

**Yellowknife Condominium Corporation #8
Minutes for the January 31, 2011 Meeting
Northern United Place
Starting 7:00 p.m.**

Units in Good Standing

125	131	139	201	205	221	227	248	256	316	318	321	329	332
	337	347	353	419	423	440	442	455	458	466	541	550	553
	556	560	566	572	580	586	604	620	635	537	642	643	648
	653	655											

Units with outstanding fees

Units with outstanding fees

324 336 632

There was no quorum. Meeting will take place on Monday February 7, 2011 starting at 7 PM in the PSAV Room at the Multiplex.

**Yellowknife Condominium Corporation #8
Minutes for the February 7, 2011 meeting
Multiplex PSAV Room
Starting 7:00 p.m.**

Units in Good Standing

105	121	123	131	139	141	143	201	205	216	221	226	227	230
	232	240	248	256	301	303	304	316	218	320	321	329	337
	341	342	343	351	353	402	404	407	410	419	423	440	442
	463	466	541	545	550	553	556	559	560	566	572	574	580
	586	604	611	617	620	635	637	641	643	646	648	655	

Units with outstanding fees

417 457 632 651

1. Call to Order

Meeting was called to order by Wanda at 7:33 p.m.

Introduction of Board Members

2. Certification of Proxies

8 proxies received, all were valid

3. Approval of Agenda

Motion (01) to approve Agenda (unit 407)

Seconded (unit 354)

Motion passed

4. **Business Arising**

Approval of two sets of last year's minutes:

Bylaws, January 2010 – May 2010

Motion (02) to approve (unit 337)

Seconded (unit 410)

Motion passed

No business arising from these minutes

Next set of minutes from August 9, 2010 –

Motion (03) to approve (unit 572)

Seconded (unit 556)

Motion passed

No business arising from these minutes

5. **Auditor's Report: Review of Financial Statements Ending August 31, 2010**

- Financial statements were reviewed by Mackay LLP and posted on the website. Question from last meeting: is a major repair a capital expenditure or operations and maintenance cost? Mackay LLP determined if the funds go to fixing something broken (as opposed to contributing to new infrastructure) it does not count as a capital expenditure. Board determined if the expenditure is over \$50,000, this is considered a capital expenditure. However, it all comes out of the same pool of money.

- Budgeted vs. Actual: **please note numbers in minutes are approximate**
 - Revenue: budgeted \$505,000 actual \$508,000. Condo fees collected were down, but some other income brought revenues back up. There is a list on the back table to show who is in arrears on their condo fees.
 - Operating expenses: budgeted \$243,900 actual: \$307,700 (get from report later)
 - Administrative cost: budgeted \$175,000 / actual \$164,000
 - General: down \$45,000 from what was budgeted. That was drawn from the replacement/reserve fund (also known as capital fund).

- Discussion of further definition/explanation of reserve fund. The reserve fund is a buffer fund that the condo corporation is trying to grow. \$150 of the condo fees go to the operating fund, while \$50 goes directly to the reserve fund. Any leftover funds from the operating fund go into the reserve fund. However, with the amount of breaks lately, there has not been a significant amount of leftover funds.

- Discussion (from unit 637): There are no minutes reflecting the approval to raise the fees to increase the capital fund, it is mandated in the bylaws that the membership approve. Board says fees were increased to \$200 in July because it was seen that expenses exceeded income and it was necessary to rectify that immediately. The

change was approved at the AGM. The whole budget was approved at the AGM, which included this cost.

- Discussion: By raising condo fees, a slightly increased number of people are in arrears. Some of these people just did not increase their payments in time so are behind by that difference.
- Discussion: To some extent, condo fees had to be raised to compensate for those members who are in arrears. This lack of income affects the operating budget, in addition to the fact that non-paying members trigger court fees and collection agency fees. After being in arrears for three months, the account is turned over to a collection agency. If all fees were collected from all members, it would have significantly affected the deficit. However, non-paying members do contribute to the deficit but there are other reasons for the deficit. Discussion took place on other ways the condo corporation could be saving money – for example: street paving, etc.

Motion (04) to accept audited financial statements (unit 643)

Seconded (unit 318)

Motion carried

6. Reports of Officers

a. President:

Thanks to all members. Highlight issues: total of 13 meetings were held last year. The board started out with 10 members, 2 members were removed for non-compliance with board policies. One was replaced. Anyone contemplating putting their name forward please be warned that you must make a time commitment. The infrastructure committee is the only active committee. Each month, the board gets condo fee statements. Non-paying members are a topic of continual discussion. Twelve individuals are still paying lower amounts of condo fees. Those individuals can see Accounting Plus and have their accounts brought up to date. Kevin will be taking over our website design. Please review our website. Kevin has been sending out updates – if you would like to receive these, please leave your email address with Heidi. I feel that we have worked hard and accomplished a lot. Thanks to all.

- **Discussion:** Chris Thorne (unit 221) raised the issue of the difficulty communicating with board members (described as meeting a “brick wall”). This discourages people from stepping forward. Issue was raised of speaking with Wade regarding vehicle/snow clearing issues, and the member was told he needed to contact bylaw. However, some feel that speaking to the board or park manager should be sufficient. The issue was raised that relationship between Northlands and Bylaw leads to Northlands being ignored. Wade has spoken to Mr. Van Tighem, which solves problems temporarily but they continue to occur. Government is being unresponsive. However, if the condo corp were to have a vehicle towed, they would have to pay for it as an organization (cost comes from income from condo fees). Collecting from non-paying members has been quite difficult, and members with dangerously parked or abandoned vehicles have been asked repeatedly to fix the situation. If bylaw will not

do it, the condo corporation has to pay for it. There is no provision for sanctions (fines) until the new bylaws are registered. Fire truck passage and fire safety was raised as an issue.

- Jenny from unit 617: Who is working with the City, who is the contact at the City and how can we improve this relationship? Wade says Mr. Gillard at bylaw is the contact and Mayor Van Tighem has also been involved. Suggests that people call bylaw often because they will be more responsive if they get numerous calls. However, one member says that bylaw told them the board members should be doing the calling and they can not respond to regular members. Suggestion that the issues should go through City Council rather than the mayor.
- Comment from unit 655: Seconds the comment about issues communicating with the Board.
- Comment from unit 643: We need to understand what the authority of the Board is.
- Comment from unit 201: Would like to thank the Board for volunteering their time and doing the best they can. There are issues with people filling their yards with cars, particularly around his unit (201). One particular unit has up to 5 vehicles parked on the street and doesn't use their driveway. They are blocking fire truck passage. Question of whether it is the park manager's duty to deal with these issues. Wade says if people send us the numbers of these houses, the board will send them a letter. When bylaws are registered, people will be able to be charged up to \$500 for this type of infraction. However, getting the bylaws registered could take up to three years. Suggestion from Chris (221) that perhaps the environmental damage factor could be used to encourage the lawyers to move more quickly.
- Discussion of personal responsibility in contacting the board to deal with these things. If members lived anywhere else in the City, it would be their responsibility to call bylaw to get this type of thing dealt with. Current bylaws give the board very little power and there are no consequences for offenses. The "unsightly" bylaw has been used a few times in the past for offenses with bylaw but it has to be a very extreme case (unit 322 mentioned).
- Comment from Tomlin, unit 318: Some members would be supportive of having the vehicles towed at our expense. It would make a difference to how people see Northlands and could possibly increase respect from bylaw.
- Comment from Elaine Stewart: a few years ago she went to bylaw repeatedly about unit 322; she was ignored repeatedly but didn't give up. Eventually City Council, particularly Paul Falvo, got involved and dealt with the situation. Encourages people to not give up after one call.

Motion (05) to ask board to look into authority of getting these vehicles removed (unit 617)

Seconded (unit 419)

All in favour, motion passed

b. Park Manager (report given by Wade because Mike absent)

Year had a focus on infrastructure, generally things went as expected apart from one incident: On February 1st 2010 a sewer main plugged. After many attempts at clearing it, it became clear it would have to be dug up and replaced. A temporary line had to be installed with temporary power. On June 2, 2010 dig was started. Large holes were found in the main. All the digs are a challenge because of the tight area; this one was complicated because of the large number of residents affected. Cost was approx. \$100,000. There were 16 trailers involved. Water had to be shut off on two streets. Some breaks are from improperly insulated water meters. Meters should be installed in the home where they can stay warm. When receiving a notice from city that your meter cannot be read, please look into it as soon as possible. These meters raise operating costs. People with broken meters will be notified, if the meters are not replaced in one month they will be replaced at owners' costs. Snow removal scheduled for early March depending on availability of contractor. Please have your vehicles removed or they will be towed at owners' expense. Thanks to board, their help and support are appreciated. Board members volunteer their time and should be commended for their efforts.

7. Reports of Committees: Infrastructure Committee

- Wade Friesen: We have been waiting a long time on this funding request. It is with the federal government at some point in their process. Wade spoke to our MP Dennis Bevington about seeing what he can do. Wade has been putting pressure on all three levels of government.
- Discussion: There were a lot of responses to the request for feedback. The board is looking for statements for an impact statement to distribute throughout the levels of government. All members are encouraged to send something in. Hopefully this will be finished within the next month. Suggestion to use Youtube as a visual medium for appeal. Suggestion to look into non-profit funding and see if there is anything the corporation could apply for. Wade says they will look into it.
- MLA Wendy Bisaro: Because it has taken this long with the formal request, perhaps it is time to go the political route. She made the suggestion of contacting the Conservative party members in town to see if they can put some pressure on from this end. Group support for this idea. Board says contact information for Progressive Conservative members will be found and posted on website.
- The request is now with the federal government for half the funding for the infrastructure replacement (\$9 million). There is also a request in with the City that they formally take over our street paving. If the City will accept that, that will reduce the remaining \$9 million needed, assuming the request to the federal government is approved) to approximately \$5 million.
- Comment from Trevor Castille: We should think outside the box. Could build on-water front condo units, with a higher density than single family homes, and sell leftover, rezoned land at a profit. Infrastructure costs could be cut by up to 75% if zoning was changed from residential to commercial. Wade says that at this point, it

would be difficult to stop the current request from going forward. This idea would take years to investigate.

- Request from unit 574: Could the board please send out an email with the contact information for the federal department that the proposal has gone to? Perhaps a draft letter could be sent out that people could alter or attach their name to and send. Wade: yes we will look into that, originally we worried about stirring the pot and turning opinions against us, but if the membership directs us to do that we certainly can. Election issues could push our project onto the backburner.

- Discussion: Why not look outside the box and see how our real estate could be marketed or used? Would it really take years? Northlands is prime real estate. In the City's recent planning sessions, Yellowknife residents envisioned higher density housing in areas like Northlands. Who knows if the federal government will support our request? It would be worth our time to assess this idea. Unit 203 raises issue of whether we have looked at this from the inside out. Would like to see more options being presented for \$18 million dollars. Board says it was looked at previous to the feasibility study, but was determined to be unrealistic because the issue is with the placement of the water and sewer lines. City will not take over Northlands until the water and sewer lines are properly placed and serviceable. The most realistic option is to bring Northlands up to city standard.

- Discussion: Unit 318: would it be possible to raise the condo fees even more to build the reserve quicker? Wade: our last condo fee increase resulted in an increase in condo fee arrears to approximately \$5000 per month. The present rate has to be our maximum or some of our membership will be bankrupted. Comment that non-paying members are causing a lot of these problems because there is no deterrent to not paying condo fees. However. There is, however, nothing the board can do until their bylaws are registered.

- Discussion of park management/maintenance contracts: Chris Thorne asked why these contracts are not put up for tender, they are never seen to be advertised. It would be nice to see them advertised so we can see if we can get a better rate. Wade says if the membership directs the board to advertise Requests for Proposals (RFPs) for the management contract, the board can do that when the contract is up. Everyone notes that this is not because Mike is doing a bad job, it is just proper due diligence.

Motion (06): to put management/maintenance contracts out for tender when they are up (unit 617)

Seconded

For: 24

Opposed: 7

Motion passed

- Discussion of City tax assessments: Wade: we appealed the 2010 tax assessments; we won a portion of what was requested. The overall reduced value was about 80% (not very substantial). We did not appeal for a specific amount, but for a

percentage of reduction based on the formula for similar areas. We are again appealing through the municipal government because our land is not worth anything because we cannot sell our lots when CMHC is not insuring mortgages. If there is anyone who does not want their property appealed, please email the board. The City will send you a notification that your assessment has been appealed and will give you the date of the meeting. For the 2011 assessment appeal, the City says our assessments are based on the assessed value of the land. Theoretically, the land has no value, so we will fight for that.

- Discussion: The amount of funding from the City will depend on the federal and territorial funding. We have to go through the proper channels. Has anyone looked at the amount of taxes Northlands has paid but never received any servicing of our water and sewer infrastructure.? However, we are a privately-owned piece of land. The City is not legally obligated to do any of this maintenance for us. Discussion that the city allowed this situation to happen. However, the current infrastructure can not support a long legal battle. Comment that some city councillors supported Northlands during their election run; however, the proper funding channels (federal first) must be followed.
- Comment from 617: Northlands is not being taken seriously by any political body because statistically, Northlands doesn't vote. Our riding had the lowest turnout in the last territorial election. As a community, it was less than 5% of Northlands residents who went and voted in the last territorial election. We all need to encourage our neighbours to get out and vote.
- Discussion:

Motion (07) from Trevor Kasteel: to look into the medium-density condominium concept with an assessment and looking at funding options to be able to get a study done. It would need to include how the rest of the land would be zoned and valued.

Seconded by 617.

- Wade says this action should include a maximum budget before any time or money is spent on it. Trevor clarified his motion is to look into funding for the study, not to spend any condo corp money on the study itself. Comment from unit 318 is to make sure that a majority of homeowners would sell their property before spending any time or money on this idea. This point is agreed upon, however a study would allow people to know what their land would be worth and how they would benefit when considering that. Funding could be sourced from places the board has already been successful in securing funding. Issue raised that exploring this while the federal funding request is on the table might endanger the current funding proposal. It was agreed that the concept is good, but we first we need to see what the answer is to the current funding proposal. Board agreed that if there is a response to the request before the next membership meeting, a special meeting will be called to discuss this and other alternative options. The Motion was withdrawn.

- Discussion: Membership needs to follow the rules associated with a motion and not raise issues before the appropriate time. Also, board members (and all members) need to show respect to those speaking.
- Discussion: Request for the board to send out the information on the appropriate contacts in municipal, territorial, and federal government so the members can contact them.

8. **Election of Board of Directors for 2010-2011**

Up for reelection:

Kevin Laframboise

Pearl Benyk

Aldan Jansen

Wanda Anderson

All of these members agreed to stand for re-election.

Nominated:

221 - Chris Thorne

353 – Elizabeth Cook

318 – Gilbert Tomlin

Results:

Kevin, Pearl, Aldan, Wanda, Elizabeth and Gilbert all voted in.

9. **Adjournment** - Meeting adjourned at 9:50 p.m.