

***Draft Minutes***  
**Annual General Meeting- Mariners Haven**  
**Simcoe Standard Condominium Corporation No. 408**  
**September 29, 2018, at 10:00 a.m.**  
**Bear Estate**  
**300 Balsam St., Collingwood**

**1. Call to Order**

Dianne Gannon, President of the Corporation and acting as Chair, brought the meeting to order and welcomed those present to the Annual General Meeting of Mariners Haven Simcoe Standard Condominium Corporation No. 408 at 10:05 a.m. The Chair introduced the head table, which included Board Treasurer – Bill Deeks , Board Secretary –Blair McLorie, and Property Manager-Sandy Mateu from Elite Condominium Management.

The Chairperson noted that the meeting would be recorded for the purpose of accurately completing the minutes.

**1.2 Notice of Meeting**

The Chair advised that the Notice calling the Meeting and other pertinent documents had been mailed or emailed to all members of the Corporation who had consented and there had been filed with the Chair, by the Secretary of the Corporation, Proof of Service of the Notice of Meeting in accordance with the requirements of the By-Laws of the Corporation. The Declaration by Sandy Mateu was available for inspection by any interested member. The Chair directed Blair McLorie, Secretary of the Corporation, to annex the Proof of Service of the Notice of the Meeting to the Minutes.

**1.3 Appointment of Scrutineer and their Report**

With the consent of the meeting, the Chair appointed Sandy Mateu to act as scrutineer, to report on the members present, in person or by proxy at this meeting, and to compute the votes on any poll taken. The Chair asked the scrutineer to provide her report to the meeting.

The scrutineer reported that 17 units were represented in person and 2 unit represented by proxy. The total of 19 units represented in person & or by proxy exceeded the quorum requirement of 10 units.

The Chair thanked Sandy Mateu and directed that the scrutineer’s report be adopted and included in the Minutes of the meeting.

**1.4 Opening of Meeting**

Proof of Notice of the calling of the Meeting and the scrutineer’s report having been presented to the Meeting, The Chair declared that the Meeting was properly constituted for the transaction of business as set out in the Notice of Meeting.

**2. Approval of Minutes**

**2.1 2. Approval of Minutes of the last Annual General Meeting**

The Minutes of the Annual General Meeting of SSCC #408 held on September 23, 2017 were duly mailed to all members of the Corporation for their review with the Notice of Meeting. The Chair entertained a Motion to approve the Minutes as circulated, unless anyone wished them to be read.

**It was moved by Dianne Gannon (unit 11) and seconded by Bob Little (unit 23), that the Minutes of the Annual General Meeting of members held on September 23, 2017 be approved as circulated.**

**All in favour                  Opposed -0    The Motion Carried**

**2.2 Approval of Minutes of the Spring Meeting of SSCC #408**

The Minutes of the Spring Meeting held on June 10, 2018 were duly mailed to all members of the Corporation for their review with the Notice of Meeting. The Chair entertained a Motion to approve the Minutes as circulated, unless anyone wished them to be read.

**It was moved by Dianne Gannon (unit 11) and seconded by Jim Britton (unit 15), that the Minutes of the Spring Meeting of members held on June 10, 2018 be approved as circulated.**

**All in favour                  Opposed -0    The Motion Carried**

**3. Financial Reports**

**3.1 Financial Statements for SSCC No. 408**

The Chair advised that all members of SSCC No.408 were sent the Financial Statements for the year ending March 31, 2018. She called upon the Auditor Charles Barnes, Collins Barrow, to briefly review the Statements and answer any questions from the owners.

*The Auditor reviewed the details of the financial statement on a page by page basis and referred the owners to the self-explanatory Notes to the Financial Statements, which covered issues such as Accounting Policies, Governance and Reserve Investments.*

**Bill Deeks, Treasurer of the Corporation, moved that the Financial Statements for the fiscal year ending March 31, 2018 for SSCC No. 408, as presented to the meeting, be adopted and approved. The Motion was seconded by Jim Gannon (unit 11).**

**All in favour    opposed-0    The Motion Carried**

Murray Del (unit 408) noted that the expenses came under budget because all windows were not replaced. He asked why all windows were not replaced and if the rest of the windows would be replaced? The Property Manager advised that initially the windows were replaced on

an as needed basis, however, as a result of the new Reserve Fund Study the remaining windows will be replaced over the next few years, pending Board approval.

## **2.2 Financial Statements for Mariners' Haven Service and Recreation Trust**

The Chair advised that all members of SSCC #408 were sent the Financial Statements for the year ending March 31, 2018 for Mariners' Haven Shared Facilities, otherwise known as Mariners Haven Service and Recreation Trust. The Auditor, Charles Barnes, reviewed the Statements and answered questions from the owners.

*The Auditor reviewed the details of the financial statement on a page by page basis and referred the owners to the self-explanatory Notes to the Financial Statements, which covered issues such as Accounting Policies, Governance and Reserve Investments.*

John Wordsworth (unit 35) asked the Auditor if he could prepare a simple Excel spreadsheet showing the assets, liabilities and expenditures for the last seven years, as this would give a helpful perspective for all owners. The Auditor said that this could be supplied if requested by the Board of Directors.

One owner asked if the \$300,000. cash noted in the yearend statement had been invested and if so were the investments laddered?

The Chair advised that these funds had been invested and the investments were laddered. As there were no additional questions for the Auditor, he was thanked and excused from the meeting.

**Bill Deeks, Treasurer, moved that the Financial Statements for the fiscal year ending March 31, 2018 for Mariners' Haven Shared Facilities (Mariners Haven Service and Recreation Trust), as presented to the meeting, be adopted and approved. The Motion was seconded by Bob Collins Wright (unit 21).**

**All in favour**

**Opposed-0**

**The Motion Carried**

## **2.3 Appointment of Auditor**

**Bill Deeks moved that Collins Barrow (formerly Ian Whitton who merged with Collins Barrow in January 2018) be and is hereby appointed as Auditor for Simcoe Standard Condominium Corporation No. 408 and the Mariners' Haven Service and Recreation Trust, to hold office until the next Annual General Meeting of the members, or until their successors are appointed, at a remuneration to be fixed and authorized by the Directors. The Motion was seconded by Steve Burnstein (unit 26).**

**All in favour**

**Opposed -0**

**The Motion Carried**

## **5. Election of Director**

Dianne Gannon advised there would be an election for one Director for a three-year term as her term has been completed. The Chair advised that Jim Britton (unit 15) had shared his interest in standing for this position. Wayne Pitman (unit 34) nominated Jim Britton. The Chair asked,

three times, for additional nominations from the floor. As there were no additional nominations from the floor, she declared the nominations closed. Jim Britton was acclaimed and welcomed to the Board.

## **6. Other Business**

### **6.1 Photometric Study 1:07**

The Property Manager advised that the Photometric study has been completed with three options presented. One option was to use the existing poles and the second and third options required new poles.

The Chair explained that in 2016, the electrical contractor Rigney Electric, had suggested new lights as it was apparent that the light ballasts were failing. A photometric study was also recommended to determine the affect of new lights on neighbouring properties. The Chair asked for volunteers to study lighting options. Rino Stradiotto (unit 31) and Don Brommet (unit 5) volunteered to spearhead the committee.

### **6.2 Living Waters Expansion**

On August 7<sup>th</sup>, a legal letter was sent out on Mariners Haven behalf, outlining specific objections on the parking supply, as a result of the proposed expansion of the property. The letter was sent to the Mayor and all members of the Collingwood council. On August 9<sup>th</sup>, Mr. Larry Law advised that he would defer his site plan application for the Bear Estate/Living Waters property until 2019. As Mr. Law will be resubmitting his site plan application (timing uncertain), the Board will formally request that the Clerk's office and the Planning Department notify the Board when the developer reactivates his proposal or submits a new one. The cost of the legal letter was \$2500. There are no further expenses planned at this time. The Chair, on behalf of the Board, thanked Thom Vincent and Don Brommet for their tenacity and hard work in identifying the serious parking deficiencies in the Living Water proposal.

Don Brommet (unit 5) noted that considering the proposed Living Water expansion it is important to address deterrents to any access points to Mariners, as there are still many cars and people trespassing on Mariners Haven property. He suggested that with the upcoming election, a new council and planner might be more amenable to changing the gate bylaw. The Chair commented that it was unfortunate that an owner had to recently confront trespassers and it is hoped that these problems can be avoided.

### **6.3 Shore Line Inspection**

In 2012 a minor inspection of shoreline around the docks took place, and as a major inspection is now due, Shoreplan Engineering Limited has begun a complete inspection of the shoreline and culvert, commencing September 12<sup>th</sup>. The Board will be reporting the results of the inspection upon completion.

### **6.4 Gardens**

Two years ago, Willowstone took over the trimming of the shrubs from Green Thumb and this spring there were many more blooms on the lilac bushes. The crab apple trees along the South

road bloomed after treatment and there are more crab apples on the trees near the tennis courts than ever before. Diseased junipers were removed from a number of gardens this fall.

John Wordsworth (unit 35) recommended that the grass should be cut shorter so that it does not attract geese. He commented that Willowstone are doing an ok job and they should also trim the dead branches from the pine trees.

### **6.5 Western Berm tree planting**

At the September 2016 Annual General Meeting, residents voted on setting aside \$16,000. to remove dead trees behind the Western berm and plant trees to add privacy against any future development. In looking at the considerable growth that has taken place, 1.5 years after clear cutting the area, Willowstone concluded that the best course of action was to clear the area of weeds and small shrubs to give space to the 5 coniferous trees already growing and add 200 small coniferous trees (white cedar, white & Norway spruce) and to create a healthy, attractive and robust group of trees in this area.

Steve Burnstein (unit 26) why does the height of fence along the berm range so significantly and what is the purpose of the fence?

The Chair advised that the fence was intended to create a visual barrier and needs to be rebuilt, as it is in poor shape. Ultimately the new tree planting will also create a significant barrier. Bill Deeks (unit 22) noted that the area around the garbage containers does allow access to Mariners Haven and this should be addressed. He also commented that Willowstone have a great approach to the property and have made good recommendations.

### **6.6 Roof Repairs**

Early this spring it was observed that shingles on the roofs above some of the garages were lifting. The shingles have since settled, but the Board asked Enviroshakes to look at the roofs. They advised that shingles can curl up from time to time, but there is no risk of leaks. Blair McLorie elaborated that an inspection was done with a representative from Enviroshakes in the early spring when the weather was transitioning from cold to warm and the shingles consequently changed shape. Evidently the low sloping roofs are most susceptible to these changes.

Bill Deeks explained that Enviroshake shingles offer a 50 year guarantee and are a composite shingle of 35% plastic. Plastic shrinks in colder weather and expands in warmer weather- mostly with the flatter roofs. There is geomembrane under the shingles- so there is no concern about leakage while the shingles contract and expand.

The Board will continue to monitor this situation throughout the winter and spring.

Don Brommet (unit 5) encouraged owners to check the drip cap over their decks as he had noticed that his was not properly installed and this allowed water to seep behind, resulting in a gap between the soffit and the fascia board.

### **6.7 Heat Pump-vote regarding permitting heat pumps in the future**

#### ***Background to heat pump discussion***

The geothermal system at unit# 27 had been compromised since 1994. Initially 2 or 3 systems shutdowns would happen over the course of a year. Clarksburg contractors tried to eliminate the

air out of the loops, but nothing worked. After several years of trying to solve the problem, Clarksburg concluded the original loops may have been installed incorrectly. After considerable expense and temporary fixes as well as relying on the backup electrical system for the past 3 years, the heating system completely failed in January 2018. With all the problems, repairs and expenses the owner faced over the years, Clarksburg suggested to the owner heat pumps had advanced to handle cooling/heating in extreme temperatures experienced in Collingwood. The owner requested approval for the installation of the heat pump.

The Board, acting reasonably and in good faith, approved this change to the heating system, as the unit would be on the property exclusively used by the owner, the sound of it would not affect negatively on the residents and there would be no undue inconvenience to our residents. Drilling new loops would have caused considerable upheaval to the surrounding properties.

Under Condo Regulations, (Section 98 of the Condo Act) the Board is not required to send notices to owners (or obtain approval by vote) if the Board determines the changes are needed and the proposed Change relates to part of the common elements of which the owner has exclusive use and if the Board is satisfied that the proposed changes:

- 1) will not have an adverse effect on the units owned by other owners
- 2) will not give rise to any expense to the corporation
- 3) will not affect the structural integrity of the building
- 4) will not detract from the appearance of the building

Bottom line, the individual owner is responsible for the heating and cooling of the unit. While we have purchased homes with geothermal heating and cooling systems and it is by far one of the most efficient systems on the market, there is nothing in our documents that require us to continue with the geothermal system should it fail.

Five residents had previously voiced their disagreement with the Board's decision and asked for a discussion at this meeting on whether or not heat pumps should be allowed in Mariners Haven.

***Discussion re heat pumps and alternate heating systems.***

Rino Stradiotto (unit 31) said that he had no issue with the Board's decision to approve the installation of the heat pump, but was not sure if the Board should spend money and time to research heating options.

Don Brommet (unit 5) felt that the impact of the aesthetics and noise from the heat pump should be discussed. Do the owners want more heat pumps on the property and can they be enclosed?

The Chair explained that the Board believes the current heat pump can be moved to be less noticeable and options to conceal the appearance are also being considered, as the Board want the heat pump to be more aesthetically pleasing for all Mariners Haven residents.

High efficiency Gas furnaces were an option discussed, however the Mariners property is not ideally suited to extensive trenching.

John Wordsworth (unit 35) believes that geothermal systems are not the most efficient and he favours heat pumps. He noted that heat pumps performance is compromised if enclosed.

Robert Little (unit 23) expressed concerns about the noise from heat pumps.

Ruth Rubinstein (unit 26) stated that their geothermal system is working well, and she does not like the appearance of the heat pump and can hear it from her front porch.

Steve Burnstein (unit 26) said the gas had been discussed in the past but not all owners had been prepared to commit to gas and in most cases were only interested in using it for their barbeques.

The Chair asked if there was to be a vote regarding heat pumps.

Don Brommet (unit 5) proposed that the vote be delayed until the pros and cons of all heating/cooling system options are adequately understood.

**Don Brommet (unit 5) moved to have the Board of Directors research alternative heating/cooling systems options and report back to the owners. Jim Britton (unit 15) seconded the motion.**

Susan Little (Unit 23) asked what happens if there is another heating system failure in the meantime. She was advised that Board are prepared to deal with emergency situations, but in the meantime it is important to investigate the best option for long term decisions regarding heating systems used on the Mariners Haven property.

Don Brommet (unit 5) noted that the heat pump he had installed at another larger property was significantly smaller than the unit used at unit 27, and these options should be investigated as well.

Rino Stradiotto (unit 31) asked if it is feasible for the Board to undertake the heating option study or should a professional be hired?

The Board does not know what the costs are to look into a study, but will investigate and advise. As well, there is the option to strike a committee from the Mariners Haven community.

John Wordsworth (unit 35) suggested establishing use criteria, i.e. heating & cooling, hot water on demand, barbeque hook up, fireplace hookup, and appliance hook up, and contacting a gas company regarding the cost.

## **6.8 Dumpster**

John Wordsworth (unit 35) recommended that the door on the dumpster should be kept closed at all times and made inaccessible to raccoons.

## **6.9 Krug Property Update**

Steve Burnstein (unit 26) asked for an update on the Krug property, as he had noticed some survey stakes on the property. He noted that Mariners Haven had spent \$50,000. fighting

rezoning proposals on the Krug property with negligible results and he cautioned the Board about spending money on disputes regarding development proposals.

The Board is not currently aware of any proposed development on the Krug property but will attempt to monitor what is going on.

Bill Deeks (unit 22) mentioned that the Board had attended Collingwood council meetings and learned a great deal about the status of proposed developments and the various opponents and their strategies. He agreed with Steve’s caution and recommended that the Board align themselves with other properties that are concerned about future development at Krug and Living Waters.

**6.9 Communication**

Susan Little (unit 23) asked for a directory listing the owners at Mariners. She was advised that this information is available on the Mariners Haven website.

Bill Deeks (unit 22) encouraged all owners to vote at the next municipal election.

*Dianne Gannon was thanked for her considerable contributions and leadership to the Board, as well; her thoughtfulness and graciousness were acknowledged and applauded by the owners present.*

**7. Closing**

The Chair, Dianne Gannon, thanked the owners for attending and contributing to the meeting, and advised that the business had now concluded for which the meeting was called, and unless there was any other business, she would entertain a motion to close.

**It was moved by Rino Stradiotto (unit 31) and seconded by Bill Deeks (unit 22) to close the meeting at 11:40 a.m.**

**All in favour                      The Motion Carried**

President \_\_\_\_\_ Date \_\_\_\_\_

Secretary \_\_\_\_\_ Date \_\_\_\_\_