

Royal Oak Estates Homeowners' Association
Minutes Of Annual General Meeting
January 26, 2011 at 7:00 PM
Royal Oak Victory Church
Royal Oak Drive NW, Calgary AB

Present:

Laura Parsons (Treasurer)
Guy Parsons (President)
Andrew Barker (Secretary)
Sharon Hiebert (Director)
Lee Burton (Director)

Representing the City of Calgary: Alderman Gord Lowe

25 Voting Members

After a 5 minute delay to allow for late arrivals, the total number of Members present fell short of the 64 required for a quorum. The President advised the attendees that, in accordance with the Association bylaws, following an additional 15 minute delay the Members in attendance (approximately 25) would constitute a quorum. The President then called the meeting to order at approximately 7:15 PM, and summarized the Agenda for the meeting:

1. President's Report
2. Treasurer's Report
3. Volunteer Coordinator's Report
4. Plans for 2011
5. Proposed Budget for 2011
6. Questions from the floor
7. Motions and Elections
8. Adjournment

1. President's Report (Guy Parsons)

- All formalities associated with incorporation of the Royal Oak Estates Homeowners' Association as a society are complete, and the Homeowners' Association now belongs to the 635 Homeowners in Royal Oak Estates.
- A Consolidation Agreement has been signed with the City of Calgary, transferring ownership of, and responsibility for the Amenities to ROEHA.
- The Developer (Citiland) has provided to ROEHA a total of \$52,000 in start-up funds.
- A petition process by the Board and volunteers in support of the proposed Special Tax Levy was successful. 78% of the community voted in favour of the Special Tax. The City discounted some of the votes, but declared the petition valid with a 70% yes vote (a yes vote of at least 66.7% is required).
- Appropriate insurance is now in place to cover the Amenities and the Board of Directors liability.
- The first Annual Report of the Association has been filed with Alberta Registries.

2. Treasurer's Report (Laura Parsons)

- The accounts of the Association have been audited by an independent accountant.
- The bank account balance as of October 31, 2010 was \$2,450.95.
- An initial \$7,000 grant was received from Citiland to provide working capital for

the new Homeowners' Association. These funds were used to cover expenses associated with the 2009 AGM, the petition campaign and various mail-outs.

- The remainder of the \$52,000 total start-up grant promised by Citiland was received in November 2010. The Association will have no additional income until mid-2011 when the Special Tax Levy revenue stream should commence.
- The audited financial statements will be posted on roeha.ca

3. Volunteer Coordinator's Report (Lee Burton)

- Petition process was kicked off on May 8, with 22 volunteers plus Board members.
 - The petition secured enough yes votes in about six weeks. Final count was 496 yes votes, or ~78% of the 635 homeowners. 9% of the homeowners voted no. The city discounted some of the yes votes for various reasons (illegible entry, signatory not the homeowner etc), but declared a valid 70% yes vote, comfortably in excess of the 66.7% minimum requirement.
 - Sincere thanks to all those who contributed to the petition process.
- (Additional comments from Alderman Gord Lowe regarding the approval process)
- Following validation of the petition, a bylaw is submitted for council approval, usually around April. Tax levy funds should start to flow to ROEHA in June 2011.
 - Contractors are generally happy to rely on the assurance of tax-based cash flow for payment of services.

4. Plans for 2011 (Guy Parsons)

- Secure a maintenance contractor for the Beautification Program by May 2011. The standard of landscaping will be raised to Class A.
- Replace all missing trees on boulevard, trim existing trees as necessary and make any other overdue repairs.
- Repair all fencing and apply a durable coating to last many years.
- Consult with homeowners that have fencing in bad repair on their properties.
- Re-instate fountains in the main storm water pond.
- Begin consultation with the City and an Arboriculturist to forest the large hill. Since the hill is too steep for mowing, a mixture of trees and bushes would be much more attractive.
- Secure a winter maintenance contractor to clear park pathways, subject to City approval.
- Expand the Board to the allowed maximum of seven Directors; the current Board of 5 Directors is going into the second year of a two year commitment.
- Consider options for addition of a North side community entrance sign.

5. Proposed Budget for 2011 (Guy Parsons)

- **Landscaping (\$13,400)** - Addition of flower beds and large planters, new capital costs for park enhancements, annual installation and removal of fountains.
- **Maintenance (\$92,000)** - Upgrading to equivalent of City of Calgary Class A maintenance standard, snow removal on boulevard sidewalks, gazebo, pathways, parks.
- **Liability Insurance (\$5,000)** - Insurance on community structures (gazebo, colonnade, lion, sign etc) and for Directors.
- **Professional Fees (\$3,000)** - Accounting, bookkeeping, collection, legal/professional, banking, administration.
- **Contingency/Reserve Fund (\$18,000)** - Monies held for emergency and unplanned expenses, and accumulated to meet planned major future maintenance

expenses.

- **Electricity (\$3,600)** - For entrance sign and parks.
- **Total - \$127,000**
- **Revenue - \$127,000** - Based on 635 homes @ \$200 per annum.

6. Forum (All present)

Q - What is the name of the Association's financial institution, and are any of our funds locked into investment products?

A - The Association has an account with BMO. Currently all the funds are available for instant access. Investment options will be reviewed once the tax-based income stream is established.

Q - Will the Association be starting the Beautification program this summer?

A - Yes, provided that the Special Tax bylaw is approved by City council.

Q - Who is responsible for maintenance of the storm water ponds, with particular regard to growth of algae?

A - The City Waste Water Department is responsible for the storm water ponds. They monitor depth of silt and other parameters periodically. It is likely that algae growth will be mitigated following re-instatement of the fountains.

Q - Why is the quality of the grass far superior at one end of the pond compared with the other end, where it is mainly left wild?

A - Some of the areas around the wetlands ponds are designated as natural, and this limits the options for intensive maintenance. This issue will be explored further with the City.

Q - Last winter, buses became stuck in snowdrifts at each end of our community, restricting access for emergency vehicles in the event of a crisis. Can we assign any funds to improve the snow clearing response during future adverse weather events?

A - The Association has no authority to clear snow from City streets. With the re-introduction this winter of snow fences along Royal Oak Drive, the risk of build up of impassable snow drifts has been reduced. Alderman Lowe added that the snow clearing budget has been increased since last year, and that heavy equipment can be re-assigned on a priority basis anywhere in the City at short notice to clear obstructions. Royal Oak Drive likely has priority route designation since it is a bus route, a school bus route, and constitutes the primary access road into the community.

Q - What road improvements are under consideration to alleviate current and anticipated future traffic congestion, particularly at the junction of Royal Birch Blvd. and Country Hills Blvd?

A - Alderman Lowe advised that an initial plan based on a 2-lane roundabout in that junction was unlikely to provide a good solution for the envisaged traffic volumes. The current plan is based on installation of an intelligent traffic system, involving sensors embedded in the road, and variable timing of traffic signals with re-programming possible every 15 minutes. The left hand turn lane off Country Hills Blvd. into the community would also be lengthened. Also under consideration to reduce loading of that intersection is an unused road right of way alongside Walmart/112 Ave.

Another issue being pursued by Alderman Lowe is the removal of heavy trucks from Country Hills Boulevard, possibly diverting them via 144 Ave. to Stoney

Trail.

Q - In view of the predictable traffic problems in the neighbourhood, and the strong preference of many residents to maintain access to Crowchild Trail from Rocky Ridge Road, why was that access eventually blocked?

A - Alderman Lowe advised that the Rocky Ridge Road / Crowchild trail junction provided temporary access only and was never destined to be kept open. Temporary access to new communities is no longer allowed by the City, partly because it can defocus attention from future potential problems, with increased risk of poor traffic flows following access closure. Emergency vehicle access to the neighbourhood is possible from Crowchild Trail via Eamon Road.

Q - Are there any plans to change the 4 - way stop at Royal Oak Drive / Royal Birch Blvd?

A - The best option would be a roundabout.

Q - Bus stop locations at the top of the community tend to aggravate traffic back-up at peak times. Is it possible to re-locate one or more of the stops?

A - Perhaps, but there are strict guidelines determining bus stop locations and spacing within a community.

Q - What can be done to minimize water pooling and drainage problems when snow begins to melt?

A - Call 311 to get the drainage problem cleared.

Q - The former main entrance sign is located on the lot owned by Esso, which is now for sale. What happens to the sign once that land is sold?

A - The sign belongs to the Association and cannot be removed by the current or future owners of the Esso lot. The encroachment onto the Esso lot is acknowledged in Caveat 031096567, registered on the Esso Land Title, which includes an easement allowing access to the sign for maintenance purposes.

Q - Why should a homeowner be held responsible for the maintenance of ornamental iron fencing on their property if they were not made aware of that obligation when purchasing the property?

A - The homeowner is obligated to maintain the ornamental fencing by a Restrictive Covenant registered against Title. Unfortunately, for various reasons (none of which are the fault of ROEHA) some home purchasers do not get to review in detail all the Restrictive Covenants and Caveats on their Title. Alderman Lowe pointed out that the default law of the land is that maintenance of any structure on a homeowner's property is the responsibility of the homeowner. Guy Parsons confirmed the intention of the Board to discuss this issue with affected homeowners, and offer the opportunity to have their fencing maintained at the same time as the Association's fencing, thereby sharing the large job pricing structure.

Q - To help future home purchasers in Royal Oak Estates, could ROEHA provide a link to the relevant Restrictive Covenant(s) on roeha.ca?

A - The Board will look into doing that.

(Secretary's note: Paragraph 6 of Restrictive Covenant 001002913 registered against Title states "*Where Citiland has constructed fences, including rear yard fences and fences on the street-side of the corner lots, such fences shall not be replaced or altered in material or design. Any fences constructed by Citiland or a*

previous owner of a lot shall be properly maintained and any damage or disrepair shall be promptly corrected. Any repair work or reconstruction shall be consistent in material and design with the existing fence."

Q - Are there any plans to reduce the impact of increasing traffic noise from Stoney Trail?

A - Following a request by the Board to Lindsay Blackett, MLA for Calgary NW, traffic noise measurements were carried out last year over a 24 hour period. The threshold for installation of a sound control wall or berm is 65dB; our result was 60dB, but the 65dB threshold is likely to be breached in the future as traffic loading on Stoney Trail increases. Alderman Lowe indicated that at some point following completion of Stoney Trail, the province will revisit noise problems. He also confirmed that Lindsay Blackett is the primary contact for this issue, since Stoney Trail is a provincial highway.

Q - What can be done about noisy truck brakes on Stoney Trail?

A - Alderman Lowe explained that one difficulty in enforcing the existing City bylaw regarding use of loud braking mechanisms is that the perpetrator must be caught in the act. He confirmed that sophisticated sound measurement and vehicle identification equipment is now available, and that he is currently attempting to introduce a change to the Provincial Highway Safety Act that would facilitate the use of such equipment to log violations, identify the vehicle owner and issue a fine.

7. Motions and Elections

- Andrew Barker moved to accept the November 2009 Meeting Minutes, as archived at roeha.ca. Guy Parsons seconded the motion, which was then carried by unanimous vote.
- Laura Parsons moved to accept the Financial Statement as presented. Guy Parsons seconded the motion, which was then carried by unanimous vote.
- Nominations were invited from the floor to fill 2 current Director vacancies on the ROEHA Board. The nominees were Shelley Cervi and Alan Hildebrandt. Following unanimous acclamation, Shelley and Alan were welcomed as new Board members.

8. Adjournment (Guy Parsons)

There being no other business, the meeting was adjourned by the President at approximately 8:40 PM.