



Cameron Heights Homeowners Association Notice of Special Meeting

Date: Wednesday, April 17, 2019

Time: Registration 6:00-7:30pm
Special Meeting 7:30pm

(Please note that the Cameron Heights Community League AGM will be taking place from 6:30-7:30pm)

Place: River West Christian Church
19815-45 Avenue, Edmonton

Purpose: The Cameron Heights Homeowners Association Board of Directors is proposing the following Special Resolutions to amend the Bylaws of the Association:

BE IT RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the Bylaws of the association be and they are hereby amended as follows:

1. That the Bylaws of the Society be and they are hereby amended as follows:
 - a. By deleting the last sentence of Bylaw 2.03 and inserting in place thereof the following:

“Alternatively, notice may be given by email to a member’s email address if the member has authorized the notices to be given by email.”
 - b. By deleting the last sentence of Bylaw 3.02 b. and inserting in place thereof the following:

“Notices may be given in the manner set out in Bylaw 2.03.”
 - c. By adding to the end of each of clauses (v) and (vi) of Bylaw 4.02 the words “as amended from time to time”
 - d. By deleting the first sentence of Bylaw 14.01 and inserting in place thereof the following:

“Notices to Members may be given in the manner set out in Bylaw 2.03”

2. That the officers of the Society shall record these amendments at the corporate registry and in the Society’s minute book.

DATED effective the _____ day of _____, 2019.

BE IT RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the Bylaws of the association be and they are hereby amended as follows:

1. By amending Article 2.01 (a) of the Bylaws of the Association by inserting the words “or Commercial Land” immediately after the words “or Multi-Family Land” in line 11 of Article 2.01 (a).
2. By amending the first Schedule A annexed to the Bylaws (entitled “Restrictive Covenant, Easement and Encumbrance Agreement”) as follows:
 - 2.1. By inserting therein new definitions as follows:
 - “1.4 A “Commercial Land” means a lot or parcel developed for commercial or retail use.
 - 1.4 B “Commercial Land Factor” means three (3) for each lot or parcel of Commercial Land.”
 - 1.1. By inserting in Section 1.15 of Schedule A in the third line after the words “Multi-Family Land” the words “or Commercial Land”.
 - 1.2. By deleting Section 1.16 of Schedule A and inserting in its place the following:
 - “1.16 Rent Charge Proportion” means:
 - 1.16.1 as to all Subdivided Lots, the fraction equal to one (1) divided by the Rent Charge Subdivision Factor; and
 - 1.16.2 as to each Commercial Land lot or parcel, a fraction equal to the Commercial Land Factor divided by the Rent Charge Subdivision Factor; and
 - 1.16.3 as to the Multi-Family Land, the fraction equal to the Multi-Family Land Factor divided by the Rent Charge Subdivision Factor.”
 - 1.3. By deleting Section 1.17 of Schedule A and inserting in its place the following:
 - “1.17 “Rent Charge Subdivision Factor” means the aggregate of:

- 1.17.1 the number of Subdivided Lots from time to time situate within the Cameron Heights Subdivision; plus
 - 1.17.2 the total number of the Commercial Land Factors for all Commercial Land situated from time to time within the Cameron Heights Subdivision; plus
 - 1.17.3 the total of all of the Multi Family Land Factors for all Multi-Family Lands situated from time to time within the Cameron Heights Subdivision.”
- 1.4. By adding at the end of Section 3.1.2.1.2 of Schedule A, before the semi-colon, the words “or Commercial Land” and by inserting into the last line of Section 3.1.2.1 after the word “Lot” the words “or Commercial Land lot or parcel”.
- 1.5. By inserting into Section 4.1 of Schedule A in the second line, after the words “Multi-Family Land” the words “or Commercial Land”;
- 1.6. By deleting Section 4.3 of Schedule A and replacing it with the following:
- “4.3 Notwithstanding paragraph 4.2 hereof, the Rent Charge for a Subdivided Lot or any Multi-Family Land or any Commercial Land shall not exceed the maximum of:
- (a) For a Subdivided Lot, the maximum equal to the sum of Two Hundred and Forty (\$240.00) Dollars plus five (5%) per cent of such sum for each and every year from and after the year 2018 (such \$240.00 plus the applicable five (5%) per cent increase factor being hereinafter together called the “Unit Sum”) per annum; and
 - (b) For any Commercial Land a maximum per annum calculated by multiplying the Unit Sum by the Commercial Land Factor; and
 - (c) For any Multi-Family Land, a maximum per annum calculated by multiplying the Unit Sum by the Multi-Family Land Factor;
- unless authorized by a special resolution of the Homeowners Association.”

BE IT FURTHER RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the maximum Rent Charge applicable to each Subdivided Lot and Multi-family Land be and the same is, from and including in calendar year 2019, the Unit Sum per Subdivided Lot and per residential unit within or permitted in each Multi Family Land parcel; and that the maximum Rent Charge applicable to Commercial Land be and the same is, from and including in calendar year 2019, increased to the Unit Sum multiplied by the Commercial Land Factor per Commercial Land lot or parcel.

BE IT FURTHER HEREBY RESOLVED that the Rent Charge amount per Subdivided Lot and per residential unit in each Multi Family Land parcel for the calendar year 2019 be and

the same is hereby set at \$ 240, and for each Commercial Land lot or parcel for the calendar year 2019 be and the same is hereby set at \$ 720.

DATED effective the _____ day of _____, 2019.

If there is more than one registered owner for any one property, each owner must be present at the special meeting or sign a proxy in order for the full weight of their vote to be counted.

Should you choose to vote by proxy, please complete and sign the enclosed proxy form and have your proxy representative bring the document to the meeting.

If you have any questions with respect to the Special Resolutions or Special Meeting, please feel free to email chhoa.vpres2@gmail.com.

**CAMERON HEIGHTS
HOME OWNERS ASSOCIATION
ANNUAL GENERAL MEETING**

PROXY

The undersigned owner of _____ of

(Please fill in address of property)

CAMERON HEIGHTS HOME OWNERS ASSOCIATION of Edmonton, Alberta hereby appoints _____ to act for and on behalf of the undersigned at the Special Resolution Meeting of the HOA to be held on Wednesday, April 17, 2019, adjournment or adjournments thereof, and to sign any resolutions in lieu of such meeting, with all the powers which the undersigned would possess if personally present, and with the power of substitution, such appointment to remain in full force and effect until revoked.

DATED this _____ day of _____, 2019

Name of Registered Owner (please print)

Address of Owner

Signature

NOTE: *It is of utmost importance that Owners appreciate that a Proxy form is a legal document and must be used with care. This Proxy confers discretionary authority to voice in respect of any manner as such nominee in his/her judgment may determine.*

If there is more than one registered owner for any one property, each owner who will not be present must sign the proxy in order for the full weight of their vote to be counted.



Cameron Heights HOA Special Meeting Minutes
River West Christian Church - Wednesday February 6th, 2019

- 1) **Meeting call to order and establishment of quorum** Board attendees: Candace Christman, Joe Crawford, Cathy Vanstone, Lisa Darling; Regrets: Harry Mulder, Natasha Palmer; Quorum was established.
- 2) **Election of chairman:** The Board of directors for the Cameron Heights HOA elected Amanda Leclerc of FirstService Residential to Chair the Meeting. Alanna Bencharsky of FirstService Residential will be acting as recording secretary. Amanda Leclerc, Community Manager of FirstService Residential, called the meeting to order at 7:09 PM. Amanda went over the Agenda and asked that questions be held for the open discussion portion of the meeting and to keep questions related to the agenda only.
- 3) Amanda reviewed the various notices that were given:
 - Sign Board Rental located on Cameron Heights Drive from January 11, 2019 to January 24, 2019.
 - Advertisement in the Edmonton Examiner January 10, 2019 and January 17, 2019.
 - Advertisement in the Edmonton Sun January 16, 2019.
 - Posting on the Cameron Heights Community League Sign Board located on Cameron Heights Drive.
 - Posting on the Cameron Heights HOA Website January 16, 2019.
 - Posting on the Cameron Heights HOA Facebook Page.
- 4) A formal objection was raised on the Proof of Notice, stating that proper notice was not given. The Board of Directors clarified that the Bylaws allow for formal notice to be given via advertisement in a newspaper, therefore proper notice was given in accordance with the Bylaws. The notice in the Edmonton Sun on January 16, 2019 included the date, time, location and details of the proposed special resolutions. The Board further advised that in the past when notice was given using Canada Post, it has not proved to be as efficient as they had hoped, and decided to try something new in hopes to get a better turn out. This is an on-going issue that the Board is creatively trying to improve.
- 5) **Bylaw 1 review and motion to approve:** Amanda advised that the current maximum term for board members is 3 years. The Board is looking to having this amended to not have a maximum term as many Home Owners Associations in Alberta do not have limitations of this type. Amanda read the proposed special resolution as follows:

BE IT RESOLVED that the Bylaws of the Society be and they are hereby amended as follows:

By Amending Bylaw 4.01 (e) by deleting the words in the second sentence “, but no member shall sit on the Board for longer than three (3) successive terms of office”;

A motion was made to pass the resolution as presented. It was seconded.

The floor opened up for discussion. The Board advised that they are in full support of this special resolution as in the past there is typically a lack of home owners volunteering to join the Board. Additionally, in general it takes a year or two to learn and become efficient in a board position. Therefore, the most productive and effective boards typically have people that have been involved for several years.

Question: Are Board members required to be a part of the CHHOA? Amanda advised that yes, Board Members must be a part of the home owner's association.

Question: Role of Developer: Amanda advised that the Developer has 34 units, and had given their proxy votes to the Board of Directors.

Concerns were raised that if the board was not forced to overturn then the existing board would become "stale". It was brought up that if people volunteer, elections would naturally allow for overturn if needed. It was the boards thought that by changing positions within the board every few years, it would allow some degree of overturn and freshness.

There was a motion to amend the resolution to:

BE IT RESOLVED that the Bylaws of the Society be and they are hereby amended as follows:

- a. *By Amending Bylaw 4.01 (e) by deleting the words in the second sentence " , but no member shall sit on the Board for longer than three (3) successive terms of office";*
- b. *By adding to the end of Bylaw 4.01 (b) the following:
"provided, further, that no person shall serve in any one of the designated officer roles for more than 5 consecutive years."*

It was seconded. All in favour. Amendment carried.

There was a motion to pass the resolution as amended. It was seconded. There was no additional discussion. All in favour. Motion as amended carried.

- 6) **Bylaw 2 review and motion to approve:** Amanda advised that the second revision the Board of Directors would like to make is in the bylaw wording, currently it is inconsistent, and the Board is proposing to change the wording to establish consistency. Amanda read the proposed special resolution as follows:

BE IT RESOLVED that the Bylaws of the Society be and they are hereby amended as follows:

By amending Bylaw 14.01 by inserting in the second line after the words "Member's Parcel" the words "or by advertisement as provided for in Bylaws 2.03 and 3.02 (b)".

A motion was made to pass the resolution as presented. It was seconded.

The floor opened up for discussion. A concern was raised that in today's day and age people don't read the newspapers and therefore any notice given by newspaper would go unnoticed. A suggestion was made to allow notice by mail or e-mail. The home owners present seemed to be in agreement with the suggestion made.

A motion was made to table the resolution until a new resolution reflecting the suggestion could be drafted and proposed at a later date, potentially at the Annual General Meeting in April 2019. It was seconded. All in favour. Motion tabled.

- 7) **Bylaw 3 review and motion to approve:** Amanda advised that the Board is proposing to change the 99 year cap on fees from \$240 to up to a potential amount of \$750. Amanda provided a breakdown of what the current \$240 fee pays for. Amanda read the proposed special resolution as follows:

BE IT RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the Bylaws of the association be and they are hereby amended as follows:

1. *By amending the first Schedule A annexed to the Bylaws (entitled "Restrictive Covenant, Easement and Encumbrance Agreement") as follows:*

1.1. *By deleting Section 4.3 of Schedule A and replacing it with the following:*

"4.3 Notwithstanding paragraph 4.2 hereof, the Rent Charge for a Subdivided Lot or any Multi-Family Land shall not exceed the maximum of:

- (a) For a Subdivided Lot, the maximum of Seven Hundred and Fifty (\$750.00) Dollars per annum; and*
- (b) For any Multi-Family Land, a maximum calculated by multiplying Seven Hundred and Fifty (\$750.00) Dollars per annum by the Multi-Family Land Factor;*

unless authorized by a special resolution of the Homeowners Association."

2. *That the officers of the Society shall record these amendments at the corporate registry and in the Society's minute book.*

BE IT FURTHER RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the maximum Rent Charge applicable to each Subdivided Lot and Multi-family Land be and the same is, from and including in calendar year 2019, increased to Seven Hundred and Fifty (\$750.00) Dollars per Subdivided Lot and per residential unit within or permitted in each Multi Family Land parcel.

BE IT FURTHER HEREBY RESOLVED that the Rent Charge amount per Subdivided Lot and per residential unit in each Multi Family Land parcel for the calendar year 2019 be and the same is hereby set at \$240.

Question: where did \$750 figure come from, and what would that entail? Amanda advised that this figure comes from inflation, and additional expenses that may be incurred in the future. As

the community ages, more money will be needed to run the community for expenditures such as landscaping, mason fence, lawn care, management, etc.

There was an immediate negative reaction from the home owners present.

A motion was made to amend the special resolution to read as follows:

BE IT RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the Bylaws of the association be and they are hereby amended as follows:

1. *By amending the first Schedule A annexed to the Bylaws (entitled “Restrictive Covenant, Easement and Encumbrance Agreement”) as follows:*

1.1 By deleting Section 4.3 of Schedule A and replacing it with the following:

“4.3 Notwithstanding paragraph 4.2 hereof, the Rent Charge for a Subdivided Lot or any Multi-Family Land shall not exceed the maximum of:

(a) For a Subdivided Lot, the maximum of Five Hundred (\$500.00) Dollars plus the Inflation Factor per annum; and

(b) For any Multi-Family Land, a maximum calculated by multiplying Five Hundred (\$500.00) Dollars plus the Inflation Factor per annum by the Multi-Family Land Factor;

unless authorized by a special resolution of the Homeowners Association. For purposes hereof, the “Inflation Factor” means a sum equal to five (5%) per cent above the said \$500.00 for each and every year after the calendar year 2019. For example, and by way of clarity, the Inflation Factor for the year 2020 will be \$500.00 plus \$25.00, or \$525.50; and the Inflation Factor for the year 2021 will be \$500 plus \$50.00, or \$550.00.”

2. *That the officers of the Society shall record these amendments at the corporate registry and in the Society’s minute book.*

BE IT FURTHER RESOLVED as a Special Resolution of the CAMERON HEIGHTS HOMEOWNERS ASSOCIATION that the maximum Rent Charge applicable to each Subdivided Lot and Multi-family Land be and the same is, from and including in calendar year 2019, increased to Five Hundred (\$500.00) Dollars, plus the Inflation Factor for years subsequent to 2019, per Subdivided Lot and per residential unit within or permitted in each Multi Family Land parcel.

BE IT FURTHER HEREBY RESOLVED that the Rent Charge amount per Subdivided Lot and per residential unit in each Multi Family Land parcel for the calendar year 2019 be and the same is hereby set at \$240.00.

It was seconded.

The floor opened up for discussion. A question was raised on whether potential increases would be voted on annually. The Board advised that there wouldn’t be, and that this would be decided by your Board of Directors. There was significant concern around the lack of control in the

proposed amendment around fee increases. The board clarified that any fee increase would be based on whether it is required after development of the budget for a given fiscal year. Increases would not be randomly implemented without basis. This would be dictated by the Home Owners Association's expenditures of that year. Concerns regarding the wording of this resolution continued with no consensus. It was requested by a few home owners that the resolution be tabled for additional review.

A motion was made to table the resolution. It was seconded. All in favour. Motion tabled.

8) Adjournment: The meeting was adjourned at 8:59PM

DRAFT