

New Discovery Homeowners' Association (NDHA) Meeting Minutes

Date: **June 6, 2019, 7:08 p.m. start, adjourned 8:56 p.m.**
Location: **Griffith Woods School (Staff Lounge)**
7752 26 Ave SW

- Type of Meeting: **Annual General Meeting**
- Chair: **James Wilson, President**
- Minutes: **Laurent Blais, Secretary**

Attendance:

31 members represented in person
215 members represented by proxy

I. **Call to order:** The meeting began on June 6th at 7:08 p.m.

II. **Quorum:** Quorum of 10% of the members present at the meeting or represented by proxy was reached.

Agenda:

- Housekeeping
 - Washrooms are located in hallway, exit through front doors in an emergency.
 - Water and snacks available at side table.
- Welcome and Introductions:
- President's Comments
- Finance Update
- Landscaping Update
- Proposed Future Capital Projects
- Update from ULS
- Order of Business
 - Appointment of auditor
 - Disposal of old proxy forms
 - Nomination and election of Directors
- Question Period

III. **Welcome and Introductions:** James Wilson, President, welcomed and introduced the Board of Directors, as well as Jacquie Hansen, President of the DRCA and Riley Mills/Jeff Wilson of ULS Landscaping and Maintenance. Meeting is open to all members and invited guests. Homeowners with accounts in good standing are eligible to vote in person or via proxy.

What is the NDHA?

- Established by the developer in 2000 (to maintain an on-going high standard for Discovery)
- Community led since June 2006
- Led by a group of volunteers that live in Discovery Ridge on a full time basis
- *Memorandum of Association and Articles of Association* are available on the website www.ndha.ca

IV. What does the NDHA do?

- Operates under a 25 year term Stewardship Agreement with the City of Calgary (expires December 31, 2042; 23 years left on the agreement)
 - *The NDHA signed a new agreement with the City in 2018 to replace the previous agreement.*
 - *This was also requested of all "Enhanced Communities" within the City so that all of the City's Stewardship Agreements are consistent.*
- Maintenance and upkeep of the green spaces in Discovery Ridge
- Capital improvements to the green spaces in Discovery Ridge
- Management of the annual operation and capital budget for the NDHA and associated long term investments
- Excludes community or social related activities (DRCA) or Griffith Woods Park (City of Calgary).

V. President's Report - James Wilson

• Over The Past Year:

- Re-negotiated LMA for snow clearing and litter
- Completed enhancement of the mulching program
- Secured agreement from City to install Hawthorne Tree's into community
- Migrated website to new hosting service (security and content control)
- Simplification:
 - E mail notifications and invoicing
 - Voting / establishment of quorum

• Moving Forward:

- The New Board will evaluate what needs to be done:
 - Entrance Waterfall Upkeep
 - City of Calgary Maintenance Agreement
 - Future Landscaping/Capital Projects
 - Willows and Waterfall at the West Beaver Pond
 - Chessor Development (new development east of Phase 1)
- We always need support from willing and eager volunteers

VI. Finance Update: - Susan Chittick, Treasurer (*Presented by James Wilson*)

• Highlights (*since last AGM*)

- Monitor online payments
- Provide for accounting needs
- Issuance of the 2019 invoices-Done via email by end of Feb 2019
- Coordinate external audit
- Maintenance of:
 - Collection Policy
 - Members' Registry
 - Capital Plan

• Statement of Financial Position (as of December 31, 2018). Audited by BDO Canada LLP

○ Assets	
▪ Cash	\$94,480
▪ Short Term Investments	\$200,000
▪ Accounts Receivable	\$66,374
▪ Advance Receivable	\$ -
▪ Prepaid Expenses	\$1,989
▪ Property	\$1
○ Liabilities	
▪ Accounts Payable	\$19,675
○ Net Assets	
▪ Unrestricted	\$344,053

• Statement of Operations (as of December 31, 2018). 1,650 residences are encumbered; 11 properties are unencumbered due to developer error; all but two of these pay the \$300 fee

○ Revenues	
▪ Association Fees	\$494,400
▪ Municipal Funding (City)	\$31,243
▪ Interest of late payments	\$2,980
▪ Interest Income	\$2,194 (Capital Plan Investment)

- Expenses
 - Non-recurring \$36,446 (Capital Projects)
 - Operating \$435,621 (ULS, Lights, Utilities)
 - Administrative \$25,519 (Audit Fees, Postal Fees, etc.)

Surplus \$33,231
- **2019 Budget**
 - Revenues
 - Association Fees \$506,543
 - Municipal Funding \$30,000
 - Interest Income \$6,422
 - Expenses
 - Non-recurring \$89,676
 - Operating \$380,596
 - Administrative \$34,808
 - Projected Surplus \$37,886
 - The Board of Directors passed a motion in 2015 to maintain a minimum of \$250,000 in the NDHA reserve fund. The fund can be used only in the case of an unforeseen emergency expenditure; and must be replenished as soon as possible thereafter and before any other surplus can be carried forward.
- **Collection Policy**
 - Steps undertaken by the NDHA:
 - Mailing of annual invoice in Jan/Feb
 - Newsletter article in Apr/May
 - Boulevard sign in June
 - Fees are due June 28th
 - In early July, all overdue accounts receive a reminder letter along with a copy of current year invoice marked PAST DUE.
 - If no response received, turn over unpaid fees document to the NDHA lawyer (this is an important step as there is a 2 year statute of limitations). Legal fees incurred are the responsibility of the homeowner; the NDHA does not sustain any charges.
 - Steps undertaken by NDHA's Lawyer (Richard John of Bridgeland Law)
 - Issuance of a Demand Letter (\$400 fee)
 - Redemption period provided (date given in letter)
 - Issuance of Final Demand Letter (more legal fees)
 - Redemption period provided
 - Filing of Statement of Claim (more legal fees) with Court of Queen's Bench
 - Redemption period provided
 - Filing for Redemption Order (Order of Sale – this has happened on three occasions; three resolved)
 - Obtain Affidavit of Value
 - Home can be listed for sale
- **Status of Collections as of June 5, 2019**
 - 1,650 residences have been invoiced for the 2019 Association fee of which 35% have already forwarded payment in advance of the June 28th due date.
 - 63 accounts remain in arrears for the 2018 fee and/or prior (3.8%)
 - 36 owe 2016 fee + Interest \$21,200
 - 2 with NDHA Lawyer \$ 1,350

VII. Landscaping Update: Sharon Salloway

- **The NDHA maintains our own and the City of Calgary green spaces**
 - If you have a concern please call or connect with the City through 311 or contact the NDHA if it an obvious landscaping maintenance issue. You can connect online, (311 online) or via 311 Calgary mobile App.
- **Landscape Highlights:**
 - Continuation of our Agreement (expires March 31st 2020 with two 1-year options to extend) with ULS for ALL landscape maintenance in Discovery Ridge including:
 - Truck Watering (targeted areas)
 - Grass cutting & Aerating
 - Weeding
 - Spring and Fall Cleanup
 - Public areas tree maintenance (working with Urban Forestry)
 - Flower and planting beds
 - Irrigation system and waterfall pump
 - Snow clearing of pathways and public sidewalks
- **Targeted Items for NDHA:**
 - Xeriscaping of three (3) medians on Discovery Ridge Lane
 - ULS to complete median plantings from Traffic Circle to bottom of hill
 - Pruning of black knot by City of Calgary
 - Rejuvenate median bed at entrance of Discovery Ridge
 - Update mulch in median beds and replacement of dead plant material along Discovery Ridge Blvd and Discovery Ridge Hill
 - Work with City of Calgary , 311, ELM program, new City Of Calgary Agreement – LMA
 - Change of vendors for Irrigation and Water Fall to ULS. (ULS will follow up with their report)
 - Smaller projects:
 - City of Calgary tree replacement program
 - Continue on with Vinyl Wraps for litter bins
 - Doggy Bag Dispenser program

VIII. Proposed Future Capital Projects

- Rejuvenate West end Waterfall
- Discovery Ridge Way Xeriscaping
- Complete xeriscaping in Discovery Ridge.
- Upon completion of the Ring Road
 - Traffic Circle and Entrance Median Enhancement

IX. Guest Speakers – Riley Mills & Jeff Wilson – ULS Landscape and maintenance Inc.

- Numerous mulch top up installation work with dead shrub replacement within boulevards.
- Xeriscape 1 out of the 2 areas remaining of the medians in Discovery. Discovery Ridge Lane
- ULS has a dedicated team working in Discovery Ridge 5 days a week and most Saturdays.
- ULS is looking forward to completing the award winning median xeriscaping on Discovery Ridge Lane.
 - Xeriscape removes sod from medians and replaces it with a wide perimeter edge of large river stone and raised bed of hardy, drought and salt resistant shrubbery in the centre.
 - The river stone captures the salt, sand and snow piled on it by winter plows.
 - The raised beds are protected from the majority of road snow and salt spray; they also serve to protect median trees from the same.
 - ULS has received requests from other communities for xeriscaping but ULS won't replicate the same design as the medians in Discovery Ridge
- ULS requested residents use caution while passing construction sites.

X. Orders of Business:

- **Appointment of Auditors:**
 - Shannon Anderson motions to appoint BDO Canada LLP as auditors of the NDHA for the ensuing year at such remuneration as may be approved by the Directors of the NDHA, Wayne Niddrie seconds, and the motion was approved unanimously.
- **Proxy Materials**
 - Jacquie Hansen-Sydenham motions to authorize the Board of Directors, following double counting and sign-off, to destroy all Proxy Materials submitted by members for purposed of voting at previously held Annual General Meetings, Sharon Salloway seconds, and the motion was approved unanimously.
- **Nomination and election of Directors:**
 - All 2018/2019 Board members officially resigned.
 - Special Thank You to the following Board Members:
 - Carolyn Mawhinney, 2 years of dedicated service
 - Shannon Anderson, 1 year of dedicated service
 - Board is made up of a maximum of 10 directors with a minimum of 3 required by the NDHA articles of association.
 - Monthly meetings at Javino
 - Additional work outside of monthly meetings to support our maintenance contractors, capital projects and the collection of annual homeowners' fees.
 - 2019/2020 NDHA Board Nominations received:
 - James Wilson
 - Susan Chittick
 - Joe MacLean
 - Laurent Blais
 - Sharon Salloway
 - Millard Matthews
 - Ian Brown
 - Shaune Pasay
 - James Wilson motions that these members be elected to serve as Directors. The motion was seconded by Laurent Blais, the motion was passed unanimously.

XI. Questions & Announcements:

- Announcements:
 - **Please purchase your DRCA \$25 membership:** DRCA is heavily engaged on behalf of the community with all ring road issues, in addition to finding and organizing other social / recreational events and facilities.
- Questions:
 - **Will the trees on Discovery Ridge Lane that have been hit by vehicles be replaced?** The missing trees will be replaced except for the tree at the north end of the median as it is a visual block for traffic coming from the west. **Follow up comment: the tree should be replaced since it is further south than the stop bar so it shouldn't block the sight if you make a stop, also, the house (and trees) on the south west corner provides more of a block than the median tree.** Sharon Salloway will take a look tomorrow and discuss with ULS.
 - **Who is responsible when a vehicle collides with something and leaves debris?** The City is responsible so residents can submit photos to the City through the mobile 311 app.
 - **The stop sign leaving The Wedgewoods property is not being observed and vehicles speed excessively onto Discovery Ridge Lane.** Traffic issues in the community is not an NDHA mandate but is a City issue and areas of concern should be submitted to the City through the mobile 311 app.
 - **What can be done to increase the police presence in Griffith Woods as there are issues with unleashed dogs and teenagers starting fires?** City Bylaw officers often have a presence in the park to issue tickets to owners who have dogs that are not on a leash. The police helicopter regularly flies the park

to look for fires and/or parties. The NDHA recommends calling 911 to report any fires or calling the non-emergency number (403-266-1234) to report activities not permitted in the park.

- **There is a rumor that a lighted crosswalk will be installed crossing Discovery Ridge Boulevard on the east side of Discovery Ridge Hill/Lane.** Jacquie Hansen-Sydenham, DRCA President confirmed that this is not a rumor and the City will be installing flashing lights.
- **After snow clearing there are lots of plastic bristles on the ground that detach from the equipment (we all need more concerned about plastics in the environment).** ULS reported that this is caused by too much pressure down on with the brush so ULS will discuss with their operators. Often the unevenness of the pathways can make it difficult for the operators to apply consistent pressure.
- **Is there an update with respect to the relocation of the Enmax powerlines north of Discovery Ridge?** Jacquie Hansen-Sydenham, DRCA President reported the following:
 - The power pole relocation is part of the West Ring Road project and not the current South West Ring Road Project.
 - The DRCA is doing everything they can to push for change so the poles will be located further away from the community.
 - If changes do not sufficiently address the communities concerns, the DRCA will apply for intervenor status.
- **Can the board explain how the Articles of Association allows the NDHA to raise the annual fee without a special resolution?** The NDHA received a legal opinion from Bridgeland Law (Richard John) such that the \$7 fee increase for 2019 is allowable as per the terms of the encumbrance registered on title of every NDHA member's property. The encumbrance registered on title allows the encumbrancee (NDHA) to increase secured rent (annual NDHA fee) by the Consumer Price Index, as it applies to the City of Calgary, for the preceding calendar year. Notice of the increase shall be made to the Owner with the annual billing. Increases above the CPI or a Special Assessment would need to be passed by Special Resolution.

XII. **Adjournment:** Motion for Adjournment by James Wilson, seconded by Laurent Blais, and the motion was approved unanimously. The NDHA would like to thank everyone for coming. Please contact us through our website at www.ndha.ca or via phone 403-237-9595. The meeting was adjourned at 8:56 p.m. on June 6th.

Entered into Record:

Date: This 25 day of June, 2019



James Wilson, President



Susan Chittick, Treasurer