

Crossbow Point Condominium (#0310034, re-division #0410395/0510165)
Annual Committee Meeting (ACM)
January 4, 2014 at 1:00 p.m. at the Radisson Hotel

1. **Meeting call to order:** Meeting called to order at 12:30 p.m. by David Minifie. No objections to Becki Kochan of PEKA recording the minutes.
2. **Introduction:** Gibson from PEKA gave a brief explanation of the reasoning behind the Joint Crossbow Condominium Annual General Meeting (AGM). Crossbow Landing and Crossbow Point, although separated in the registered condominium bylaws for operations, are one condominium corporation and require a joint AGM of all unit owners each year and consolidated financial statements, in addition to Crossbow Point and Crossbow Landing financials. The joint meeting is the official Crossbow Condominium AGM and is traditionally held following the Crossbow Landing ACM and prior to the Crossbow Point ACM. The ACMs are where business specific to each committee (the 'Landing' or the 'Point) is conducted.
3. **Approval of the January 5, 2013 A.C.M. minutes:** Motion by 309-155, seconded by 104-155 to approve the January 5, 2013 A.C.M. minutes. Motion carried.
4. **Business arising from the January 5, 2013 A.C.M. minutes:** None.
5. **Reports:**
 - a. **Presidents Report:** David Minifie, The Crossbow Point Board President took the opportunity to thank the following people:
 - i. The Crossbow Point owners for helping make a wonderful community.
 - ii. Fellow Board of Directors, Murray, Bev, Robert and Don.
 - iii. Cliff Block for acting as the custodian of Crossbow Point and doing janitorial and other work around the complex to keep it looking it's best. Cliff, with the assistance of Micheline Ralet also took over the pool and hot tub maintenance contract. Cliff can also be counted on to volunteer and assist other owners as needed.
 - iv. Glen Kildaw for much of his unseen work around the complex. Glen assists in many of our plumbing issues as they arise. Glen also contributed to the social committee by sorting and returning the refundable containers to the depot. The money collected was deposited into the social fund account, where it can be used to purchase various kitchen supplies and equipment.
 - v. Val Kildaw and Georgina Hus for their extensive Social committee work. Both of these ladies have since stepped down from the Committee after many years of active involvement.
 - vi. Bernard Ouellette who also assisted with the sorting and return of the refundable containers for the 155 building.
 - vii. Peggy and Jim Weibe who annually plant and maintain the flowers at the entrances of each of the 3 buildings. They have also spent time sorting and returning the refundable containers for the 175 building.

- viii. Dorothy Staniforth and Susan Minifie for administering theatre access.
- ix. Lynne Kemshead who facilitated some improvements to the guest suites.
- x. Heidi Wissner, Barb Mendaglio and Robert Reed who helped to finalize the construction of the landscaped timber/stone steps at the west end of the property.
- xi. Rick Thrale for his work touching up and repairing the common drywall. Rick also did a great job on the website, which the Board plans to launch shortly. In addition, the website has been used as a resource library for our legal committee.
- xii. Don Lawrence as the chair of the log committee. Don has devoted substantial personal time to organizing the team. Other members of the committee are Rick Thrale, Anne Forbes, Daryl Mikalson and David Minifie. Ken Hantman and Ashif Menari also contributed in their areas of expertise. Don will provide more information on the log committee in his upcoming report.
- xiii. PEKA Management, Gibson Rencz and his assistant Becki Kochan for their professional services. While PEKA is compensated for managing the day to day operations and assisting the Board, the quality and value of a great working relationship is not something that is fee based.
- xiv. All of the many owner and tenant volunteers for their hard work and contributions over the year.

The current Board members (Bev, Robert, Murray and Don) thanked David for all of his hard work and dedication to the condominium over the past year.

- b. The year in Review: David Minifie gave a brief overview of the year.
 - i. The Board held 6 regular meetings, 1 special meeting and 1 joint meeting with the Landing. Much of the dialogue between Board members was done via email and then ratified at the next Board meeting.
 - ii. During the year the Board developed or updated various policies, including a rewrite of guest suite documentation and the related user agreement. Other updates included the amenities building policy, management of pets policy, the investment policy, Social Committee guidance (new) and fund structure (new) documents, along with Board Governance guidelines.
 - iii. The Board also investigated additional storage lockers, which is an active initiative.
 - iv. The Board also signed a new Management agreement with PEKA, the first update since 2006. In May of this year PEKA will have provided 8 years of service as the property manager.
 - v. Communications: 3 newsletters were published. A thermostat and heating notice was circulated in an effort to reduce the risk of freezing pipes which could result in a flood. An update on the log project was also issued, this update being the eighth time the Board communicated on the project.
 - vi. Social Committee: David, on behalf of the Social Committee, reported on the years' events. The Social Committee supported 5 functions this year.

The funds for these and other social events come from the refundable program. These funds also contributed to the purchase of the supplies (dishes, glasses, cutlery etc) in the Great Room.

- c. Log update (Legal): Don Lawrence, as Log Committee Chair, reported on the legal aspects of the log project:
- i. Back ground: In February 2013 the Board of Directors decided to investigate whether there was sufficient evidence to show that there was a breach of contract or negligence by builders in the construction of the Crossbow Point buildings. The Committee also needed to determine if there was a valid argument for pursuing legal action.
 - ii. Forming the committee: A group of owners were recruited based on their skill sets and backgrounds.
 - iii. Initial planning/accomplishments:
 - The committee was able to gather and review the blueprints for 155 and 175 to determine if there were any discrepancies between the plans and how the buildings were constructed.
 - Research was conducted regarding the 1997 AB building code to confirm if the builders followed code.
 - Reviewed the Town of Canmore approvals or sign offs for various stages of the construction.
 - Created a photo library of all relevant pictures related to the defects in the structural logs.
 - iv. Findings:
 - The information was analyzed.
 - Subsequently the log committee felt there was enough evidence to move forward with pursuing a legal opinion.
 - In June 2013, the Crossbow Point Board of Directors agreed and passed a motion to proceed with hiring a law firm to do an initial legal evaluation.
 - v. Selecting a law firm:
 - The committee researched law firms with construction experience and were able to identify 7 firms that met with the criteria.
 - In August 2013, the committee met with 3 large law firms from Calgary to see how they would address a case like this. Cost estimates were requested from each firm.
 - The law firms were carefully rated and scores tallied in a spreadsheet that was shared with the Board of Directors.
 - The Board approved the committee's top recommendation and passed a motion to proceed with an initial evaluation by Gowlings law firm.
 - vi. Meeting with Gowlings: On September 13, 2013, committee representatives met with Stephen Carter-Edwards to outline what the expectations were and to clarify what the deliverables would be for Crossbow Point:

- Gowlings committed to conducting a legal review on all the information the committee gathered. They were given full access to the website to facilitate this.
 - They agreed to hire an independent engineering firm to review the 1997 AB Building code along with the blueprints to determine if the builders were negligent in their building practices.
 - They also agreed to provide a written legal opinion on the structural log defects at Crossbow Point – clearly defining if there were grounds for a possible lawsuit and the chances of being successful.
- vii. Preliminary Evaluation: On December 12, 2013, a preliminary report was received from Gowlings. It was presented to the Board members on December 14, 2013.
- viii. Final Report: On December 27, 2013, the final written legal opinion was received from Gowlings. The Board is now reviewing the legal opinion and will decide how to move forward. All owners will be informed of the Boards decision through written correspondence, once available.
6. **Financial review:** Gibson Rencz of PEKA reviewed the financial statements as provided. The 2011-12 fiscal year ended slightly over budget due to drain and dryer vent cleaning projects, however the guest suite income was higher than expected this year. The Reserve Fund currently appears to be over funded, however the Board has put off large projects that are scheduled in the Reserve Fund but are not actually needed at this time. That money is set aside and will be used once required.
7. **New Business:**
- a. Thank you: Owners present thanked all of the Board members for their hard work over the past year.
 - b. Internet access: Owners present asked if the Board could investigate building wide internet access. David explained that the buildings infrastructure is not designed to allow for this but the Board would talk with some owners to determine what services might be financially beneficial.
 - c. Pool and area: The drywall is getting damaged from the moisture. The Board is considering alternate options.
 - d. Walls in amenities/gym area: The walls are getting damaged/marked by handprints. The Board will investigate options.
 - e. Log project (repairs): The repairs are in the final stages for completion next summer.
8. **Adjournment:** Motion to adjourn by 309-155 at 1:48 p.m.

DISCLAIMER: Until reviewed and approved at a future Annual Committee meeting, at which time changes may be made, minutes are unapproved.