

Annual General Meeting

Wednesday May 15, 2019
EPL - Riverbend Multi-purpose Room
7:00-8:30 p.m.

1. Call to Order – Keray @ 7:05pm

2. Introduction of Special Guest Speaker – Tim Cartmell

- Henderson Park - likely not to be an issue of concern for 5 years.
- Changing the traffic zones to 30km - 50km.
- Issue of photo radar: to be addressed whether this is helping safety or if it is just a money grab by the end of the year.

3. Approval of Agenda - Motion moved by Amanda, seconded by Greg; motion carried

4. Acknowledgement of Proxies - Motion moved by Greg, seconded by Amanda; motion carried

5. Approval of 2018 AGM Minutes - Motion moved by Amanda, seconded by Leon; motion carried

6. President's Report - Review of 2018 Activities – Keray Henke

- What the Board has done in the past year
- Bylaw review
- Sustain and maintain integrity of the neighborhood

7. Treasurer's Report - Acting Treasurer: Ralph Bullis

a. Expenditures from 2018 (audited 2018 financial statement handout)

- Cash/bank account - \$13,465
- Reserve fund account - \$214,813
- Total assets - \$228,279
- Total liabilities - \$0
- Total income - \$45,490
- Grounds maintenance - \$9,075 (usually \$8k to \$10k)- we have hired a new contractor this year
- Maintenance on the fence - \$22,056 - repair/maintenance program was put in 5 years ago so that each part of the perimeter fence was cared for every 5-7 years
- Utilities - \$1,715: we put in LED's so annual bill went down about \$300
- Administration -\$2,400
- Office supplies - \$682 - room rental for AGM, signs, office miscellaneous
- Web page/internet - \$451: updated this year
- Total disbursements - \$40,718

b. Budget for 2019

- Outstanding homeowner fees \$1,333 not paid: Administrator diligently working to collect these fees
- Total revenue - \$46,875
- Grounds maintenance - \$10K
- Fence reserve fund - \$15K
 - Reserve fund study - only needed in a few years - money is to be put aside to maintain our assets (perimeter fence is being maintained annually - painted and removal of rotted posts)- wasting assets: at some point we have to replace the whole thing, we try to get the engineering companies who are doing the audit to realize that every year the fence is being cared for so this should be reflected in the audit
 - Insurance - \$4,500
 - Contingencies - \$500
 - Utilities - \$1,300
 - Administration - \$2,400 annually: the only paid position on the Board
 - Legal expenses - bylaw infraction and assistance from legal counsel for the revisions of bylaws - \$3,000
 - Approx. \$38,200 for total expenses

c. Motion to approve the report of the Acting Treasurer moved by Leon, seconded by Bill; motion carried.

8. New Business

a. Special Resolution: Be it resolved that the Bylaws for the ERHA in force at March 31, 2019 be rescinded, and that the proposed Bylaws dated 27 April 2019 be adopted (as posted on the ERHA website)

- Motion to move the Special Resolution: Approved by Leon, seconded by Bill

b. Discussion of the motion included a review of the discussion paper- revised and dated April 27, 2019

- Added clarifications for members fees
- Added definition of persons
- Added definition of perimeter fence
- Section 3: added section to suggest that in order to be able to vote you should be a paid up member (consistent with most associations)
- Section 4.01(c): board membership - 1 year term, must be re-elected every year, currently there is a 3 year term later- Board proposes to remove the term limits as we have had issues getting board members, we have never had a full 7 person board
- Section 4.02(d): consistent with RC: responsibility of homeowner to maintain fences on Riverbend Road and Rabbit Hill Road, we have chosen to maintain walkway fences but that is not a requirement

Section 4.02(n) - new section bylaw amendment: Restrictive Covenant and Encumbrances Agreement and proposed that the Board would be allowed, but not required, to levy an administrative fee in the amount of \$250 including any legal fees or disbursements incurred for enforcement of restrictive covenant and encumbrances.

◦ Section 15: reserve fund contribution; recommended we have \$275 K but we are at \$235K (we chose not to increase homeowner's fees given the ongoing maintenance of the fence)

◦ Section 16: new bylaw amendment - when we are trying to enforce the Restrictive Covenant and Encumbrances Agreement the only option we have to work with homeowners (homeowners is simply plural – not possessive in this case) to get compliance is to apply for a court order because its registered against the property, if after order still no compliance, then have to enforce the order which is time consuming and expensive

New procedure proposed:

- If we receive a concern (we don't police, we react to concerns brought by homeowners)
 - a. Evaluate the concern
 - b. Identify the concern and specify action to take, provide timeline
 - c. We can obtain legal counsel if required
 - d. If continues to be failure to comply, the Board has the authority to impose \$250 fine per infraction
- We have checked with legal counsel and are advised the Board has the authority to impose fines
- Cost of enforcement currently: legal counsel
- Cost if bylaw passed – the \$250 fee and the time of the Board members

Long time Eagle Ridge resident, former ERHA Board member, and one of the owner/operators of the RE/MAX office on 40th Avenue, Gary Krutzfeldt, asked to address the AGM about the potential negative impact on the property value of all residents of Eagle Ridge - if the position advanced by those who recommended voting against the proposed Bylaws, and those who advocated disbanding the ERHA Board and donating the Reserve Fund to charity, were to be approved. Mr. Krutzfeldt pointed out the significant difference in the value of homes in other neighbouring subdivisions that did not benefit from a proactive homeowners association that vigorously enforced architectural guidelines and restrictive covenants registered on homeowner properties. He cited his many years of experience in the Real Estate industry and eloquently encouraged all present to reject the points of view advanced by those who might be opposed to the proposed enforcement provisions of the revised Bylaws. At the completion of Mr. Krutzfeldt's remarks, the room erupted in a spontaneous, vigorous, and virtually unanimous applause.

Following the discussion there was a recommendation from the floor to "Call the Question" (of the motion to approve the Special Resolution: to disband the current bylaws and replace with the April 27, 2019 bylaws)

There was an added motion- from Kim Pawluk re: requirements for special resolution but after further explanation of the language of the resolution, this motion was - WITHDRAWN

Following the vote, the motion recommending approval of the Special Resolution was carried (and was approved by more than 75% of voters present at the meeting)

9. Board Nominations and Election

• Nominations

1. Greg Olson
2. Leon Pfiefer
3. Bill Teeple
4. Ralph Bullis
5. Jamie Ludwig
6. Luther Haave
7. Riad Assaf
8. Rob Thomas

• Ballots to be counted the next day and an email to be sent out to the appointed Board members as time has expired at the EPL.

10. Adjournment - @ 8:45pm