

**CONDOMINIUM CORPORATION NO. 0311515**  
**COUNTRY LANE ESTATES**  
**December 10, 2023**

**MINUTES OF THE BOARD OF DIRECTORS MEETING**  
**7:00 PM – Held via Zoom**

**Board Members in Attendance:**

Mr. Chuck McClain – Chairman  
Mr. Allan Faryna – Vice-Chairman  
Mr. Cameron King – Treasurer  
Ms. Vicki Fritz – Secretary

Ms. Robyn Ollett – Director  
Ms. Mavis Forget – Director  
Mr. Vern Lecocq – Director

Regrets: All Present

A Special Meeting was held by Zoom.

The board discussed the following letter crafted by Chuck McClain, Cameron King and Allan Faryna and issued to Vern Lecocq, Mavis Forget, Vicki Fritz and Robyn Ollett for a “cold eyes” review before attending to the meeting.

During the meeting the full board discussed the letter.

A further review of our bylaws has impacted our recent decision to change our Condominium Fee Billing Schedule to monthly. We have to cross the hurdle of a special resolution. This could be a situation of the cart before the horse but it was unintentional and we accept that criticism.

CLE has governing documents that provide guidance on the budget and assessments for common expenses (**Part 5 - Section 49 of CLE Bylaws**) that must be followed - this should not be a park that runs on past/perceived practices but follows good governance and Generally Accepted Accounting Principles (“GAAP”), so with that, our governing documents state the following and is law:

1. a fiscal year is January 1st - December 31st (confirmed with our auditing accountant) and all budgets that set the assessment fee must follow the fiscal year (**CLE Bylaw 49(b)**).
2. Budgets will be prepared by May 1st for the upcoming fiscal year (**CLE bylaw 49(b)**). This initial budget is supplemented with a final budget that is issued to owners 30 days prior to CLE's fiscal year (**Condominium Property Act 20.51(1)**).
3. Assessment fees will be collected from April 1st through to September 1st (**CLE bylaw 49 (c)**).

4. Assessment fees collected must be used exclusively to cover the operating expenses and the required Reserve Fund contributions within the fiscal year they are collected (**CLE Bylaw 49(b)**).
5. Any excess funds at the end of the Fiscal year will be deducted from the budgeted expenses for the following year (meaning that every fiscal budget is intended to be a BALANCED budget). (**CLE Bylaw (49(b))**).

Now to those with a discerning eye, there is a conflict within the bylaws being: Each fiscal year is a balanced budget which means that the corporation is always at risk of not having sufficient funds in place for the months of January, February and March, which in the case of the 2024 budget is expected to have a net loss of \$77,445 accumulating over January to March and then recovering during April - September. That means we can not pay the bills in January - March).

With this situation there are only two ways to deal with the conflicting Bylaws:

1. The Board of Directors can assess a special levy on January 1st outlining the costs that need to be covered by the special levy as per **CLE Bylaw 50 (a)** and **Condominium Property Act 39.1(1)**.
2. The Board of Directors can put forth a special resolution to the park unit holders to amend the bylaws in a way that will harmonize each bylaw with the goal of ensuring stable monthly income for the park to offset expenses while providing a higher degree of certainty for owners on monthly fees for their own budgeting purposes.

If the first option is the path forward for CLE, then a special levy would need to be issued to each owner on January 1st to cover the expected budgeted net expenses from January 1 through to March 31. To balance the 2024 Fiscal budget, this would mean that the Assessment Fees from April 1st through to September 1st would be reduced to account for the expenses covered by the special levy. This option does not deal with the misalignment of the bylaws and we will be in the same situation in 2025 and future years.

The second option would amend the bylaws allowing for a harmonized balanced budget resulting in 12 months of equal payments of \$235/lot. As a Board of Directors, we believe this second option is the prudent path forward.

How has the park been able to manage in prior years without issues in the first quarter of each fiscal year? We can tell you that in review of past Board financials and minutes, they have struggled with the first quarter of the fiscal year or did not follow CLE Bylaw 49(b), and moving money out of the Reserve Fund to cover normal operations is only allowed in a Government issued Emergency Order. As a Board, we are bound to follow the law, GAAP, and run Country Lane Estates as a business enterprise that has no profit

and a balanced budget. As a Professional Engineer and an MBA and as the Treasurer I am bound to follow the governing documents that this corporation must follow to the best of my abilities and as such, the park will be following either Option 1 or Option 2 going forward. It is my recommendation that we follow Option 2, as it corrects an obvious oversight of the bylaws and will allow for future boards to operate with fewer difficulties.

With my recommendation and a motion carried by the entire Board of Directors, we extend this special resolution and ask for your affirmative vote.

"BE IT RESOLVED that the Board of Directors of Country Lane Estates make a motion to immediately amend the Bylaw 49(c) of Country Lane Estates and by way of this Special Resolution and ask for your vote to change 49(c):

FROM:

The common expenses set forth in each assessment shall be payable by each owner to the Corporation, or any other person, firm or corporation to whom the corporation shall direct payment to be made from time to time, in 6 equal consecutive monthly installments to be made starting April 1 to Sept 1, immediately following receipt of such notice of assessment.

TO:

The common expenses set forth in each assessment shall be payable by each owner to the Corporation, or any other person, firm or corporation to whom the corporation shall direct payment to be made from time to time, in 12 equal consecutive monthly installments to be made starting at the beginning of the Fiscal year and continue through to the completion of the Fiscal year, immediately following receipt of such notice of assessment."

A Special Resolution will be sent to all owners by way of email requesting that the document be signed by each owner of the lot and returned to the Park office: (1) by way of return email to [admin@countrylaneestates.ca](mailto:admin@countrylaneestates.ca) , (2) mailed to Country Lane Estates, P.O. Box 1530, Okotoks, AB, T1S 1B4, or (3) brought to the Park office and put through the mail slot at the office door.

CLE Board of Directors completed the discussion, and a special resolution motion was put forward:

**MOTION: 2023-098**

Cameron King raises a motion to complete a Special Resolution to amend Bylaw 49(c). Allan Faryna seconded.

**CARRIED**

**TERMINATION OF MEETING**

**MOTION: 2023-099**

Chuck McClain recommends terminating the meeting at 7:55pm

Seconded by Robyn Ollett

**CARRIED**

Dated: December 13, 2023

          *"Chuck McClain"*          

Chuck McClain  
Chair

          *"Vicki Fritz"*          

Vicki Fritz  
Secretary

**Addendum:**

**On December 11, 2023 the Bylaw Committee consisting of Bob Wanner, Caroline Meyers, Marc Hamoline, Vicki Fritz and Chuck McClain met and discussed the proposed change of Bylaw 49(c) wording.**

**The wording was supported by the Bylaw Committee.**