

Terwillegar Gardens Homeowners Association
2012 Annual General Meeting Minutes
Esther Starkman School
October 30, 2012

In attendance:

Board Members: Ray Trainberg, Karen Wingnean, David Hewitt, M. J. Kwiatkowski, Delene Bunce and Sandy Lau

Outgoing Board Member: Rod Keats

Other: Sajida Pellegrini (Property Manager), Cindy Berg (Previous Property Manager), Elaine Buma (Accountant) and Homeowners (on file)

Absent:

Outgoing Board Member: Rod Keats

1.0 Meeting called to order 7:05pm by M. J. Kwiatkowski, Secretary

2.0 Motion for approval of the 2011 AGM minutes

Moved by M. J. Kwiatkowski; Seconded by R. Stewart

Motion carried.

3.0 Motion for approval of 2012 AGM Agenda as circulated

Moved by D. Bunce; Seconded by S. Lau

Motion carried.

4.0 Introduction of Board Members and Property Manager

President: Ray Trainberg

Vice President: Karen Wingnean

Treasurer: David Hewitt

Secretary: M. J. Kwiatkowski

Executive Board Member: Sandy Lau

Executive Board Member: Delene Bunce

Executive Board Member: Rod Keats (absent)

Property Manager: Sajida Pellegrini

5.0 Overview of TGHA responsibilities and overview

K. Wingnean reviewed the areas (Terwillegar Gardens/Green) that are included in TGHA and the responsibilities related to maintenance and care of landscaping, gardens, fences and other exterior ground areas and amenities of the subdivision.

6.0 Accountant's Report – E. Buma

Although scheduled for later in the agenda, this item was moved up at the request of the accountant. E. Buma indicated that she would follow the statement provided by the Property Manager. She discussed the current assets, including cash in the TGHA account, the GIC and the A/R as detailed on the Property Manager's report. She then proceeded to explain that she had studied the cheques and statements provided by the TGHA which covered income and expenses over the past year.

6.1 Query: The officers should establish a firm year end month to allow for meaningful comparisons of the data from year to year.

Answer: E. Buma addressed this suggestion and with some discussion with the board, it was agreed that this could be done and that August 30 might be considered as this would give the board time to collect all the fees and data required. The board will further explore this option.

6.2 Query: Do you use a program for accounting as this would help with reading, printing and clarifying the financials.

Answer: D. Hewitt explained that when he became treasurer he inherited a ledger book and this has been continued as long as he has been in office.

Answer: R. Tralberg stated that the points made here are valid. He suggested that motions regarding these statements made here could be presented at our next month meeting.

7.0 President's Report

R. Tralberg spoke of all the work accomplished by TGHA this year

7.1 Landscaping

- New flower gardens have been installed
- Mulch was added to many garden areas
- Extensive pruning to trees
- Replacement of dead trees and shrubs
- 30 Fruit trees planted and wrapped with protective fencing
- Deep root watering and fertilizing

7.2 Stream

- Rocks were adjusted to prevent water leakage/runoff

7.3 Spring and fall clean up

- Litter pick up 3 times a week

7.4 Fence Maintenance

- Repaired one fence damaged by vandalism (cost was shared with homeowner as this particular fence is considered shared)

7.5 Area Safety

- Police alerts are posted on our website and Facebook page with link to EnWatch
- Crime statistics are very low in our area compared to the rest of the city
- The board is in the process of collecting Homeowners' email addresses in order to notify community of safety related issues.
- Concerns regarding coyote Sightings have been reported. Homeowners are reminded to avoid feeding all wildlife.

- Speeding in our community is an ongoing issue. TGHA is focused on pedestrian safety

7.6 Property Maintenance

- Repair of electrical panel and exterior lighting
- A new bench on a concrete pad and landscaping were added to the south side of pond
- Other benches were refurbished with composite slats.

7.7 23rd Avenue ditch

- R. Trainberg presented TGHA's concerns regarding the 23rd Avenue ditch at a City Council Meeting with the Department of Transportation and Infrastructure.

7.8 QUERY: Has there been any indication of a desire for those outside of our boundaries to join?

Answer: R. Trainberg responded to this saying that there had been no interest expressed, however there had been a suggestion of canvassing areas with no representation to see if there is an interest in doing so.

QUERY: Is there a neighborhood watch in the area?

Answer: Not presently, but the Board will look into it.

QUERY: Are the benches facing the right way now?

Answer: R. Trainberg replied that "Yes, all the benches have been turned in the right direction"

8.0 Property Manager's Report

S. Pellegrini spoke on the various duties that she performs and the works that she has done in the time since being hired. See 2012 Power Point Presentation for details.

8.1 The Property Manager spoke on the current state of dues and what is still outstanding. She reviewed the TGHA's policy to refer the outstanding dues to a collection agency after a process of notification. See graph in 2012 Power Point Presentation.

8.2 QUERY: Is it possible to collect the outstanding dues?

Answer: R. Trainberg stated that it should be possible to collect all outstanding dues and that is what we expect to do eventually.

QUERY: There was a question as to the collection agency's legal standing and if we had legal representation.

Answer: R. Trainberg replied that the use of a collection agency was just one of the means available for use in the enforcement of the homeowners association dues. We have a legal firm representing the TGHA's interests and they are going to be

utilized on all files wherein standard collection avenues are exhausted. The dues are fully enforceable and TGHA could commence with foreclosure actions as a measure of enforcing payment, as the TGHA is first on title in interest, ahead of any financial institution. Recent court rulings give homeowner associations the ability to advise any mortgage holder on title of the delinquent status of a given property and measures that we can or will invoke to ensure payment is received.

QUERY: The people with outstanding dues should cover the cost of the collections.

Answer: R. Tralnberg & D. Hewitt explained that the cost of collection could be offset by the added interest charge on late fees (initial collection phase).

QUERY: What exactly is the process regarding sending outstanding dues to collections?

Answer: S. Pellegrini explained that homeowners are provided with a series of reminders and currently it has only been home with 2 years owing that have been sent to the collections company, and these reminders have been largely successful in getting homeowners to pay their dues. The board charges the homeowners the 16% interest per annum.

QUERY: What fee is currently paid to the collection agency?

C. Berg replied to this query stating that the collection agency charges 30% of the total owed. The collection agency also charges a fee of \$5 for each letter that they send out to homeowners. The first letter usually clears up outstanding dues by the homeowners. It is only when homeowners do not respond to this letter that the agency charges the 30%. The bylaws of the TGHA allow for a maximum of 16% interest charge for late dues. R. Tralnberg then went on to explain that if this procedure was not successful, outstanding accounts could then be referred to our lawyer, and legal routes could be employed. For example a lien could be placed on property at that point, which includes a right to foreclose on that property, although that would admittedly be extreme. This information regarding any lien on the property could be shared with lenders and realtors.

9.0 Treasurer's Report

D. Hewitt, Treasurer reported on the TGHA finances and presented the budget proposal for the coming year.

QUERY: How do you get this dollar amount (annual dues collected)?

D. Hewitt stated that dues were higher this year because more outstanding accounts were collected.

QUERY: There is money for landscaping but you are also talking about a gardening club?

Answer: D. Hewitt responded with "Yes \$35,000 seems like a lot but landscaping is expensive. S. Pellegrini added that it is hoped people will help out with the gardening.

QUERY: So then the cost should go down if people are helping.

Answer: S. Pellegrini replied to this that volunteers could only be asked to do smaller tasks. R. Tralnberg added that the plan is a work in progress and has not yet been realized.

QUERY: An attendee stated that when his family first moved to this area, no one was available to help with this and everyone is very busy so it is good to see the progress.

QUERY: The gardening project might be good for the people in the Devonshire complex, who have given up their homes.

QUERY; An attendee cautioned that the board should ensure that the green houses provide plants as per the original design.

R. Tralnberg responded that the TGHA is at the head of the list for orders as the green houses are already doing their orders for this coming year.

QUERY: If there is something happening here will it eventually result in an increased maintenance cost to homeowners.

Answer: S. Pellegrini replied in the negative as the board is already looking at smart planting so that the cost of planting and care is reduced over time because the right plants will work well for the neighborhood for a long time. She also stated that we are in the beginning stages of planning so there are no plans to share with the membership at this time.

QUERY: Are there any plans for installing sprinkler systems?

Answer: R. Tralnberg said "Not at this time but eventually this would be something to consider".

QUERY: An attendee commended the board for moving ahead with the design plan, stating the opinion that this was a move in a positive direction and expressing the hope that the new designs will work with a good green house.

Motion: That the annual budget be accepted as presented.

**Moved by R. Auld. Seconded by R. Stewart.
Motion Carried.**

10.0 Elections

A) The six standing board members were polled and all agreed to stand for elections. R. Tralnberg noted that a vote was not required.

B) Vacant Positions – It was announced that there was one vacant position on the board due to the resignation of Rod Keats. R. Tralnberg thanked Rod for his years of work and dedication to the board.

C) R. Tralnberg then nominated Cindy Berg who had formerly been hired as property manager by the board. He noted her previous years of service to the neighborhood, during which she had been noticed to be a huge asset in providing exemplary service and achieving numerous community improvements. R. Tralnberg called for further nominations.

**Motion to nominate C. Berg to TGHA board of directors.
Moved by R. Tralnberg. Seconded by K. Wingnean.
Motion Carried.**

11.0 Discussion

The board then opened the floor to all attendees, to put forth any questions or comments they might have.

QUERY: In regard to Tegler and Tory Gates: Why is it the responsibility of TGHA and not the city?

Answer: R. Tralnberg explained that we plant flowers, paint, take care of annuals, and take care of redesigning and landscaping. The city would not provide this level of service and would simply leave open areas looking unkempt.

QUERY: So we must be doing extra?

Answer: Would you rather the open areas be left un-mowed?

Response: "No"

D. Hewitt went on to add that this is why we have a budget to add to design and flowers for the area.

R. Tralnberg was commended for his work with city council and Councillor Anderson. It was noted that Councillor Anderson attended a meeting with the board on site at the 23rd Avenue ditch to discuss our concerns.

QUERY: An attendee noted that accolades were due and called for a hand, which was roundly responded to.

QUERY: An attendee stated that he didn't understand how this had happened in the first place. R. Tralberg replied that it was because the transportation departments position is that if it doesn't aid or assist in the flow of traffic, it is not a priority. The extraordinary cost to rehabilitate the area to urban standards was too much for them to consider in their budget.

QUERY: The attendee thought that it was terrible that no one will take responsibility for maintaining that area.

QUERY: An attendee wondered if playgrounds are included in the safety. R. Tralberg responded that schools are responsible for the playgrounds as they are out of the TGHA's catchment area. Sajida added that she has contacted the schools to get them moving on this issue.

QUERY: A year or two ago we addressed the idea of a walkway across the mud pit. Can some stairs be put in this area?

QUERY: People are killing the grass by walking on it and it is a mess.

QUERY: Can we have the walkway extended to the opening and make it wheelchair accessible?

R. Tralberg responded that we will take up this line of inquiry at our next meeting and look at our options.

QUERY: Can open invites go out to include people in our monthly meetings so that people can get more involved.

D. Hewitt spoke up and stated that there are provisions for special meetings that are announced 14 days before any regular meeting. He thought that this would be especially good for design or for any high budget items.

QUERY: An attendee advised that he did not feel it wise to have too many additional people attend meetings as he felt that this would not be productive, he felt that there were other means to make people aware of the results of the meetings.

QUERY: The trees killed by rabbits: Is this taken care of by the TGHA

R. Tralberg responded that the City wouldn't care for it so the TGHA accepted responsibility through special contract landscapers.

QUERY: An attendee noted that near Tegler gate a child had ridden his bike right across a roadway because he was on a cross path. He asked if the bushes could be trimmed low enough to ensure that this was not a future issue. D. Hewitt responded that the rose bushes had been trimmed.

It was suggested that a bar be placed across the roadway so that bikes could not dart out across traffic, but riders would have to dismount and go around the gate, and be aware of any vehicular traffic.

QUERY: Why is the architectural integrity of the neighborhood not being enforced?
R. Tralnberg stated that (homeowners have paid up). He stated that he will have to check with our legal consult to see what can be done.

QUERY: There is bylaw infractions that area not being adhered to such as trailers parked on lawns.

R. Tralnberg stated that there are also city bylaws that allow for enforcement.

QUERY: A participant raised concerns about hockey nets on the pond and skating on the pond in general as often the ice is not thick enough.

QUERY: Another participant stated that there is a problem with the pond in the area as there is drainage under it so it is not just a pond, but moving water. D. Hewitt added that there is runoff water draining under the pond, which warms the water and causes thin ice. He advised that there should be signs warning of thin ice.

QUERY: A participant advised that schools should be warned that students going home dangle from the trees over the pond and the rocks in the pond.

S. Pellegrini advised that she would advise the schools

QUERY: What rules are there regarding rules of the use of the park? What activities are sanctioned by the TGHA?

R. Tralnberg advised that the TGHA does not own the park but does pay for some of the maintenance. Permission to use the park goes through the city.

At this point there were no more questions or comments.

12.0 Motion to Adjourn

Moved by the J. Kwiatkowski. Seconded by the S. Pellegrini.

Motion Carried.

| The meeting was adjourned at 9:05 pm