>Operating expenses</b>	469	493	505	390	661	538	579
<b>Operating income</b>	\$ (18)	\$ (35)	\$ (34)	\$ 127	\$ (32)	\$ 29	\$ 24
<b>Net Assets</b>	\$ 51	\$ 15	\$ (18)	\$ 108	\$ 100	\$ 88	\$ 110
Working Capital							
Accounts Receivable				13	28	11	38
Accounts Payable				(71)	(79)	(40)	(39)
	-	-	(58)	(51)	(29)	(1)	





## *Treasurer's Report*

### **LAHPOA Financial Summary - Reserve Fund**

(Thousands of dollars)

**Revenue - transfers from operating fund**

**Expenses**

**Operating surplus (deficit)**

**Actual Reserve Fund**

2008	2009	2010	2011	2012	2013	2014
------	------	------	------	------	------	------

\$ 31 \$ 22 \$ 23 \$ 23 \$ 74 \$ 43

(37) - (15) (4) (99) -

(6)	22	8	19	(25)	43	-
-----	----	---	----	------	----	---

74 96 104 123 97 140 140



## Back to Basics...

# Financial Management & Growing Reserve Funds

### LAHPOA Financial Summary - 2015 Budget vs 2014 Actual

(Thousands of dollars)

#### Association fees

Grants and other income

#### Operation revenue

#### Operating expenses

#### Operating income

#### Reserve Fund:

Revenue - Allocation from Operating Fund

Expenses

Operating surplus (deficit)

Reserve Fund - Opening

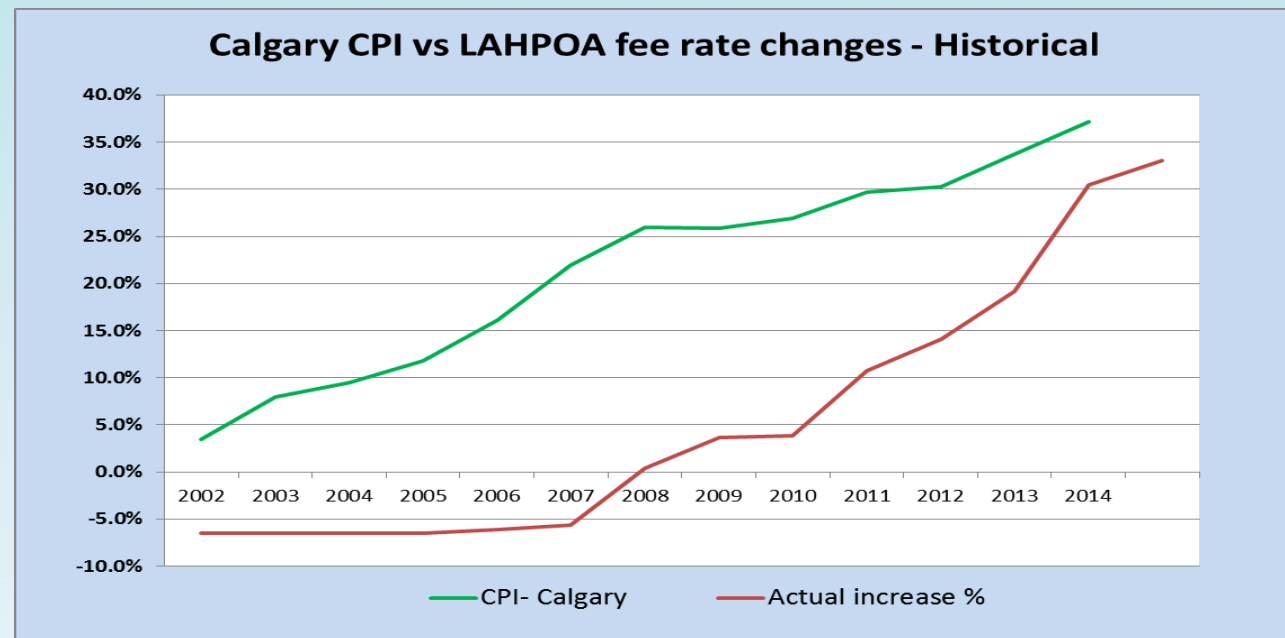
**Reserve Fund-Closing**

2014	2015		
Actual	Budget	Variance	Var-%
\$ 589	\$ 607	\$ 18	3.1%
14	21	7	49.1%
603	628	25	
(579)	(490)	(89)	(15.3%)
\$ 24	\$ 138	(114)	
\$ -	\$ 138	\$ 138	
-	-		
-	138	\$ 138	
140	140		
\$ 140	\$ 278	\$ 138	





## Financial Management & Growing Reserve Funds

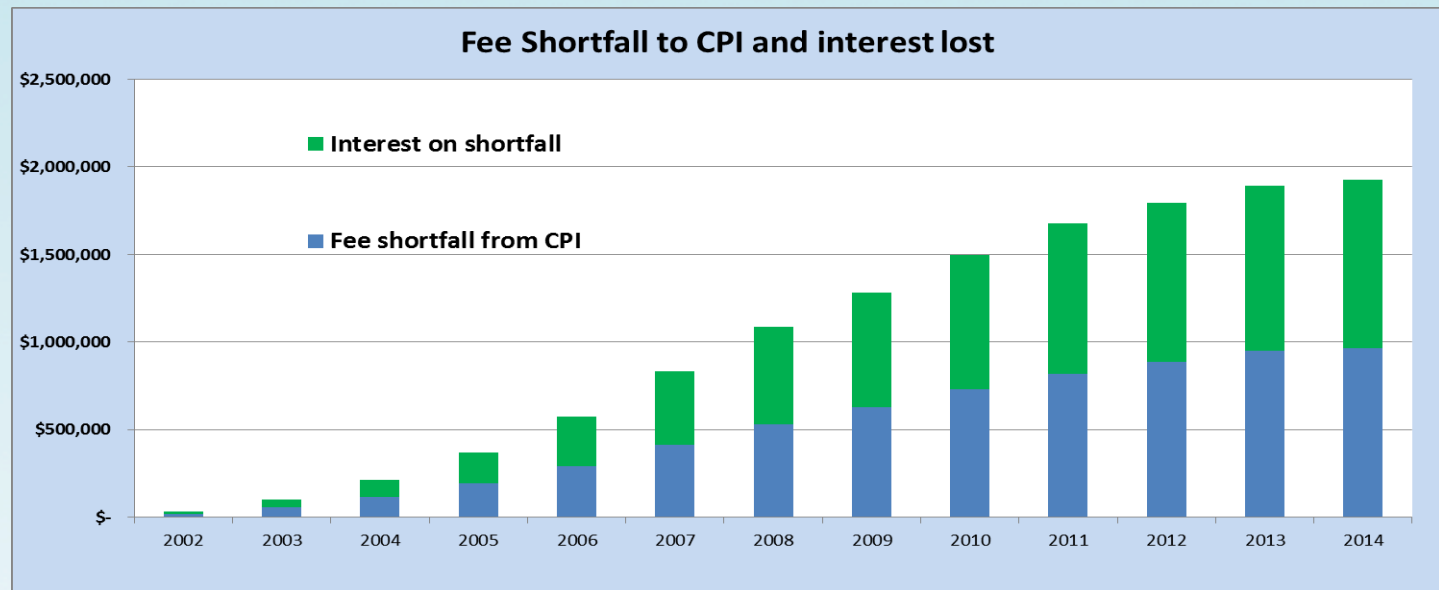


By not applying annual HOA fee increases at the Calgary CPI rate, LAHPOA has been impacted financially.



## Financial Management & Growing Reserve Funds

*Back to Basics... \$ impact of not applying CPI increases consistently*





# *Amendments to Bylaw*



## *Amendments to Bylaw*

### *How do we do it?*

- Each proposed amendment will be presented individually.
- Reasons for proposed change to bylaw will be presented; audience participation is encouraged.
- Amendment to bylaw will be voted upon by each member present, plus proxy votes.
- Where a majority agree to the amendment, a motion will be made to amend the bylaw as proposed.
- Bylaw amendments will be filed for approval by Alberta Registries under the Alberta Society's Act.
- Once approved, bylaws will be updated and made available to all residents via our website.



## *Amendments to Bylaw*

### 3.01 The Annual General Meeting

d. A quorum for the AGM of the Association shall be the attendance of persons collectively representing twenty (20%) percent of the votes eligible to be cast at such meeting;

Amend to:

d. A quorum for the AGM of the Association shall be the attendance in person or by proxy of home owners in good standing collectively representing ten (10%) percent of the votes eligible to be cast at such meeting;





## *Amendments to Bylaw*

### *Why is this being tabled?*

496 homes @ 20% representation = 99.2 votes minimum

496 homes @ 10% representation = 49.6 votes minimum

- 2014: 88 present, 34 proxy forms = 122 persons
- 2013: 66 present, 55 proxy forms = 121 persons
- 2012: 75 present, 34 proxy forms = 109 persons
- 2011: 51 present, 50 proxy forms = 101 persons
- 2010: 73 present, 49 proxy forms = 122 persons
- 2009: Unduly constituted attendance; second AGM conducted two months later



## *Amendments to Bylaw*

### 4.02 Duties of the Board

b. (ii) To finance the operations of the Association and to borrow, raise or secure the payment of monies in such a manner as the Board may, from time to time, think fit; provided that no borrowing in excess of \$5,000 shall be made without prior authorization of the Members in General Meeting; and no debenture shall be granted unless authorized by Special Resolution;

#### *Amend to:*

b. (ii) To finance the operations of the Association and to borrow, raise or secure the payment of monies in such a manner as the Board may, from time to time, think fit; provided that no borrowing in excess of 20% of the previous year's reserve fund shall be made without prior authorization of the Members in General Meeting; and no debenture shall be granted unless authorized by Special Resolution;



## *Amendments to Bylaw*

### *Why is this being tabled?*

- Permits the Board to utilize financial value the LAHPOA has created over time for the betterment of the community if faced with increased or unanticipated capital expenditures
- 20 % is a low risk level and one easy to repay, eg. in 2015 this would be \$50K maximum
- Our Cash Flow and Balance Sheet can be strengthened and these assets can be utilized from a financial tool perspective.
  - Cash
  - Key Capital Assets



## *Amendments to Bylaw*

### AMENDMENTS TO Schedule "A" Restrictive Covenant and Encumbrance Agreement

2.3.4 No recreational vehicles or trailers shall be parked or kept on any Subdivided Lot (unless fully contained within a garage) for more than forty-eight (48) hours, without the prior written approval of the Approving Authority.

#### **Amend to:**

2.3.4 No recreational vehicles, trailers, business vehicles (trucks, vans) shall be parked or kept on any subdivided lot (unless fully contained within a garage) or on the street adjacent to any subdivided lot for more than forty-eight (48) hours, without the prior written approval of the HOA. The HOA will, following the issue of written warning to any property owner in violation of this restriction, apply a fine of \$100 per day until the violation is corrected. Fines remaining unpaid will be applied to the homeowner's Rent Charge for collection.



## *Amendments to Bylaw*

### *Why is this being tabled?*

- This is one of the most common complaints received by the Association with requests to force compliance.
- This HOA bylaw is also a bylaw of the MD of Foothills.
- To date, the HOA has been able to deliver warnings to residents in non-compliance.
- The MD of Foothills does not have the manpower to respond with Bylaw Officers each time a residence is in non-compliance; nor should it have to.
- While the majority of those in receipt of a warning will comply with the request, there remain those who will not.
- Hence, the HOA would like to have a bylaw with “teeth”, whereby fines may be levied until such time as the residence in question complies with the bylaw.





## *Amendments to Bylaw*

2.3.8 No animal (except a domestic dog or a domestic cat) bird or reptile of any kind exceeding ten kilograms shall be kept on any subdivided lot without the prior written approval of the Approval Authority... An owner shall not keep in or on the Subdivided Lot more than four pets (excluding fish) or which no more than two shall be dogs and no more than two shall be cats.

### **Amend to:**

2.3.8 No animal other than those designated as “domestic” shall be kept on any premises. The owner of domestic dog(s) or cat(s) will clean up feces deposited by this animal on common property at all times. The HOA will, upon receipt of reliable report, fine any dog owner negligent in clean up in the amount of \$250 per occurrence.



## *Amendments to Bylaw*

### *Why is this being tabled?*

- This bylaw is unenforceable and may be rescinded as such.
- The LAHOA cannot police the weight and number of pets in the neighbourhood.
- Rather, let us add “teeth” to the bylaw in response to the very regular complaint regarding dog feces in common areas.
- Any resident recognized and reported as non-compliant will receive a fine. Following the first fine, any further reliably identifiable complaint will be referred to the MD of Foothills’ Bylaw Enforcement Department.



## *Amendments to Bylaw*

2.3.9 No structure, moveable structure, storage shed, playhouse, gazebo, satellite dish, telecommunications antenna, clothesline or other fixture, piece of equipment or chattel (a “Structure”) shall be erected, placed or allowed to remain within 6.5 meters of the rear property line without prior written approval of the Approval Authority...

**Amend to:**

2.3.9 No structure or fixture shall be erected, placed or allowed to remain on any lot without prior written approval of the Board of Directors. Applications for garden sheds must conform to Architectural Design Guidelines in respect to building materials used and exterior cladding and remain with 1.5 meters of the residence. A plan must be submitted and include details of dimension and requested placement of said structure, and be accompanied by the homeowner’s Real Property Report.



## *Amendments to Bylaw*

### *Why is this being tabled?*

- Clarification is required to distinguish “garden sheds” from all other structures.
- At present, “garden sheds” are fully permissible where built as a full attachment to the main residence in compliance with Architectural Guidelines governing finishes.
- Residents want sheds. We wish to make it possible to erect one, in keeping with community esthetics, by establishing the guideline that any unattached shed must remain with 1.5 meters (4 feet) from the main residence. The requirement to submit an application for approval remains, to ensure architectural control.
- Improve upon the restriction that every “structure”, ie. gazebo or playhouse, must stand 6.5 meters (21 feet) from the rear property line.
- We believe every homeowner in the community should have equal opportunity to create entertainment or child play spaces within their own space. The 6.5 meter designation makes this unobtainable for a significant number of homes. The requirement to submit an application for approval remains to ensure architectural control and neighbour consent.





## *Amendments to Bylaw*

3.2.2 The HOA may obtain, employ and pay for the services of any entity or person (the “Manager”)... Any management agreement must be terminable for cause upon thirty (30) days’ notice, be for a term not to exceed three years, and be renewable only upon mutual consent of the parties.

**Amend to:**

3.2.2 The HOA may obtain, employ and pay for the services of any entity or person (the “Manager”)... Any management agreement must be terminable for cause upon thirty (30) days’ notice and be renewable only upon mutual consent of the parties.





## *Amendments to Bylaw*

### *Why is this being tabled?*

- Remove the clause that restricts the “Manager” from employment exceeding three years.
- A good community management team is something of value and this restriction provides no benefit.



## *Amendments to Bylaw*

4.3 Homeowners Association's Costs for any period shall mean any and all costs incurred or to be incurred in such period (including without limitation, reasonable reserves for future maintenance, repair and replacement costs) by the HOA in respect to carrying out and exercising its rights, duties and obligations... as determined by the Board of Directors from time to time. HOA Costs shall not exceed the amounts set forth... unless authorized by Special Resolution of the HOA whereby a minimum of seventy-five (75%) percent of all of the members of the HOA approve the change.

### **Amend to:**

4.3 Homeowners Association's Costs for any period shall mean any and all costs incurred or to be incurred in such period (including without limitation, reasonable reserves for future maintenance, repair and replacement costs) by the HOA in respect to carrying out and exercising its rights, duties and obligations... as determined by the Board of Directors from time to time. HOA Costs shall not exceed the amounts set forth unless authorized by a majority of 50% + 1 of HOA members represented at the Annual General Meeting of the Association or by a Special Resolution of the Association at a general meeting.



## *Amendments to Bylaw*

### *Why is this being tabled?*

- In this bylaw “HOA Costs” refer to your Annual Fees.
- As our infrastructure ages, it may become necessary to increase annual fees more than the value of the Consumer Price Index from time to time.
- As demonstrated during discussion of Quorum numbers, it has proven difficult to acquire even 20% of community participation in general meeting.
- Amend the stipulation that 75% of community members must agree to any change in the way Annual Fees are calculated (CPI).
- Make it possible to call a meeting whereby the decision to do this may be passed by a majority vote of those in attendance at such a meeting (including proxy).
- We must trust the elected Board of Directors to do the right thing for our community. Residents will still have the full opportunity to vote “yes” or “no” to any proposition.



*Welcome Reeve Larry Spilak*



# *Question Period*





## *Election of Board of Directors 2015/2016*

- Louise Ascah (standing for 2<sup>nd</sup> term)
- Ryan Sawatzky (standing for 3<sup>rd</sup> term)
- Eugene Nagai (standing for 3<sup>rd</sup> term)
- Peter Newton (standing for 3<sup>rd</sup> term)
- Don Francis (standing for 2<sup>nd</sup> term)
- Nominations from the floor?



*Thank you!*