

# **The Lake at Heritage Pointe Owners Association.**

## **Meeting Minutes April 21, 2010**

### **1. CALL TO ORDER**

Greg Brown Called the meeting to order at 6:31pm.

### **2. ATTENDANCE & QUORUM**

In Attendance: Greg Brown, Elaine Ironside, Timothy Tong, Collin Marx, Michael Kwiatkowski and guests: Wendy Stremecki, Larry Spilak ( M.D> Foothills Councillor Div. no 6), Barb Mikus and Jason Frankish. Guests arrived and departed during meeting. A quorum was established.

#### **2.1 Welcome - New board Members (3)/ Michael Kwiatkowski, Collin Marx and Timothy Tong**

Motion for appointment of New Vice President by Greg Brown, Collin Marx volunteered for the position of Vice president until October, at which point Michael Kwiatkowski volunteered to back Collin Marx up after he leaves on holidays.

Seconded by Timothy Tong. Thank you to both members for volunteering to fill the role.

### **3. APPROVAL OF AGENDA**

Greg Brown asked for approval with the exception of changing financial portion to item 4 due to scheduling. Motion by Collin Marx, seconded by Elaine Ironside.

### **4.0. FINANCIAL REPORT**

Barb Mikus reported on the status of association fees and financial statements. Barb reports that 490 owners were billed association fees, as of April 21, 2010 equalling \$479,000 in fees. About 100 home owners have not yet paid fees leaving an outstanding balance of \$97,649.00. Motion by Greg Brown to send reminder letters to each homeowner with outstanding fees that includes interest on arrears to date.

Barb Mikus is currently working on financial statements and there may be a statement available by the May 19<sup>th</sup> meeting. She has requested an Audit of the Previous year and recommended McKinnon and Co. who was used in the past. The estimated cost of the Audit is approximately \$2500.00 based on past years costs.

Motion by Greg brown to proceed with audit by McKinnon and Co. Seconded by Collin Marx.

**Action:** Barb Mikus. Invoice. Prepare 2010 financial statements. Prepare updated 2010 forecast. Prepare plan for fees that still remain unpaid at next board meeting.

### **4.1 APPROVAL OF MINUTES**

Meeting Minutes from March 27, 2010 approved by all.

## **5.0 Special guests /presentations**

### **5.1 Stampede Breakfast committee presentation**

Wendy Stremecki and Keri Macko handed out presentation documents and budget for proposed stampede breakfast. The Breakfast committee has some contacts remaining from last year to contribute towards this year's breakfast but committee is enquiring as to whether or not additional funding is available over and above the amount contributed last year (\$5,000). Wendy anticipates additional attendance this year as well as event is growing in popularity. The board stated that they expect the committee to continue to get donations as they have in the past years. The board expressed a strong interest in all board members being part of the days events and serving and/or participating. The expenses will be presented to LAPHOA for payment and we will pay, up to the agreed amount, directly to vendors.

The board has asked the breakfast committee to clarify the status and use of a bank account that was not on the record previously, nor mentioned in the financial statements for the LAHPOA . A future decision will be made to determine the use of these funds. Greg Brown motioned to have the account closed and a cheque drawn with the balance of the funds in an effort to keep all LAHPOA money accounted for and recorded properly. The board has also made the request to have the Account statements for that account dating back to it being opening. Seconded by Elaine Ironside.

Motion for commitment of \$5000 to the breakfast committee once committee have demonstrated a clear budget and plan to association. Motion by Collin Marx, seconded by Greg Brown.

### **5.2 Larry Spilak - M.D Foothills Councillor Div. no 6 - Updates**

Larry Spilak reports that there has been some progress with the issues related to the house/P. Farm at the entrance to the LAHP. Although there has been a delay in Bylaws being passed he feels it is a sensitive situation and if dealt with properly can be resolved with out taking legal action. He will be following up with the developer to move trees along the wall to block the view of farm/ debris, etc. Larry anticipates that problem can be rectified in the next couple of months and updates will follow from M.D. Greg Brown enquired as to what steps can be taken to expedite the process as there have been many complaints about this property and now that we have the new bylaw we need to finally deal with it. If property owner doesn't comply then MD will issue appropriate fines.

- Larry also provided updates on Post Box area lighting which will be complete by the M.D. Larry has spoken with Fortis regarding trenching power and feels that Solar power may be a better option. Greg Brown asked Larry that we need to be actively involved in the details to ensure that the result will provide adequate lighting for our residents. Larry offered to present a proposal at the next meeting on May 19<sup>th</sup>, 2010.
- Lighting at entrance to Dunbow Rd. – the intensity can be increased on those two lights. It may currently be a safety hazard as is. The board thinks that signage may also be a problem showing direction to turn specifying “the lake at heritage point” Larry Spilak offered to take it to counsel to have signs approved and installed on Dunbow Rd.

- Fire Hall – Larry Spilak was successful in getting his motion approved at MD council to take the next steps necessary to proceed with fire hall. Planning staff have been instructed to do engineering and create plans. After plans are made, tender will be sent out and budget will need to be approved to start construction. Tentative completion date on project will be late 2011 early 2012. Counsel has approved the fire hall in principle. The only reason budget isn't approved is because the costs have not come back to budget. Board possibly will be able to see design and it should meet design specifications of community. The fire hall will have one engine, one pumper, one bulk water truck. (three machines total) building for future sleeping quarters and paramedic unit. Larry mentions he wants board to focus on sharing a security person between lake and other outlying areas.

Larry has also received approval and budget for construction of Dunbow Rd Recreation Facilities which may include a soccer field, ball diamond and potentially a tennis court on the Pine Creek Rd land. Larry promoted the need for additional laphoa fund raising events to help this facility get built. Thank you Larry for moving the sports park ahead on behalf of all residents at HP! This board will work with you on the logistics of operating and maintaining the park, in any way we can. And thanks for moving the Fire Hall issue along; the current forecast, subject to change, is that we look forward to seeing dirt being broken in 2011.

#### **Maintenance Lead - Jason Frankish – Updates**

Jason updated the board on current maintenance issues within the community. See section 9.2 & 9.3

## **7.0 OLD BUSINESS**

### **7.1 Procedural Rules and Regulations and landscape Guidelines & Procedures** deadline May 5 min

Michael Kwiatkowski and Collin Marx have volunteered to review current forms and waivers to ensure that they are correct in accordance to our insurance and legal advice obtained. Elaine Ironside will send her notes to Michael and Collin regarding her conversation with Jack MacLean (LAHP lawyer) regarding licensee agreement – and the impact on space rentals in the lake house. Thank you all for updating these critical documents.

**Action:** Community Office Administrator, facilitate this process

**7.2 Corix Rate application** – update/history - Greg Brown /Collin Marx discussed an update that is available on the website for residents to review. Also refer to previous March 27, 2010 minutes for more back ground on issue. There will be no more reporting planned on this issue.

### **7.3 Bylaw Revisions** –reviewing/ revisions –

Collin Marx proposed making changes in bylaws and remove any thing old related to “developers” as the bylaws were written by the developers and certain sections had a purpose that are no longer relevant. The board is now a resident’s board. He has proposed not re-writing all of the bylaws in its entirety and dealing only with the issues that need to be dealt with immediately. Collin suggested items that need to be dealt with immediately and review those. Revisions have been submitted to board members for review and will be discussed again at the next meeting. A vote by 65% of the residents will be required

to update bylaws. Greg Brown suggested that he will ask Ted Stack for a word version of the bylaws to aid in this process.

## **8.0 New Business**

**8.1 M.D. Town hall meeting                      DEFER TO NEXT MEETING**

**8.2 Reassignment & assignment of responsibilities\*                      DEFER TO NEXT MEETING**

**8.3 Recommendation to replace front steps @ Lake House**

Collin Reported his finding and verbal estimates regarding replacing the front steps to the lake house. The stone surface on some of the decking is coming off in large pieces and an entire replacement may be necessary since adherence to rubber backing has been failing. According to observers the problem has been visible for a number of years. Attempts will be made to repair if possible. Preliminary investigation finds that it may be more cost effective over time to replace the steps and the surface of all decking at the same time There are code issues with the steps as well where the rise (vertical) varies as much as +1” from step to step which is a tripping hazard. The run (horizontal) is minimal as well. Motion by all to get quote and discuss at next meeting.

**Action:** Jason Frankish , provide quotes for repair of bare spots, if possible, and separate quote for refinishing all. Investigate various more durable surfaces. Quote for rebuilding front steps in similar wood construction with double run and lower rise steps.

**\* 8.4 Discussion: Suggestion of a DIRECTOR SOCIAL OPEN HOUSE                      DEFER TO NEXT MEETING**

**8.5 Lake Health** – Jason Frankish, Maintenance Lead - Lake Aeration – With the help of the Man Made Lake Association and consultants associated with them Jason has been informed that our lake may have insufficient aeration in order to keep it healthy. Man made lakes can be run for 8-10 years with no problems although after about year 10, a lakes health can deteriorate quickly if aeration is insufficient. Jason will be taking oxygen measurements and is getting independent assessment of our lakes aeration needs as compared to the way it was built. Spring water oxygen levels are typically highest and problem levels occur later in a typical season. Most other lakes have “bubblers” that are placed in the lake, at the time of construction, to provide aeration and our lake does not have these devices. We are told that there are aeration devices that do not create noticeable bubbles which we will also investigate.

We rely entirely on the fountain in the upper lake and the artificial stream to aerate our entire lake and we have been informed by independent consultants that their preliminary thoughts are that our design may be inadequate. Weed growth is directly related to lack of oxygen and over time the entire lake may continue with increased weed growth if left as is regardless of the quantity of fish. We also have continued with the annual new fish program. Next meeting Jason will update with an analysis of the existing aeration design and an estimate of what needs to be implemented and a cost estimate.

**Action:** Jason Frankish

## **9.0 Reports/ Updates**

**9.1 Community Office Admin. Position** – advertise/plan/strategy

Interviews for the part time Office Administrator position will start soon and it is anticipated that the position will be filled by the next board meeting. The position will be advertized in the Western Wheel, Kijiji and with the other community organization networks.

**\* 9.2 Community Issue Liaison – Jason Frankish Reported on the below property issues.**

- **237 Isle.** drainage complaint – Issue was resolved at the expense of the owner.

- **28 Isle.** - Deck complaint by multiple neighbours – Deck is outside the architectural guidelines. Owners will be informed and given one month to comply.

**Action:** Community Office Administrator , provide draft letter for director review

- **88 Shores** – Letter request for artificial Turf; see email sent. –

**Action:** Greg Brown to ask for more technical detail from resident

- **76 Mews** – wooden fence complaint (privacy/fence?)

Jason has reviewed the privacy fence in question and it is significant but still reasonable in his opinion. Board decided that based on information this is a privacy fence and its appearance is acceptable. These are considered landscaping changes and its installation should have received approval.

**Action:** Community Office Administrator, provide a draft of a community reminder to be emailed to all registered residents. Detail procedure for all alterations to house , fencing and landscaping. Post on internet as well.

- **80 Landing** – The fence has been repaired, however it may be the result of a drainage issue and may be a developer problem. Jason has agreed to follow up on this and report back. The board needs to determine legal requirements of fencing on property lines. There are some questions as to specifics of fence guidelines. Does it back onto common space or onto a ravine? Clarification is required. If this is not found in the bylaws, a policy will need to be created.

**Action:** Jason Frankish

- **8 Court** – Pool Fence Appeal –This issue was brought before the board and rejected in 2009. It was appealed by resident and discussed again at the March 27<sup>th</sup> meeting and rejected again. Open discussion occurred with board members to see if appeal is warranted. Greg brown motioned for show of hands to support or reject decision. Motion carried unanimously to reject appeal.

- **209 Blvd** – parking lot shrubs - lottery home – additional garden

**DEFERRED TO NEXT MEETING**

**- North Dock**

Some discussion by board members to determine what issues are at the north dock. There have been reports of parties (alcohol) by non-resident youths, lashing of large floatables, bicycle chicken on dock and other complaints. In addition, by design, the kiddie play area is open to the sheer drop off of the dock. This liability was brought up by insurance/s companies and discussed with our community lawyer. We are aware that this north dock has been the discussion at many board meetings for many years. Many brain storming ideas were discussed and we will continue at our next board meeting. Discussion on ways to improve the situation by a combination of the following: security patrols, security calls, improved gate closures, higher fencing, fencing kiddie play area, an additional access gate at the dock, removal of kiddie play area, removal of dock and other alternatives, were all discussed and not acted



**Future meeting dates:** June 23, Sept.8, Oct 6, Nov 10, AGM- Nov 17

All dates are posted on boards web suite at [www.thelakeatheritagepointe.com](http://www.thelakeatheritagepointe.com)