

**OTTAWA-CARLETON STANDARD CONDOMINIUM CORPORATION NO. 769**  
**MINUTES of the ANNUAL GENERAL MEETING**  
**PARTY ROOM**  
**THURSDAY, JUNE 29, 2023**

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**PRESENT:**

Rose-Marie Batley	President, Secretary
Scott McDermott	Treasurer
Carmène Levesque	Vice-President, Director of Communications
Larry Boisvert	Director at Large
Kim Renwick	Property Manager, Condominium Management Group
Liz Smith	Recording Secretary

**ABSENT:**

Branislav Vračarić	Director of Operations
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**INVITED:**

Michelle Huibers	Auditor, Kelly Huibers McNeely Professional Corporation
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Rose-Marie Batley, President of the Board, chaired the meeting and welcomed owners.

**1. CALL to ORDER**

The President, Rose-Marie Batley, called the meeting to order at 7:05 p.m.

**2. CONFIRMATION of QUORUM**

Quorum was confirmed with a total of 80 units, represented by 57 units present and 23 proxies.

**3. CONFIRMATION of NOTICE**

It was confirmed that the Preliminary Notice and Notice of Meeting were sent to all owners in advance of the meeting in accordance with the requirements of the Condominium Act, 1998. The Preliminary Notice was sent on May 24, 2023, and the Notice of Meeting was sent on June 14, 2023.

**4. INTRODUCTIONS**

The Chair introduced the Board of Directors, the Property Manager, and the Recording Secretary. The Auditor was unable to attend.

**5. APPROVAL of the AGENDA for the 2023 AGM**

**Motion:** To approve the 2023 AGM Agenda

**Moved:** Peter Mitchell (Unit 204)

**Seconded:** Jerry Pitzul (Unit 1202)

**Motion carried.**

**6. APPROVAL of 2022 AGM MINUTES**

The Chair opened the floor for any corrections or omissions to the 2022 AGM minutes.

**Motion:** To dispense with the reading of the previous AGM minutes, held on July 28, 2022.

**Moved:** André Vinette (Unit 1801)

**Seconded:** Oriana Trombetti (Unit 1807)

**Motion carried.**

**Questions re 2022 AGM Minutes:** Peter Mitchell (Unit 204) noted there had been a correction to the date of the AGM, which was caught and published. Kim confirmed the 2022 AGM was held on July 28, 2022, not June 29, 2023.

Kim also noted there was a reported change from an owner prior to the AGM and we have made the change.

**Motion:** To approve the minutes of the AGM held July 28, 2022.

**Moved:** Mary McCoubrey (Unit 805)

**Seconded:** Don Monk (Unit 204)

**Motion carried.**

## **7. PRESENTATION of the AUDITED FINANCIALS**

Copies of the audited financial statement for the year ending December 31, 2022, were included in the AGM package distributed to owners.

As the auditor, Michelle Huibers, was unable to attend the meeting, the Treasurer, Scott McDermott, provided an overview of the audit process and findings and then presented the financial results for the year ending December 31, 2022. It was the first fiscal year for the new auditors and noted they have presented a clean audit with no issues to report. He added that the Board is satisfied with the knowledge and professionalism of the auditors but has communicated our expectation that a representative of their firm attend our AGM.

Scott noted that the net assets, otherwise known as operating equity, at the end of 2022 were \$84,506, up from \$46,853 at the end of 2021. The Board remains committed to building this Operating Equity cushion to the \$100,000 level at a minimum and is very pleased with the growth of this account from the level of just \$245 at the end of 2020.

In terms of specific financial results for 2022, revenue ended the year \$2,000 favourable to budget while expenses ended the year \$15,400 under budget. Overall, we had an operating surplus of \$37,653 for 2022 versus our budgeted surplus of \$20,294. Our Corporation ended 2022 \$42,719 favourable to our Hydro budget due to a 10% rate decrease as well as a small 2% decrease in hydro usage for the year. This large favourable variance was offset by our biggest financial challenge of the year, which was our gas expense. This expense ended the year \$39,433 over budget due to a 32% increase in gas rates. He also noted that our gas usage was consistent in 2022 with previous years. We also ended 2022 \$22,108 favourable with regards to our Salaries and Benefits expense. This was due to an overstatement of our Vacation Pay Payable account, which was noted during year-end analysis and corrected.

Scott outlined that performance incentive payments were made to each of our three employees, Pierre, Nick, and Yves. These incentives were less than \$1,800 in total and are included in the Salaries and Benefits line of our expenses. We also paid a performance incentive of \$1,200 to our Property Manager in 2022, which is included in the Management Fees line of our expenses.

Scott reviewed the results for our Reserve Fund. The fund had revenue of \$514,047 in 2022 and expenses of \$166,544 primarily related to boiler repairs, heat pumps, window expenses, and mechanical expenses. The reserve fund increased by \$347,503 in 2022 and ended the year with a value of \$2.59M.

Looking at these results versus our latest Reserve Fund Study, the Study outlined potential spending in 2022 of \$605,058 driven by a \$395,000 investment in heat pumps and a \$150,000 project to redo the caulking in the building. Neither of these large expenses was required in 2022; however, the money remains in our reserve fund to be used on these items when necessary.

Scott summarized the 2022 results for our Shared Facility. The Shared Facility reserve fund ended 2022 with a balance of \$231,929 with minimal spending over the year totaling \$15,705 related to our pool and the updating of systems in our gatehouse. The reserve fund is up \$51,692 from 2021 and remains in a strong position. Budgeted revenues were just over \$510,000 in 2022 coming as always from equal contributions from both buildings. The Shared Facility budget continues to be well managed with active involvement from both corporations.

The Chair opened the floor for questions regarding the audited financial statements and/or the audit process.

Jerry Pitzul (Unit 1202) thanked all the Board members for their service. He stated that the current Reserve Fund Study recommended an 8.5% increase over the next three years and asked for clarification on the operating and reserve fund budgeting process for the Shared Facility. He stated that there does not seem to be enough money put into the Shared Facility budgets to cover unforeseen items such as the damage from the derecho. Scott responded that the Shared Facility Reserve Fund was increased by the amount recommended by the engineer, and we would investigate further his question vis-à-vis the Shared Facility operating fund.

Jerry Pitzul (Unit 1202) questioned Note 4 of the Financial Statements stating that we seem to have spent 75% less in 2022 than the Reserve Fund Study recommended, yet the actual Reserve Fund value is lower than predicted in the Study. Kim R said that we are just starting Year II vis a vis the Study – a response will be provided from the treasurer on this topic.

Jill Stewart (Unit 1305) asked about the common area refurbishment expense in 2022 of \$9,230. Kim R stated that the superintendent's suite is considered a common area and

that the unit was refurbished prior to Yves' arrival. The work included cleaning, painting, new flooring, and some new appliances.

Mac Jewett (Unit 1405) said that a cushion of \$100K operating equity should be the minimum. He was pleased that the contingency fund was growing.

Clive Wolff (Unit 1407) remarked that the individual corporation's insurance deductible amount for water damage has increased to \$25,000. Kim will send the information to everyone; owners should check with their insurance company that their insurance will cover the corporation's deductible should the cause of the water damage initiate in their unit.

Robert Boisvert (Unit 307) asked if the Treasurer was comfortable with the balances in the reserve funds of the corporation and the shared facilities. Scott McDermott responded that in a perfect world, we would always want the Reserve Fund balances to be higher but that he was comfortable with our current balances and that our future year needs should be met. The reserve fund for RG2 ended 2022 at \$2.59M while the Shared Facility Reserve Fund ended 2022 at \$231K. The Shared Facility balance is above the Reserve Fund Study projection while the RG2 balance was within \$68K of the projection.

## **8. APPOINTMENT of the AUDITOR**

The Treasurer confirmed that the Board of Directors and the Property Manager are satisfied with the services and pricing provided by Kelly Huibers McNeely Professional Corporation and recommended their re-appointment for the 2023/2024 fiscal year.

**Motion:** To re-appoint Kelly Huibers McNeely Professional Corporation for the 2023/2024 fiscal year.

**Moved:** Jerry Pitzul (Unit 1202)

**Seconded:** Clive Wolff (Unit 1407)

**Motion carried.**

## **9. VOTE – BOARD MEETINGS and MINUTES**

### **Information Received from Town Hall and Open Board Meetings Feedback Forms –**

A summary of the feedback received from the Town Hall and Open Board Meeting feedback forms was provided. Of the 43 returns received, 23 preferred open Board meetings and 20 preferred Town Halls.

The following motion was provided in the AGM package and was addressed at the meeting.

**Motion:** To have Board Meetings of the Condominium, except in Camera, open for attendance by Owners, who shall be permitted to speak at an appropriate time on good and welfare and the Owners comments shall be part of the Minutes of Board Meetings.

**Moved:** Norm Slover (Unit 706)

**Seconded:** Fred Tabachnik (Unit 1105)

Discussion on the Motion:

- Norm Slover (Unit 706) commented that people are interested in their investments. The

Board closing the meeting to owners is contrary to condo legislation, which does not recognise a Town Hall approach. He felt it was easier to have monthly sessions for those who want to be at the Board, for those who want to vote. "I'm going to vote for an open Board". He believed the Town Halls require formal notice.

- Kim outlined that Town Halls do not require formal notice. If it is a session for information or exchange of questions and comments, there is no need for formal notice.
- Bakkshish Singh (Unit 401) asked if Town Halls were contrary to the Condominium Act. A Town Hall is considered an informal discussion in a community; it does not require 35 days' notice nor is it contrary to the Act.
- The Condominium Act comments on how Boards should function. In response to a question from an owner, Kim noted the new Board is not bound by the outcome of this motion; owners elect the Board, and the Board makes decisions.
- David Patterson (Unit 1807) noted the fiduciary duties of a Board and the confidentiality requirements. Anybody who wants to join an Advisory Committee is free to do so, but only Board members can do the negotiations. You can have open meetings and in-camera meetings, so you don't put people on the spot. It's up to the Board to decide how to run meetings and manage the corporation on our behalf.
- Sandra Slover (Unit 706) believes all have a right to participate at open Board meetings.
- Chuck Merovitz (Unit 603) said he understands this is a community, but the Board has fiduciary duties – that's paramount. Therefore, we elect the Board, and it often needs in-camera sessions to do business.
- Pat Wood (Unit 703) remarked that open Board meetings and Town Halls are wonderful; why does one have to preclude the other? The Town Hall brought out more people, the open Board brings out the "same old people" – how do we mark our ballots if we want both formats?
- Jerry Pitzul (Unit 1202) remarked that transparency and access to information are important. He recommended using strengths of everyone in the building. He suggested the agenda be published early so that interested owners who have something to input are able to do so.
- Clive Wolff (Unit 1407) said Town Halls are missing the action list items. He is interested in the Action List and said that information has not come out to owners this year. Rose-Marie noted that the Action List items are included in the minutes with the number of the item, the topic, and the status.
- Catts Esbensen (Unit 1508) asked why the decision was made to make the Board meetings closed? "What motivated it? I did feel hurt". Kim responded that a memo was sent June 2, 2022 to explain the decision and the rationale. The aim was to encourage more people (including new owners) to attend the Town Hall and to devote the time exclusively to questions/comments from the owners.
- Scott McDermott (Unit 1704) noted the informal meetings with owners allow for a more generic discussion and interaction.
- Fred Stadler (Unit 306) said that as far as he's concerned, the Board has the responsibility to make the decisions; "it's a lot of work".
- Bill Goldstein (Unit 303) outlined 3 scenarios: open board meetings with owners present but no participation; open board meetings and owners allowed 30 minutes for input/comments/questions; open board meetings with discussion.

The vote counted 57 in favour of open Board meetings, and 17 against. Two ballots were spoiled. It is the responsibility of the new Board to determine meeting format.

**Motion carried.**

## **10. ELECTION to the BOARD – TWO DIRECTORS**

Kim Renwick assumed the Chair temporarily and confirmed that there were two positions open for election each for a three-year term. The question was asked if there were candidates from the floor wishing to run for election to the Board; there were no additional nominations.

**Motion:** To close the nominations.

**Moved:** Kay Stanley (Unit 502)

**Seconded:** Peter Mitchell (Unit 204)

**Motion carried.**

The three candidates were offered the opportunity to speak to the reasons for their candidature. The disclosures for the three candidates were included in the Notice of Meeting package.

Scrutineers volunteering from the floor were Peter Mitchell and Sheila Levy and witnessed ballot counting for both motions with Kim Renwick.

### **Election Results:**

Rose-Marie Batley and Carmène Levesque were duly elected for three-year term positions to the Board of Directors.

Cattis Esbensen (Unit 1508) asked if owners could have the numbers for the vote. Kim said the numbers can be provided if the ownership requests. No one made a request, and the numbers were not provided.

## **11. GENERAL DISCUSSIONS**

A series of thank you messages were expressed, including to the volunteers on the following committees: Electric Vehicle; Emergency Preparedness; Housekeeping; Library; Social; as well as work done by individuals for the newsletter, snow maintenance, and gardening. Robert Boisvert was recognised and thanked for creating the RG2 website and maintaining it over many years. Robert is retiring from the role of webmaster; the Board is seeking a replacement. Kim thanked the owners who challenged the City of Ottawa re: the parking issues during the garage membrane repairs.

**Boiler Replacements:** Larry Boisvert (Unit 1907) reported that 3 responses to the RFQ prepared by Keller Engineering for the boiler replacements were received. The bid from Baxtec was selected and Keller Engineering will supervise the project. A first meeting with Baxtec will be held July 6, 2023. The plan is to have the boilers in place for the winter season. The Board will monitor for any savings. Prior to committing and signing the contract, Baxtec confirmed in writing that they have replacement insurance and not

simply depreciated insurance.

**Pool:** The Dectron pool filter unit has been problematic. The replacement cost is excessive. Repairing will cost between \$30K - \$40K with an expected life of 3-5 additional years. Parts have been ordered but not yet received.

**Furnace Thermostats:** Donna Allen (Unit 301) requested thermostats suitable for seniors – some of the types now being used are hard to see the numbers. Thermostats are replaced when a new heat pump is installed. Other changes to the thermostat are the responsibility of the owner.

**Loud Fans:** Kay Stanley (Unit 502) remarked on the loud fans in the pool area and wanted to know when they will no longer be needed. Kim responded that the fans are needed until the Dectron is repaired. The parts have been ordered; a notice will be sent to owners with an update as soon as available.

**Boiler Booster Units:** Norm Slover (Unit 706) wondered if the booster units on the 7<sup>th</sup> and 13<sup>th</sup> floors would be done away with when new boilers are installed as the boosters can cause floods. He said he sent a message to the Manager for an update on this. Kim confirmed she sent a response including an engineer's report that he had requested.

**Upkeep:** Norm Slover (Unit 706) remarked elevators on the east side look terrible; chairs in the foyer are not good and we've been talking about the boilers for five years. Rose-Marie noted the chairs have been approved for reupholstering and will be going out when the fabric is in. The east side elevators were used during construction of the building and have had considerably more wear than those on the west. The Board has been working with Solucor and Thyssen Krupp to repair the source causing the damage prior to replacing the skin on the elevator doors.

**Violence and Harassment Policy:** Gary Nelson (Unit 1901) remarked that he has only seen page 1 of this policy; the rest has not been posted on the website. Carmène will look into this.

**Function of Outgoing Board:** Bill Goldstein (Unit 1203) remarked it was wrong for the departing board to impose things on the next board. Within a month of their term expiring, he said the Board changed policy re open board meetings, created a design committee that binds the hands of the next board, and formed the gym committee. Neither the gym nor a design committee has been created; these will be decisions of the new Board. A Board has a responsibility to function throughout their term including continuing to make decisions.

**Gym Committee:** Pete Laberge (Unit 1508) remarked the Board should let people know about the gym committee. Rose-Marie noted an email seeking volunteers was sent out. Larry is the Board liaison for the committee; he said there is a need to look at all the equipment as some may need repair or replacement. Some owners have volunteered, others are welcome to volunteer. The committee will be formed by the new Board. As with any committee, recommendations will come to the Board for a decision.

**Housekeeping:** Jill Stewart (Unit 1305) said the committee told Kim the artificial plants near the mailboxes should be removed; the plants were dirty and dusty. Kim responded that Rose-Marie as the liaison to the committee agreed to have the plants cleaned as a first step.

**Party Room Carpet:** Rachel Boisvert (Unit 307) said she was setting up an event in the party room and noticed the carpet was very dirty – it was embarrassing. The carpet is cleaned annually. The Board will discuss cleaning or replacing the carpet.

**Security:** Sophie Duncan (Unit 1706) said she noticed the gatehouse security staff were sleeping on the weekend; some weekend gatehouse staff asked her visitors if they were hiring; something must be done to improve weekend service at the gatehouse. Any incident reported to the 769 Property Manager is relayed to the manager at Iron Horse. She advised owners that if they see an intruder, they must call 911. The Police informed her that the owners who encounter the intruder must be the party reporting the incident. Kim provided the Police with a picture of the intruder. She also mentioned that if you let people in, it's not considered an unlawful entrance. Pat Wood (Unit 703) said "some of us are guilty of letting people in, we've got to be more vigilant". She suggested that a reminder be put in the next newsletter. David Parnas (Unit 1606) said the biggest risk is the garage doors – entrance is easy if they are left unlocked or ajar – especially after a move.

**Foul Smell:** Viviane Belisle (Unit 1306) remarked there has been a foul smell when Yves turned off the fans when it was smoky outside.

**Design:** Ruth Miller (Unit 606) remarked "this building has good bones" and to keep it first class there should be knowledgeable input into the design. This needs planning, not a piecemeal approach to keep it up.

**Iron Horse Staff:** Sophie Duncan (Unit 1706) asked for an update on a weekend concierge, who has been unwell. The Property Manager has asked about him; however, no information was made available as it is considered confidential.

**Landscaping:** Mary McCoubrey (Unit 805) said plants were needed in many places and several existing plants could be divided. Cattis Esbensen (Unit 1508) sent Kim photos of weeds and stinging nettles near the gazebo that need attention. The Shared Facility Committee will follow up on this matter.

**Maintenance:** Clive Wolff (Unit 1407) remarked that preventive maintenance and building maintenance are critical and that Yves, the new superintendent, is doing that maintenance. This remark prompted wide applause in the room.

**Pool:** Sandra Slover (Unit 706) said that only being able to use the pool at 8 am is late, could it not open at 7 am? The problem is that testing needs to be done before people go in the pool. Sophie Duncan (Unit 1706) asked if early morning swimmers could do the testing. Those completing the testing must be certified. The advice the Board consistently



receives is not to use owners for these kinds of tasks as it represents a liability. Kim said that she'd mentioned in a recent email that they continue to look for options for the pool hours. Mac Jewett (Unit 1405) said he is infuriated over what is happening re the pool and the City of Ottawa needs to be challenged and informed that owners set their own rules for their own private pool. Kim responded it is not considered a private pool and a regulation determines whether a pool is private or public. All commercial buildings in Ontario are governed by this regulation and 3580 Rivergate Way is considered a commercial building. It also requires a lifeguard if there are more than 10 people in the pool. Both the City and the province have jurisdiction over pools. André Vinette (Unit 1801) asked if a human must do the work – could it be a robot or AI? Kim advised that the chemicals were dispensed automatically for some years now; however, the latest inspection noted it must be a human and that has been confirmed in subsequent requests. Gary Nelson (Unit 1901) wondered if new inspectors are making up rules.

## 12. ADJOURNMENT

**Motion:** To adjourn the meeting at 9:02 p.m.

**Moved:** Jerry Pitzul (Unit 1202)

Quorum was met to adjourn the meeting.

**Motion carried.**