

COWICHAN LAKE RECREATION COMMUNITY (CLRC)

Board Meeting

Sunday, September 19, 2021

Attending: Rick Jeffery (Chair), Mike Bourne, Ken Burke, Kim Chadwick, Lloyd Ferguson, Sue Fox, George Hillier, Michele Gibbs (minutes), Laura Smallwood

DECISION ACTION RECORD (DAR) - DRAFT

1. Welcome & Agenda Review

- a. Add agenda items:
 - Fencing Policy
 - Swim Area
 - Lot Rental
 - Sunny Shores
- b. Move agenda item #3 (Action Items) before #2 (Minutes)
- c. Items #5a & c can be combined.

2. Review Action Items

- a. Board Proposal - convert suite (workshop?) to common space for AGM - **Include in Capital Planning submission at AGM.**
- b. Board Proposal - share transfer fee - **Proposal at AGM**
- c. Park Use - Lot 53 rental concerns & park gate access - **Rick to draft letter** to Lot 53 owners re: minimum rental requirements (one month) and park gate access (lock when not on site).
Background - Gate: There is traffic between Lubin's/CLRC through Lot 53. CLRC proposed installing a fence, however Lot 53 wished to maintain personal access so a gate was installed. Traffic continues to transit Lot 53 between Lubin's/CLRC.
- d. Maintenance - rat devices (Lots 54, 55, 59, 60) - The devices emit a sound which repels rats. Owners should be considerate of the impact for their neighbours, including choosing devices with volume control and insulating the area of use. **Continue to monitor.**
- e. Administration - Consent to Act forms completed by Board Members - **Complete**
- f. Park Use - Lot 56 use of common property - **Resolved**
- g. Park Use - Lot 31 noise complaint (increased traffic due to new pathway between Lots 9/10) - **Resolved** - Locked gate installed, redirecting all pathway traffic past Lot 30

3. Minutes & Decision Action Record (DAR)

- a. For approval
 - June 6, 2021 Board Meeting
 - July 4, 2021 Board Meeting
- b. For information
 - June 27, 2021 **2020 Annual General Meeting** (AGM) - information

MOTION: To adopt 210606 and 210704 board meeting minutes (George/Lloyd) - CARRIED (9/0/0)

4. Finance Update

- a. TaxPrep Bookkeeping - Mgmt Report 210916

ARs are up to date, with notices emailed re: balances due on some accounts. Bookkeeper (Carolyn) is working through some balance sheet questions related to Baker Tilley Victoria (BTVic) categories, but will resolve with accountant, and is also working through separating lot sales and expenses to document those that can be considered capital improvements. With lot rentals, YE21 income is better than projected (budget to actuals) but repairs & maintenance expenses are not yet clear. Septic costs are ongoing, but all other expenses are in line, other than BT Vic.

Approval is required to resolve the outstanding BT Vic final billing. The original invoice was ~\$10,000, however it has been negotiated to \$6,500 if paid by September 24, 2021.

Q: **Do we have usable financial statements?** BT Vic provided YE statements, and Carolyn has been able to move on with the most recent quarter.

Q: **Is there any risk of BT Vic withholding any critical information?** BT Vic is being contacted re: lot sale/purchases and is declining to provide information, however all other CLRC documentation has been provided.

Q: **What is the current bank balance?** At August 31, \$436,481.35.

MOTION: Approve final payment to Baker Tilley Victoria in the amount of \$6,558.24 by September 24, 2021 (Laura/Ken) - **CARRIED** (9/0/0)

ACTION: Lloyd to liaise with Carolyn about financial documents for Shareholders, and provide to Michele for distribution in advance of AGM (Dec 5)

ACTION: Board members to review Financial Statements for online motion to approve.

5. Infrastructure & Capital Planning

- a. Hydro - Update on Sept 9 meeting with Hydro & Brad Kochanuk: Hydro costs are anticipated to be ~\$15-20K, plus electrician costs, plus costs for a new hydro shed. If the quote (written quote required) exceeds \$20K, shareholder approval is required.

Q: **Can we apply \$2500/lot (beach) to the cost to "reduce" the total (and therefore not require a motion to approve)?** The beach lots will be required to pay the difference between 30amp and 50amp service; that hasn't been priced yet, so we don't know what the \$/lot amount. The electrician has been asked to provide quotes for both 30 and 50 amp services. This estimate, along with the portion of the Hydro upgrade attributable to increasing the amperage to accommodate 50 amp services will form the basis for cost sharing with the lot owners.

While the Board is keen to manage the Park strategically, with a well-developed capital plan, there are some expenses that are critical and time-sensitive. The trenching on the beach for any Hydro work needs to happen in the fall (after RVs removed), while lake levels are low, so a motion to approve/proceed may be required before the AGM (Dec 5). Also note: resolving Hydro issues within the Park has a domino effect: a new pole for the beach lots frees up hydro supply for Lots 18-22, which will then free up hydro supply for another block, etc.

Q: **Can water or sewer/septic piggy back on hydro trenching?** No, hydro cannot be collocated with water or sewer/septic.

ACTION: Rick to clarify Hydro options (30 vs 50amp) and cost responsibilities to Lot 46-53 owners in writing.

- b. Septic/Sewer - The Septic/Sewer plan being developed by Cornerstone Mechanical is expected this fall and anticipated under contract for \$15,000. The plan does not extend to permit application

(VIHA) or costing. The hope is to have adequate information to present for motion to approve/proceed at the AGM (Dec 5). The cost will be significant.

It was noted that while there will be a need to change to 4" septic lines for the beach, and that it would be efficient to do when trenching for Hydro (see 5a), there is not yet a confirmed septic/sewer plan, so replacement at this time is premature.

An interim solution for the Lots 23-45 septic is required until the Cornerstone plan can be implemented.

ACTION: **George & Ken** to arrange for a camera to determine blockage area for excavation/repair.

- c. Water - There have been some challenges finding anyone willing to look at re-doing the Park water lines. This is a significant part of the capital plan, and an estimate is required to proceed.

ACTION: **Michele** to arrange a virtual board meeting (Teams) to discuss Capital/Infrastructure Plan in advance of the AGM. Virtual meeting scheduled for: **Thursday, October 28 @ 7:30pm.**

6. LIRF Review

Kim is managing boat slips/marina LIRFs, and Mike is managing property LIRFs.

There are website updates required, and an updated password for CLRC owner access would be appropriate as it has been some time since it was changed. Michele noted the possible change to a new web address (see Item #9b), and that access & updating could be part of that shift.

ACTION: **Michele** to liaise with Mike and Jordon re: website changes and updates, and password update, and to confirm posting of Rules & Regs.

7. Park Use / Maintenance

- a. Defibrillator - The Directors discussed the responsibilities associated with both the expense and maintenance of a defibrillator, and felt the responsibilities for maintenance were significant, and that Shareholders should be polled for their feedback.

ACTION: **Michele** to add Defibrillator Purchase to AGM agenda, for discussion/approval.

ACTION: **Laura** to advise Shareholders that there is not currently a working defibrillator on the site.

First Aid Kit - CLRC should, according to the Saint John's Ambulance Services, have on site a [Level 2 First Aid Kit](#), at a cost of approximately \$210 plus tax. While all Shareholders should have their own first aid kits, an easily accessible kit should be maintained in the Recycle Shed (behind Lot 60).

ACTION: **Rick** to add monthly First Aid Kit (FAK) contents check to Caretaker Responsibilities.

- b. Mobile Homes - There is a lack of clarity in the Rules & Regulations regarding "mobile homes". The long-term vision is that there be no mobile homes or year-round residencies in the Park, however as there are currently several, those Shareholders are "grandfathered" in the use of their lots. The bylaws and/or Rules & Regulations should clearly reflect the intent that there be no additional mobile homes in the Park, and that there be no new year-round residencies. Directors felt that those Shareholders with existing mobile homes should be permitted to replace their mobile home as required (ie/ unit is "grandfathered"). Directors noted the challenges in

interpreting CVRD zoning related to the Park boundaries (4 lots within Park), setbacks, permanent residency, etc.

ACTION: Rick to propose revised wording for bylaws/Rules & Regulations, to clarify the rules around mobile homes in the Park and grandfathering existing mobile homes for current owners and making it explicit that no new mobile homes will be allowed in the Park.

8. Complaints

- a. Complaint/Resolution Process - Shareholders were clearly advised, at the 2020 AGM, that the Board's role is NOT to police behaviour and that all Shareholders have a responsibility to be considerate and neighbourly. The Directors are expected to provide a leadership role and ensure the Park is run smoothly and harmoniously, however have no authority or jurisdiction to be involved in disputes between Shareholders over behaviour issues. CLRC does not have a complaint/resolution process, and that some rules are clear and some are less so. In order to be able to "enforce" rules, there needs to be clarity: clear rules, clear processes, clear dispute resolution, clear consequences.

ACTION: Michele, Laura & Kim to consider complaint/resolution process and tools, and make proposal/recommendations.

ACTION: Michele & Laura to propose updates to Rules & Regulations for AGM (to Board for Oct. 28)

- b. Lot 32 - Behaviour - While the behaviour issues which were the subject of the complaint are no longer being dealt with by the Board (see 8a above), they had been in the past. The complaint has been recorded.

The issue which initiated the behaviour was related to AC noise levels. There are issues for Lot 32/33 with elevation impacting proximity of AC noise output, and also with rental use of Lot 33 (no consistency in use/consideration). Lots 32 & 33 should be encouraged to find agreement re: reasonable AC use that meets the needs of both, and Lot 33 should be clearly communicating that agreement with renters.

ACTION: Rick to follow up with Lot 32 and Lot 33

Directors felt that a quarterly communication with Shareholders regarding "housekeeping" items would be in order (use AC and furnace respectfully, consider impacts of actions to neighbours & Park, be courteous, noise rules, pet rules, smoke alarms & fire extinguishers, etc.)

ACTION: Michele to draft communication on a quarterly basis starting in the Fall of 2021. Directors to be invited to review/contribute.

- c. Lot 47/48 - Noise - Caretaker did not approach at 11:00pm with warning.
- d. Lot 2 - Noise - Caretaker did not approach at 11:00pm with warning.
For both complaints, the caretaker did not provide a noise warning at 11:00. Rick has spoken with the Lot owners, all of whom were cooperative and apologetic. Complaints have been recorded.
- e. Caretaker Responsibilities - It is not the Board's intention that the Caretaker be required to "enforce" the rules. The Caretaker should "remind" Shareholders of the rules and then advise the Board he has done so.

ACTION: Rick to revise Caretaker Contract to reflect role is to "advise and remind owners of the rules" not "enforce" the rules.

9. Administration

- a. 2021 AGM Planning - Youbou Hall booked for Dec 5 (Sun) - Agenda to be discussed at October 28th meeting.
- b. Website Change and Email addresses - Michele reviewed the proposal for changing the website, with no objections from Directors.

ACTION: Michele to move forward with website and email changes.

- c. Google Drive - Michele offered tutorials for Directors as required.
- d. Fencing Policy - There is a lack of clarity regarding responsibility for fencing throughout the Park.

The Directors agree that:

- External perimeter fences are the responsibility of the Park
- Internal fences are the responsibility of the adjoining Lot Owners (with some exceptions, see below)
- Stand-alone lot fences (Lot 15 & 60) are the responsibility of the single Lot Owner

Exceptions requiring clarity:

- Lots 9 & 10 - new CLRC pathway installed when Lot 10 developed and sold. Formerly Lots 9 & 10 would have shared fence responsibilities.

DECISION: Lot 10 was purchased with new fence along the new pathway installed by CLRC; future fence maintenance/replacement is the sole responsibility of the Lot Owner

DECISION: Lot 9 would formerly have shared fence responsibility with Lot 10; because of the new “hardship” (increased traffic/noise), CLRC will install a new fence along the new pathway. Future fence maintenance/replacement is the sole responsibility of the Lot Owner

- Lots 30 & 31 - new CLRC pathway installed between Lots 9 & 10 to provide shortcut to washroom. Formerly Lots 30 & 31 would have had sole responsibility for fence maintenance/replacement.

In response to a “hardship” complaint by Lot 31 regarding increased traffic/noise due to the new pathway, the Board provided materials and labour to enhance the Lot 31 fence, and installed a locked gate to eliminate traffic/noise, effectively re-routing all traffic/noise to Lot 30.

Directors discussed a motion to contribute to Lot 30 fence improvement, given the steps taken to compensate Lots 10 and 31 for their “hardship”, and in light of the additional “hardship” for Lot 30 as a result of the Lot 31 response.

Rick recused himself and left the meeting at 11:08am

MOTION: Compensate Lot 30 in the amount of \$500 toward fence improvement due to “change in use” with addition of washroom pathway. (Lloyd/Michele) - **FAILED** (4/4/0)

Directors opposed were not clear that the proposed contribution (\$500) would be used to “improve” the Lot 30 fence, and given that the Lot Owner had previously indicated the fence required replacement, felt that responsibility remained with the Lot Owner. The Directors opposed did not support the “hardship” argument for Lot 30.

ACTION: Michele & Laura to revise Rules & Regulations to clearly articulate responsibilities for external (CLRC) and internal (Lot Owners) fences, and indicate that exceptions may be considered as required.

Rick re-joined the meeting at 11:20pm

- e. Board Communication - There is a need to ensure clear communications within the Board and with Shareholders regarding decisions within responsibility areas. Directors should have budgets for their responsibility areas, and should provide progress reports at AGM.

ACTION: Michele to add Budget Responsibility Areas to Oct 28 Agenda

- f. CLRC Rental Units - CLRC is currently collecting \$250/month for rental lots. Tenancy legislation permits a limited increase annually (1.5% for 2022) and landlords are no longer able to apply for an additional rent increase on the basis that the rent is significantly lower than other similar rental units in the same geographic area ([see Rent Increases - Province of BC](#)). Notice of Rent Increase must be given at least three months prior to effective date, and change may not commence before January 1, 2022 (ie/ September 30 notice for January 1 rent increase).

ACTION: Mike and Lloyd to review legislation, seek legal advice as necessary, and take appropriate action re: rent increase.

- g. Sunny Shores - Rick advised on the neighbouring property being developed. Three owners are building three houses on the lakefront, with eight boat slips for rent at \$1500 annually, and eleven RV lots for lease at \$10,000/year for three year lease. Is the Board interested in pursuing a similar model for Lot 4, with revenue earmarked for capital/infrastructure costs? Directors indicated an interest in discussion further. It was noted CLRC will face a shortage of one boat slip with the development of Lot 4 into two lots.

ACTION: Michele and Laura to ensure Rules and Regulations appropriately indicate rental of CLRC boat slips is not permitted.

Meeting Adjourned (Ken/George) at 11:36am