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| **YORK CONDOMINIUM CORPORAITON** **NUMBER 84** | **DRAFT MINUTES****ANNUAL GENEREAL MEETING****OCTOBER 28, 2019** |

December 5, 2019

On October 28 this corporation had its annual general meeting. Accompanying are the draft minutes of that meeting. Members will be asked to accept these at the next business meeting of members. Please keep them for your records.

At the October 28 meeting draft replacement rules were presented. There was some discussion. Meeting attendees wanted more time to consider these and requested a special members’ meeting to only discuss rules. This meeting is being planned. A date has not been determined. Directors first want to review the presented documentation in relation to received comments before calling for a members’ meeting. You will be advised of the meeting date when that has been determined.

York Condominium Corporation Number 84

Board of Directors

**Place:** Highcastle Public School

**Call To Order:**

The Annual General Meeting was called to order at 7:05PM

I would like to welcome each of you and especially those who are attending for the first time.

At this time I will make some introductions:

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| --- | --- | --- | --- | --- |
| * Julia Taylor
 | Director & Secretary |  | * Neil Tavares
 | Director |
| * Sandy Mantini
 | Director & Treasurer |  | * John Campbell
 | Director |
| * Harold Standard
 | Director |  | * Greg Hurtault
 | Director |
| * Peter Baxter
 | Director & President |  |  |  |

We are also pleased to have with us Khairia Rahman our KRPM property manager. Our Corporation was registered in 1973; that is, 46 years ago, and she has been associated with us since that time. KRPM has guided us through many trying times; so that, ours is a desired community to live in. Thanks also to, Yasser Rahman and Tony for your services and counsel.

**PRESIDENT’S ADDRESS**

Because there is a lot of business to cover, before the school asks us to vacate, the president’s address will be minimal.

A year ago our street lights were converted to LED lighting. This year we talked with an electrical engineer about converting the street lighting to solar lighting. The advice was to wait about 5 years. Technology is changing and costs will likely go down as more convert to solar lighting,

The board decided not to pursue Bell Canada’s offer to install new fiber lines. Last year’s AGM’s general discussion was cool to the idea feeling the resulting disruption to personal patios, gardens and garden boarders was not worth it.

At the 2018 AGM the corporation introduced **ELECTRONIC VOTING** (“E-Voting”). The Act requires members’ acceptance of a by-law. Historically, by-law acceptance requires 39 members had to accept a by-law. After the meeting legal advice confirmed the new Act considers this to be a business by-law requiring only 50% acceptance from represented members. During 2018 meeting general discussion members were in favour; so, at this AGM that by-law is again being presented for acceptance. Think about it – you could vote by way of email; or, telephone. No proxy – No attendance at a meeting. Just convenience.

Our corporation has introduced **ELECTRONIC NOTICES**(“ENotices). Fifty of seventy-five units have signed an Agreement to Receive Notices Electronically to personal email addresses. That leaves twenty-five to whom it is necessary to deliver paper notices. Help us out. E-Notices are much easier on management and less costly to our corporation by the elimination of printing and delivery costs. The remaining twenty-five members are urged to ask us for a blank agreement form before leaving this meeting. Think about it you could read these email notices at home, at work, on a luxury liner; or, just any place where you have email access. During October this list was used to forward information about gun shots from the west side ravine. These were reported to the police by residents being very experience in handling long guns and hand guns. Be careful – when you hear gun shots immediately telephone 9-1-1.

On April 17 our corporation was be 46 years old. Long before it was legislated, with good business sense, KRPM had put us on a reserve fund. We’re now benefiting with low monthly fees and a good reserve fund balance. Our complex is getting older. With aging repairs and maintenance costs are increasing. This will have a direct impact on our monthly fees. Annual increases must be expected to keep up with rising costs. Several projects will be well over $100,000.

Garbage rooms are being used for hoarding and storage. Anything in the garbage room may be removed as garbage without any recourse from the unit. Only acceptable prepared garbage is taken.See the website www.ycc84.ca/Resolutions

Regrettably, this year we will be losing the fine winter and summer maintenance services, provided by KRPM. Starting on November 15, both winter and summer maintenance services have been contracted to Toronto Property Solutions (“TPS”). The added cost was planned for in this year’s fiscal budget.

Door bells were not installed by the building contractor. These were an improvement added by a member; as such, maintenance and repair is for the member.Please fix or remove non working doorbells. About half do not work.

It’s each member’s responsibility to be familiar with the content of our Declaration, By-laws, Rules and Resolutions. These provide an understanding of what is expected of each of us. With that knowledge we can avoid unpleasantries with other members; and, with management. KRPM, under the direction of our Board of Directors must enforce these documents. Management frequently has to commence unpleasant discussion with a member. Such discussions would have been unnecessary had the member followed the “Game Rules”. Recently, some members disregarded management’s direction resulting in legal action. That legal action cost each of those members hundreds of dollars. In addition, some felt management would not force restoration after completing improper work. Members were required to correct their work at a cost of hundreds of dollars. Please take management seriously and avoid having to pay such expenses. When in doubt contact management.

You are reminded our website, along with many other items, includes a contact directory; and, our declaration, by-laws and rules.Of course, you will find many other very interesting topics.

**Now let’s get on with the formal business**.

**Acceptance of the October 29, 2018 Minutes**

**Motion:** The minutes of the October29, 2018 Annual General Meeting of York Condominium Corporation No. 84 be accepted as amended and stated at this meeting. Julia Taylor, Unit 24

**Second:** Unit 31

**Discussion:** None

**Vote:**  Carried

**Fiscal Budget:**

The Board of Directors has accepted the – 2018 audited financial report. The audited financial report was provided to each member as an attachment to the Preliminary Notice of this Meeting. We are in a good financial situation.

**External Auditor for the 2018/2019 fiscal year**

Only one consideration has been put forth; so, acclamation our External Auditor for the fiscal year ending May 31, 2020 is Nabeel Ahmed.

**Vacant director position**:

Immediately after the last AM directors found they had a vacant director’s position due to Sandy Mantini not running for re-election and that there was not a volunteer replacement candidate. After the meeting Sandy obliged us by accepting the position subject to member ratification at the next AGM; that is, tonight.Sandy has completed, signed and given the Director’s Disclosure Agreement to management.

**Motion:** It is moved the membership ratify this board decision. Greg Hurtault, Unit 57

**Second:** Unit 63

**Discussion:** None

**Vote:**  Carried

We have seven directors’ positions. As required, by the Act, terms expire on a staggering basis to ensure there are always experienced and knowledgeable directors on board. This year we have three expired directors’ positions to fill. Each is for a three years term. Julia, John and Harold’s directors’ position expire tonight. Changes take effect with the close of this meeting.

* **DIRECTOR’S CODE OF ETHICS** - Each director must be guided by the corporation’s Director’s Code of Ethics.
* **DIRECTORS’ REQUIRED EDUCATION** - The Act requires each elected director to complete a series of about 21 courses within 180 days of being elected. Failure to complete the courses, by law immediately removes this person from being a director. Don’t let the number of courses scare anyone. They are taken on-line, at your convenience, in your home. Each runs for about 10 minutes – you watch a presentation and then answer a few multiple choice question about what you saw. These provided good basic needed knowledge for any director.

**DIRECTORS REQUIRED/MANDATORY EDUCATION COURSES**. must be completed within 180 days of becoming a director and each 7 years thereafter. Failure to meet this requirement will automatically remove you from the board. Generally, courses topics include:

1. The Fundamentals of Condominium Living
2. The Legal Framework Governing Condominiums
3. The Role of Directors & Their Key Responsibilities
4. Effective Leadership: Creating Strong Condominium Communications
* **DIRECTORS’ DISCLOSURE AND AGREEMENT** – The Act also requires that before the voting process begins, for directors, that each candidate make a formal disclosure of their eligibility and conflicts of interest (potential; or, real). To achieve this each candidate is required to complete and sign a Disclosure Agreement. After the candidate nominations we will not take a five minute break so that each candidate can complete and sign the required agreement.

(Sandy has completed, signed and given the Director’s Disclosure Agreement to management).

At this time nominations include:

* Julia Taylor\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , of unit \_\_24\_\_\_\_
* Harold Standard\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , of unit \_\_71\_\_\_\_
* John Campbell\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , of unit \_\_26\_\_\_\_

Are there any further nominations, for a three directorship term?

**Election of three directors**.

**Motion:** There being no more nominations I move the nominations be closed. Greg Hurtault, Unit 57

**Second:** Unit 72

**Discussion:** None

**Vote:** Carried

Because there are three positions and three nominations by acclamation the three nominees are the new directors.

The maturity of directors terms are now:

* Peter Baxter and Neil Traversin 2020
* Greg Hurtault and Sandy Mantini in 2021
* Harold Standard, Julia Taylor and John Campbell in 2022

Since our April, 1973 incorporation we are operating on the third Condominium Acts. Each new Act resulted minor and major changes. Because of the many Act changes our Board decided it was time to have our documentation reviewed by an expert law firm. Lash Condo Law, which only deals with condominiums. They are recognized condominium experts. The Corporation sought their legal counsel concerning the content and format of our **BY-LAWS**; and, how they should have been affected by legislative changes. Legal counsel has pointed out numerous suggestions for updating. This project has been a long and expensive process; and, took up much of the directors’ time.. If updating action is not taken now there could be serious and costly future repercussions.

* Updating is in the best interests and protection of every member.
* Updates will protect our individual equity in the Corporation.

It made good business sense to act now. Many of our by-laws should not be by-laws; rather, they are rules. Proposed changes these issues. Our board reviewed the proposals with legal counsel who made appropriate changes. Our board of directors has accepted the new documents. Tonight, the membership is being asked to accept the final revised by-laws.

We will have four by-laws:

**#19 Operating By-law**

**#18 Standard Unit**

**#20 Mediation and Arbitration – New By-law**

**#21 Electronic Voting – New By-law**

All of these were provided as attachments to the September 25 Preliminary Notice of Meeting. As you have had 35 days to review these proposals. Let’s get on with the formal members’ acceptance.

**By-law # 21, Electronic Voting**.

**Motion:** It is moved that the proposed By-law # 21, Electronic Voting be accepted as distributed. Peter Baxter, Unit 37

**Second:** Unit 72

**Discussion**: The ACT permits members to vote electronically – “E- Voting” – at member meetings. That is, after accepting this proposed by-law the board of directors may permit us to vote – in person – by email – by fax; or, - by telephone. This is a simple alternative to completing a proxy form. The Board of Directors strongly urges the acceptance of this proposed by-law.

**Vote:** Carried

**By-law # 20, Mediation and Arbitration – New By-law**.

**Motion:** It is moved that the proposed By-law # 20, Mediation and Arbitration be accepted as distributed. Peter Baxter, Unit 37

**Second:** Unit 64

**Discussion**: Occasionally, it happens that a dispute may arise between a member and the corporation; or, between two members. The Condominium Association Ontario urges condominium corporations to establish a by-law to serve as a guide for handling of their matters. This by-law establishes a uniform process to follow which accelerates the dispute resolution and can result in reducing litigation costs.

**Vote:** Defeated

**By-law # 18, Standard Unit.**

**Motion:** It is moved that the proposed By-law # 18, Standard Unit be accepted as distributed. Peter Baxter, Unit 37

**Second:** Unit 57

**Discussion**: We have had a Standard Unit by-law for some time. Legal counsel has reviewed this by-law and advised it contained too many details which are not within the requirements of this by-law. The by-law’s intent is to establish a basis of responsibility for insurance coverage. Without this by-law some areas do not get insured or are insured by the wrong party. The new by-law has been developed to meeting the strict Act requirements. To clarify and make things easier to understand the board has developed and included a resolution guideline giving a clear understanding/interpretation of the Act for a Standard Unit.

**Vote:** Defeated

**By-law # 19, General Operations**

**Motion:** It is moved that the proposed By-law # 19, General Operations be accepted as distributed. Peter Baxter, Unit 37

**Second:** Unit 16

**Discussion**: By-laws – Deal with the governance of the condominium corporation: that is, how they are run.

Rules – must be either for the purpose of promoting the safety, security or welfare of the owners and of the property or assets of the corporation; or, they must be aimed at preventing unreasonable interference with the use and enjoyment of the common elements, the units or the assets of the corporation.

In 1973 lawyers developed our original by-law. During the last 46 years our directors protected the members’ interests by asking members to accept additional by-laws. In fact, most of these were/are not falling within the definition of a by-law. They are actually topics to be Rules. This By-law # 19 has removed all rules content so that only by-law content remains. As stated, our corporation has worked through three Condominium Acts. Several “governance” matters have changed or been added.This meeting’s proposed by-law #19 brings our by-law up-to-date. Its acceptance will provide proper guidance for both directors and members. In consequence many unpleasant situations may be avoided with the clarity of the proposed by-law.

**Vote:** Defeated

Unit 71 motioned that there be another meeting to discuss proposed by-laws and rules before they are enforced.

General agreement.

**Other Business**

**Bell Canada Fiber Line**

There was discussion about not installing the Bell Canada fibre lines as discussed at the 2018 AGM

**Extract from the 2018 Annual General Meeting (AGM) minutes:**

At the outset let be clear no one is obliged to deal with Bell Canada. They do not have an exclusivity agreement in our condominium.

At no cost to either the corporation or the member Bell Canada have approached us about installing their fiber line to each unit.

We presently have Bell Canada copper telephone lines through which you can get land line telephone service, internet service and fibe TV service.

Bell Canada would like to gradually replace all copper lines with their fiber lines. These fiber lines have a much faster speed. If you are a gamer or business person you may want to have this faster speed.

Bell Canada would install an underground fiber line around the front of all townhouses and from this main line then run a secondary line into each garbage room. The fiber line would be dead ended at this point.

At the resident’s expense and only if the resident wanted to make use of the fiber line service that member would then have to pay have the line extended into their townhouse. Of course, Bell would then monthly bill the resident for the extra service. If the resident did not want the service the line would continue to be dead ended in the garbage room at no cost.

The fiber line service connection would be available to resident wanting it. To the other residents the line would just come to an end in the garbage room until you wanted to install the service.

Bell must at least bring the fiber line into every garbage room. It is all or none.

**Open Discussion**

## Unit 3:Questioned what the Property Management team did for us. Informed that Property Manager hired maintenance staff to look after common elements.

## Unit 62: Stated eaves trough leaking caused sink hole in front driveway causing the patio to require maintenance. He has sent a letter to the Board of Directors and it will be discussed at the next meeting.

## Unit 7: Brought up the issue of visitors/guest parking. Roadways are four feet to narrow therefore because of fire code you can’t have street parking. The building code established the required number guest parking spots. The walkway space between units 27 and 29 cannot be used for additional parking. It is a building code requirement that periodically there must be an open point to permit emergency services access. Without changing the declaration and then obtaining building code authorization no additional spots can be allocated in any other area of our complex.

## Unit 16 & 39: Requested information regarding the new winter maintenance contractors TPS. Theywere told that the new contractors would shovel the driveway and a path to the front door of each unit. They would also salt individual driveways and front walkway as well as the roads. There will also be two bins of salt provided for homeowners to use.

## Some unit owners felt that they are not given enough time by management to fix common element items. They feel management is to demanding. It was explained to them that most of these instructions are made by the board of directors who in turn are following the rules set out by the Condominium Act 1998.

## Unit 39: Stated that it took a long time to get her water leak fixed and that she thought that as well as having Tony as a general handy man we should hire professional plumbers, roofers and electricians. The board of directors said they would consider this but that it would increase common expense fees.

## Unit 35: Water leak/damage water overflowing on upstairs landing. This concern was fixed five years earlier. Internal damage is for settlement with the member’s insurance carrier.

## Unit 35: Also requested that new grass be installed in her backyard. This will be investigated in the spring of 2020.

**Close AGM Meeting**

**Motion:** It is moved that the Annual General Meeting be closed 9:10pm. John Campbell, Unit 26

**Second:** Unit 6

**Discussion**: None

**Vote:** Carried