

**Minutes of Meeting  
Of The Board of Directors of  
The Tower Ranch Community Association (TRCA)  
BOD 58**

**Date:** Monday August 19 2019

**Place:** TRCA Lounge

**In Attendance:** Directors: Jon Durkin (JD), Larry Bray (LB),  
Craig Fowler, Jim Roe (JR),

Dept. Chairs: Don Folstad

### **Welcome and Introductions**

The meeting was called to order at 7:03 with JD as Chairman.

### **Minutes of BOD–57**

JD reviewed and checked the status of the action items from BOD56.

**Action#1:** JD met with James Cronk on July 16 to discuss the reasons why Carrington has not responded to the proposed 2019 service agreement budget the TRCA presented to them (via Cronk) on May 22 2019. In short, we do not expect to hear from them any time soon on this issue.

**Action #2:** LB has supplied the Board with the documents requested

**Action #3:** LB contacted the Strat Council of BC. They appear not to govern the management of stratas, only strata management CO's

**Action#4:** JR and CF to meet with bookkeeping service ASAP. JR to update the EAC spreadsheets

**Action 5:** - Complete/closed

**Action#6:** GW met with the City re the status of the trees on the west side of TRB below Tallgrass. More dialog is expected re what exactly the City will do (perhaps in conjunction with the TRCA) to improve the health of the treeline next Spring.

**Action 7:** JD met with homeowner at 1730 Tallgrass to discuss best approach to having EAC improve the landscaping situation across from 1713 and 1721 TRB

**Action#8:** Complete/ closed. Bookkeeping top present monthly financials for each BOD meeting in the future

JD MOVED the minutes of BOD 57 be approved, seconded by CF and **Motion BOD58-1** carried.

## **COMMITTEE REPORTS**

### **Landscaping (JD for GW)**

JD contacted Matt Temple concerning the increased dust problem on TRB approaching Tallgrass from dump truck traffic.

Action 1: JD to contact Mainstream Irrigation re the lack of water on the west side of TRB in front of 1800, 1804 and to 1808.

### **Legal and Bylaws (CF)**

#### **LEGAL**

CF met with David Towell on Tuesday Aug 17/19. Highlights of meeting as follows:

- **EAC** - David advises that we must first have accurate financial data ready and presented (email is fine) to EAC with accurate descriptions of Lot #, arrears, interest, etc.
- **Re: Carrington**- David continues to advise that no \$\$ are owing to Carrington on the basis of no Strata Council meeting or Budgets in place.
- **Re: Rent Charge:** David provided witness to CFs signature allowing the removal of the Rent Charge on the road allowance transferred to the City of Kelowna. JR is in agreement with this.
- David will provide Demand Letters to 2 homeowners who are significantly in arrears. 6 others are delinquent with smaller amounts and GW advised holding those for 30 days pending his collection efforts.

#### **Items arising from:**

- CF presented report on EAC arrears.

Action 2: JR to recalculate the arrears amount based on the report tabled.

- Letters have been sent from our lawyer to two delinquent homeowners re monthly fees

## **BYLAW**

- Jim and Committee are essentially onside on the alterations and wording - Proposed copy provided to BOD
- NOTE: David Towell advises that we CANNOT make PAD's as the only form of payment acceptable. Under law, we are required to accept any form of legal tender. As he says "The Tower Ranch drug dealer can pay cash monthly and it must be accepted." We can note in the Bylaws that the PAD "is the preferred method of payment".

### **Items arising from:**

The BOD discussed options and timing on distributing the revised bylaws to the community for comment prior to a SGM, tentatively set for October 15, specifically to table and vote on the bylaws.

Action 3: JR to advise the Bylaw Committee to complete the draft (including changing the PAD text). JR to also inform the Bylaw Committee that we will send out the bylaws to the Community on or about Sept 12 for comment. Based on the response we will either call an information meeting chaired by JR on a date well prior to the SGM or have the information session immediately before the SGM on Oct 15.

### **Developer Relations (JR)**

JR to communicate with bookkeeper the week of Aug 19 regarding EAC arrears / statement. Next steps need to be determined based on advice from our lawyer. CF to update BOD regarding advice from our lawyer.

City of Kelowna is seeking the release of the Rent Charge from 2 properties. BOD to decide if we should grant the release. JR recommend release.

Bylaw committee has prepared a draft bylaw. JR reviewed the draft and supplied comments to committee. Some disagreements exist but nothing substantial. JR will copy the last email to BOD c/w a copy of the draft bylaw.

### **Items arising from:**

Action 4: JR to text JD to get information on the closing dates on recent property sales by Dilworth. JR to use this information to recalculate the EAC arrears and contact bookkeeping to prepare an up to date invoice.

## **Finance (CF)**

No report

## **Communication/ Membership (JD)**

- Membership list has been updated to August 10 2019
- Mailchimp list has been updated to August 10
- SOP established between JD, GW and Bookkeeper re linking realtors into the arrears process on homes for sale.
- A mailchimp message has been requested from the Clubhouse to residents- to be discussed at BOD
- Need to discuss a Fall newsletter at next BOD meet

## **Amenities Report**

- Decision by BOD on purchasing new free weights and mats for gym needed
- Thanks you CF for repairing card tables and varia in the Lounge
- Shaw was called in to fix problems with the cable service in the Lounge- all is now good
- JD met James Cronk re shared service budget moving forward- to be discussed at BOD
- Restaurant manager reports increased traffic from non-golfers

## **Insurance Committee (DF)**

No report

## **SPECIFIC AGENDA ITEMS**

### **1. Updating Director's Roles**

LB to take on the leadership role of a "Trails Committee" that has been formed by the Board. Issues to be initially explored by the committee include classification of the trails in the TR Community as they come on line, establishing "handover criteria" under which the TRCA will accept the responsibility for trail maintenance from the developer, and insurance issues related to use of the trails by residents and others.

A discussion on the need for the BOD to be able to freely discuss all items in an open and, if warranted, a confidential manner was discussed. Specifically, the Board the discussion focused on options by which any potential conflict that LB may face as a TRCA director who is employed by PLC can be minimized.

It was discussed that we should all update CDAs to protect both the Board and its directors from potential issues of conflict of interest.

*Action 5:* JD to add this item to next BOD meeting agenda for further discussion and resolution.

## **2. Update on Service Agreement with Carrington**

JD updated the BOD on the July 16th meeting with Cronk regarding the lack of response from Carrington on our proposed 2019 Service Agreement budget presented to Carrington (via J. Cronk) on May 22 2019.

## **3. Proposed rent charge forgiveness to the City (CF)**

CF MOVED that in accordance with the Land Titles Act to withdraw the Rent Charge in favour of the TRCA on Lot 2 Section 31 Township 27 Osoyoos Division Yale District Plan EPP66533 and Lot 3 Section 31 Township 27 Osoyoos Division Yale District Plan EPP 66533 to accommodate the City of Kelowna to construct a roadway on these properties which have been previously conveyed to them; seconded by JD and **Motion BOD58-2** carried.

## **4. Investment options for TRCA asset**

CF MOVED that the BOD deposit \$50,000.00 of current on-hand TRCA funds in an 18 month term Interior Savings Investment Savings Account paying interest at the rate of 1.1% pa. Such funds may be withdrawn from this account at any time without penalty; seconded by LB and **Motion BOD58-3** carried.

## **5. Communication: Fall newsletter**

The content and timing of a Fall newsletter was discussed.

*Action 7:* JD will circulate the framework of the newsletter to the BOD members for comment by the prior to next BOD meeting. The letter will be discussed in detail at the next BOD

## **6. Other Items**

CF MOVED that the TRCA acknowledge that JD has reimbursed the TRCA \$250 (by cheque/ invoice tabled at the meeting) which he received as an e-transfer to his personal account from Platform Sales for rental of the Lounge August 6 and 7 2019; seconded by JD and **Motion BOD 58-4** carried

## **Adjourn and Next Meeting**

JD moved that the meeting adjourn at 8:45, JR seconded and motion carried. Next meeting (BOD-58) on Monday September 23 2019.