

# Eversyde on the Park

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CONDOMINIUM CORPORATION NO. 0512392  
ANNUAL GENERAL MEETING

Glenmore Christian Academy  
Music Room  
16520 24 Street SW  
Calgary, Alberta  
7:00 PM Tuesday February 11, 2020

**1. Call to order/Establish Quorum**

The meeting was called to order at 7:04 pm, time from the floor.

**2. Introduction of Head Table**

Bill Lawless, President of the Board of Directors for Eversyde on the Park will be the chair of the 2020 Annual General Meeting. The Board was introduced:

**Board Members**

Bill Lawless, President, Treasurer  
Jack Sides, Vice President  
Krystal Zeller, Secretary  
Tom Dasko, Member at Large  
Donna Irvin, Member at Large (absent)  
Clayton Reimer, Member at Large (absent)  
Raffelina Sagriff, Member at Large

**C-Era Property Management & Realty**

Nilda Mendoza, Community Manager of the Corporation  
Jeff Wilson, Director of Operations, C-Era Property Management

**3. Verification of Proper Notice**

Notice of the Calling of the Meeting was referred to and the Chairperson advised it had been mailed to all owners. No owners required copies; all indicated notice has been received.

Certifying of Proxies:

- a) 22 Units were represented by personal appearance of the owners thereof.
- b) 8 Units were represented by proxy.

A total of 30 Units were represented at the meeting for voting purposes constituting a Quorum.

**4. Approval of Last AGM Minutes**

B Lawless requested a motion from the floor to accept last year's Annual General Meeting Minutes of February 12, 2019.

Motion: Unit 4 Common **motioned** to approve minutes. **Seconded** by Unit 12 Park. All in favour, **carried**.

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## 5. President's Report

We have volunteer Board Members who have contributed their time, knowledge and dedication to making the board more productive. We owe them our sincere thanks for their work

### 2018/2019 successes

Phase 2 & 3 of the garage door & trim replacement project on the Common and instead of completing over two years we had it all done this year because the contract forced us to buy the doors all at once or face a price increase.

Continued work on removing problematic trees and setting up replacements

Renewed the snow removal/landscaping firm contract and we feel the company Bugaboo is very reliable and we hope you agree

Repaired fencing throughout complex

Completed some major mud jacking of steps and sidewalks etc.

Upgraded the community website and thanks to K Zeller and D Irvin for their work on this area

We encourage you to use the site which is designed to be informative.

T Dasko spoke about cladding for garage doors and decks of which the goal and decision were to be maintenance free.

### 2019/2020 planned work

Continue tree replacement program for difficult trees and firm up a long-term plan for maintenance, health and ensure that trees are an enhancement for and not a potential danger to our community. Continue to educate our owners as to proper garbage/mixed & organic recycling programs to reduce costs.

We have a drainage problem in most of our backyards and in combination with that our eavestrough/ downspouts around the community contribute to the drainage as well as damage to the buildings because they were not installed properly. The board started last year to engage contractors to discuss the problem and we hope to execute work this year.

We will install storm doors on the rest of the two-story rear entrances. The first installments seem to have addressed the leakage problem as there has been no issues registered since they were installed.

We had some shingles blown off in late fall from a windstorm and this will be done when the weather gets warmer.

Our contract with CERA expires on September 30th, 2020 and we have started the negotiations to renew.

We will continue to see pressure on insurance costs, maintenance, and this year we will incur expense for bringing our By-Laws into line with the new Alberta Condominium Act changes which came into effect on Jan 1st, 2020

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Our goal is to continue looking for ways to improve the community and once the drainage problem is completed we would like to address in future years such areas as landscaping, healthy lawns, community enhancements like new unit numbers on front as well as back garages, light fixtures, etc. There are many more little enhancements that we can look at as well.

The focus of the Board's efforts is to maintain the quality of the community as well as continue to look for ways to reduce increases in the operating cost which is what determines the condo fees. The Board is after all unit Owners like you, their units are their investments and in most instances their homes which they are proud of.

## 6. Financial Report

- Operating Statement shows a surplus of \$9,849.00 (Page 7 of Audit)  
Net cash Position at year end: \$28,218.00 (Page 7 of Audit)
- There were plans to utilize much of the surplus on Eavestroughs and Downspouts. However, our conversations with contractors left us with an uneasy feeling and we postponed until this year.
- We have decided this work should be from our reserve fund and if this year's surplus is still existing in May, we will transfer this year's surplus to Reserve fund.
- At the end of September there was an insurance claim filed for smoke damage to unit 90 Everridge Common.
- We expect insurance premiums to continue to be under pressure as we had a 25% increase for this year's budget which we did anticipate and expect similar for next year.

### Reserve Fund:

- Year-end show our reserve to be at \$398,974.00 (Page 8 of Audit)
- Contributions for year ending 2020 + \$120,000.00
- Expected expenditures in 2020 - \$75,000.00 (Eavestroughs and Downspouts)
- Hardy Board and painting - \$15,000.00 (Result of improper drainage from Roofs)
- Reserve Fund Study is being completed this year and will provide a clearer picture of next 5 years and looking down the road for 30 years.
- Our Reserve Fund is well funded based on our age etc. and when you consider the amount of money that has been re-invested into maintaining/upgrading the community over the past 2 years specifically. Details of this re-investment are listed on page 9 in the Audited Financial statements.
- In the next 5 years we want to take a closer look at our landscaping, after that our next big expenditures should be Fencing and Painting and should be 10 years down the line.

Q: Unit 14 Common asked if their tree is on the replacement program. Owner would like to talk to Arborist to keep tree.

A: Advised request will be noted. Also talked about Arborist, tree program and plans for upcoming years.

Q: Unit 48 Common Is there a list of which trees are most problematic.

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A: Arborist is working on recommendations as to which trees are most problematic. A tree plan is posted on the website. A proposal for years 3 – 5 is under review.

Q: Unit 20 Common – More information requested about eavestroughs, why are we working on this?

A: Moving eavestroughs to get water out of back yards, move extensions across backyards. Board won't be replacing all but instead will modify existing where possible. Another example is the two-story vs 3 story units where the upper downspouts move water properly.

Q: Unit 20 Common – Please have Bugaboo move the snow from the end of the driveways and edge of the street as there is a large bump that is scraping bottoms of cars.

A: Will talk to Bugaboo to change this practice.

Q: Unit 14 Common – Driveway empties to common, need to improve snow removal and ice flow build up.

A: Will talk to bugaboo about improving snow removal.

Q: Unit 6 Common – Why is there \$1000 damage budgeted for damage to garage doors if under warranty?

A: The warranty is for 2 years only and does not cover maintenance and/or damage to doors from various causes. This is budgeted and may not be spent.

Q: Unit 6 Common – How do we stop increasing condo fees each year?

A: We cannot stop budgeting increases to the condo fees when the budget needs to allow for increased costs and inflation such as insurance premiums, etc.

The Board does a preliminary budget. The treasurer did a lot of work analyzing previous year's budgets to present current budget. There was further discussion of condo fees.

Q: Unit 6 Common – What does the property manager C-Era do?

A: Jeff Wilson with C-Era spoke about C-Era's role, budget, increases, dealing with issues, etc.

Q: Unit 4 Common - Question about \$94,000 in the budget as an accrued liability

A: This was a carryover expense from the previous year. Most of this amount is for insurance premiums that although paid in monthly installments is a liability until all of the premiums are paid, also money is due to the Restoration firm for the insurance claim at 90 Everridge Common which will be paid by the unit Owner and its insurance company but the Condominium Corporation is financially responsible until these payments are received and lastly invoices from utility cos. suppliers. etc. whose invoices have been received but payment has not been issued or cheques cashed at the end of our fiscal year.

J Sides spoke regarding \$398,974.00 in reserve account on Page 8. The reserve fund for a condo board could be high but if quality work wasn't done, then this is a false number.

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Decisions to spend on decks and garage doors was for long term benefit to the community.

Q: Unit 150 Common – Were garage doors sent to dump or resold?

A: Board was advised that the doors were sent to garbage dump, however, unit owner advises the removal crew spoke about reselling the doors.

Motion: Unit 118 common **motioned** to approve Financial Statement. **Seconded** by Unit 86 Common. **All in favour, carried.**

## 7. Appointment of Auditors

Motion: Unit 150 Common **motioned** to approve format of audited statement to using the auditor for next year. **Seconded** by Unit 146 Common. **All in favour, carried.**

## 8. Election of Officers

### Resignation of Officers

The present Board of Directors put forth their resignation by way of calling the Annual General Meeting.

### Election of Board of Directors

The By-Laws of the Corporation stipulate the Board must consist of no less than 3 or no more than 7 members.

The following Owners agreed to let their name stand:

Unit	Owner's Name
2524 Avenue	Bill Lawless
2536 Avenue	Clayton Reimer
42 Common	Tom Dasko
44 Park	Raffelina Sagriff
48 Park	Krystal Zeller
88 Common	Jack Sides

### Names put forth:

Unit	Owner's Name
146 Common	Zhengrong Peng
6 Common	Igor Matviyenko
96 Common	Amanda Cameron

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The following is the count of votes per member

<b>Unit</b>	<b>Owner's Name</b>	<b>Votes</b>
146 Common	Zhengrong Peng	1
2524 Avenue	Bill Lawless	26
2536 Avenue	Clayton Reimer	28
42 Common	Tom Dasko	28
44 Park	Raffelina Sagriff	26
48 Park	Krystal Zeller	28
6 Common	Igor Matviyenko	4
88 Common	Jack Sides	28
96 Common	Amanda Cameron	26

Per the votes counted, the new board for 2020/21 is as follows:

<b>Unit</b>	<b>Owner's Name</b>
42 Common	Tom Dasko
2524 Avenue	Bill Lawless
44 Park	Raffelina Sagriff
48 Park	Krystal Zeller
2536 Avenue	Clayton Reimer
88 Common	Jack Sides
96 Common	Amanda Cameron

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## 9. New Business

### Alberta Condominium Property Act changes

**Effective January 1, 2020 the following changes were enacted.**

We are not going through all of them as many of them are administrative for Board of Directors, Property Management firms and legal beagles, but wanted to give you an overview of those items that will affect you and your home ownership investment.

### **Insurance deductible charge-back**

In the event of an incident in your home, regardless of how it happened, you will be charged for the Condominium Corporation's insurance deductible for the event up to the maximum of \$50,000.

- Water (\$10,000)- overflowed toilet, dishwasher leak, etc.
- Sewer (\$10,000) – sink backup, floor drain backup
- All risk (\$5,000) - Fire & smoke
- Flood (\$25,000) – water main break

*You need to contact your insurance broker to ensure that you are covered to this maximum.*

The Condominium is no longer required to prove negligence, omission, failure to act, etc.

Q: 96 Common – Should we look at seeing if insurance can be combined with other units.

A: To clarify there has been approach in the past to create a group of unit owners insurance to take advantage of a group rate however insurance companies were not interested due to the number of owners who were considering joining.

Q: Unit landlord vs tenant questioned if policy has \$1,000,000 insurance, will this cover the deductible.

A: This is liability insurance not deductible.

### **AGM notices & paperwork**

- Notice to Save the Day will be issued requesting that unit Owners save the day for the AGM.
- AGM notice will be issued 60 days in advance of the AGM and include
  - Preceding year's AGM meeting minutes
  - Insurance Certificate
  - Agenda
  - Call for Agenda items from you, the unit Owner, and these agenda items must be provided by unit owners not later than 30 days prior to AGM
- AGM meeting minutes, after Jan 1, 2020, must include record of votes cast on any motion, approval or officer's election to board

### **Standard insurable unit definitions**

The Board of Directors with the assistance of a 3<sup>rd</sup> party consultant will be establishing a list of standards (basic) finishes that were provided by the builder at the time the units were first sold.

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For example: all units were supplied with carpet in living room & bedrooms, lino in bathrooms & kitchen, wooden veneer or painted kitchen cabinetry and standard plumbing fixtures.

- *Any upgrades (improvements) over these standard finishes even if they were done by the builder need to be insured by you the unit Owner.*

For example: if you have wooden flooring or expanded kitchen cabinetry, finished basements – you will have to estimate the costs over the standard and have them insure them under your unit Owner's insurance policy

- *The standard insurable unit definition will need to be approved by you, the unit Owner, by Ordinary Resolution at a future AGM meeting or other communication which will then be registered at the Land Titles office.*

## **Other items of interest to unit Owners**

- Expands on documents to be provided on sale of unit
- AGM items
  - Clarification on style and expiration of Proxies
  - Election to BOD not required to be a unit owner
  - BOD members to serve rotating terms of 1- or 2-year terms
- Insurance incidents/claims
  - Requires Condo Corp to oversee all insurance related incidents up to standard insurable unit definition. Any upgrades/improvements above the standard will be paid for by unit Owner's insurance company
- Requires BOD to send Notices & documents electronically if requested by unit Owner
- Updates Notice period for Bylaw infractions and sanctions (fines).
- Sets rental deposit amount in the event a unit Owner rents its unit
- Unit Owners & Residents must be informed of existing Rules & regulations by March 1, 2020
- BOD must have a fidelity bond at its next insurance policy renewal – Oct 15, 2020

Q: Unit 48 Common I need to insure previous other owner's upgrades

A: Yes, anything that is above the Standard Insurable Unit.

Q: Unit 14 Common – Who should keep email address lists?

A: C-Era maintains contact information.

Q: Unit 6 Common – Is my unit standard? I bought a show home.

A: No, show home included upgrades, see description.

Q: Unit 4 Common – What will happen with the standards?

A: Standard needs to be registered with land titles.

Q: Unit 48 Common – For insurance, what am I not responsible for?

A: You are not responsible to insure items defined in the Standard Insurable Unit definitions and the exterior of the building.



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Q: Unit 48 Common Deductible – if \$1 million, what will my deductible cover?

A: Please provide your insurance company a copy of the By-Laws as well as a copy of the insurance certificate that was included in your AGM mail out package, have them review your coverage and have them insure any areas where you need to be insured .

Q: Unit 146 Common – who pays the rest of the damage if over deductible

A: Condominium Corporation's insurance will pay the rest less the deductible applicable to the event.

Q: Unit 84 common – What about roots in sewer & backflow. Also does Standard Insurable Unit include unfinished basement.

A: Condominium Corporation's insurance is responsible if roots get into system and resulting flood. Yes, the SIU will include unfinished basement.

J Sides advised that McLeod Law has been contracted to update our By-Laws to bring them into compliance with the new Alberta Condominium Property Act and he went on to explain the updating process as well as the unit Owner's involvement in this process. For the new Bylaws to be approved, they must be approved by 75% of unit owners representing 75% of unit factors in the community.

Q: Unit 4 common – what position are we in if we don't pass by-laws and signed

A: Condominium Board cannot charge back; costs we can't recoup become responsibility of condo budget. Also, cannot challenge at fault unit owner in court as old condo act/ by-laws have been challenged numerous times in court and portions of similar Bylaws in other Condo communities and failed hence the new Act.

## 10. Approval of Rules & Regulations (Occupancy Guidelines)

Motion: Unit 90 Common **motioned** to accept modifications to the Rules and Regulations as a result of the 2020 changes to the Condo Act. **Seconded** by Unit 150 Common. **All in favour, carried.**

Discussion and demonstration of Eversyde on the Park website and TownSq. For owners who can't access TownSq, N Mendoza has forms. TownSq is preferred method of communication for issues.

Q: Unit 150 Common Parking issue with senior's unit.

A: We will request that C-Era contact senior's unit about their residents.

Q: Unit 150 C-Era – what services is provided by C-Era to earn \$30,000

A: Jeff spoke to fees, manage invoices, FT employees, source out, finances – advise, workshops to train and administer, legal advice, Nilda – phone calls, service requests, B Lawless – raised concerns with C-Era

Q: 146 Common – storm doors, wood frame rusted

A: Please Contact C-Era to have this resolved.

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Q: 90 Common would like to know more about fencing, what has been done. Eavestrough stuck in snow, bugaboo doesn't care about fencing.

A: We are not completely happy with overall work on fencing, will continue to address with contractor.

Q: 90 Common would like to know if repair is pending and unit owner can report back if repair is complete.

A: There will be new downspouts and contractors will install. Splash pad & diversion measures have been implemented.

Q: 4 Common – Need more clarity on budget, what is last year, what is this year and what are the line items.

A: The budget will be posted on Eversyde on the Park website.

Q: 4 Common – What is waste removal assessment on my condo fees?

A: Residents in the Park are billed for waste removal through condo fees. Others not using the shared garbage garage are billed by the City of Calgary.

Q: 84 Common – Notified for maintenance of work should be more than 48 hours in advance.

A: For garage doors replacement, we were at mercy of contractor. However further work should be done in contacting unit owners.

Q: If my unit has a drafty front door, why are storm doors not for every unit?

A: Storm doors were for water leakage.

Q: Submitted to Board email by 28 Common and requested to read aloud during AGM. *If our unit was either partially or destroyed by fire, we would like to know the breakdown of which insurance policy covers the rebuilding of our unit? It is our understanding that:*

- *Our tenant's insurance company would be responsible for covering her own personal contents. Precisely*
- *Our insurance company would be responsible for replacing the interior contents such as the furnace, water heater, flooring, light fixtures. No, please refer to following explanation.*
- *We are not clear if our insurance company or the management's insurance company would be responsible for other interior contents such as cupboards, kitchen sinks and bathroom fixtures such as toilets, sinks. No, please refer to following explanation.*
- *The management company's insurance policy would be responsible for rebuilding the exterior structure as well as the interior shell including finished walls, plumbing and electrical and possibly cupboards etc. as questioned above.*

The condominium corporation's insurance would respond to the incident and replace/repair everything excluding any improvements over the "Standard Insurable Unit" definition. The "standard insurable unit" definition is the standard finishes that the developer provided when the unit was first sold. Any improvements effected by yourself or by the developer on behalf of your or the original Owner at the time of the original purchase above the standard such as wood flooring as opposed to Lino or carpet need to be insured by you.

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- *Can you please clarify and confirm if the owners are responsible for up to \$50,000 towards the deductible from the management's insurance policy's deductible on any claim? Under the new Act, you would be responsible for any insurance type incident that occurred in your unit regardless of the circumstance up to the amount of the Condominium Corporation's insurance deductible for that particular incident at the time of the incident to a maximum of \$50,000. Please refer to the Certificate of Insurance provided in the AGM mail out package for the current insurance deductible amounts.*

## **11. Adjournment**

Unit 90 Common **motioned** to Adjourn at 9:13 pm. Unit 14 Common **seconded**. **Meeting adjourned.**