

**APPROVED MINUTES
ANNUAL GENERAL MEETING
SUNDAY, JULY 21, 2013
SPORTIUM ARENA (PAVILION)
5 DU MANOIR ROAD
VAL-DES-MONTS, QC**



Registration: 9:30 a.m.

Executive Committee Members in Attendance:

Claude Bergeron (President), Constance Hudak (Vice-President), David Hodgkin (Treasurer), Jens Urban (Secretary), and Don Stanley (Director)

Board Members in Attendance:

Tony Bernard, Clayton Devine, Chris Hemmingway, Doug Holden, Shane Livingstone, Richard Murphy, Georges Proulx, Laurent Roy, and Claire Trépanier

Board Members' Regrets:

Diane Girard, Gladys Guérin, John Smart, and Maurice Vézina

Guests:

Jean Lafrenière, Mayor, Municipality of Val-des-Monts
Jacques Laurin, Councillor (Ward 3), Municipality of Val-des-Monts

The voluntary attendance sheet had 37 signatures (although there were 51 people signed in), of which 36 were eligible to vote. Not everyone signed the attendance sheet.

For ease of reference the Minutes are presented in Agenda order.

The President called the meeting to order at 9:43 a.m. and welcomed all participants to the Annual General Meeting of the Association, noting that most participants were still suffering from a power outage since Friday night. The President added that it was impossible for him to obtain the key for the Community Centre during the storm, which resulted in the meeting being held in the Arena's outdoor pavilion.

1.0 APPROVAL OF THE AGENDA

- a) Claude Bergeron added one agenda item to the President's Report and Recommendations:
- b) Point 3.6, Voluntary donation of \$500 to the Federation of Lakes of Val-des-Monts

- MOVED BY:** *Odette Surch*
SECONDED BY: *André Séguin*

THAT the Agenda be approved as amended.

UNANIMOUSLY CARRIED

2.0 APPROVAL OF THE JULY 15, 2012 ANNUAL GENERAL MEETING MINUTES

- ☐ **MOVED BY:** *Richard Murphy*
SECONDED BY: *Tony Bernard*

THAT the July 21, 2012 Annual General Meeting Minutes be approved as presented.

UNANIMOUSLY CARRIED

3.0 PRESIDENT'S REPORT

- 3.1 Claude Bergeron thanked all Board members and volunteers for participating in all events, producing the newsletter, maintaining the website, testing the water, stocking the lakes, and in organising and participating in the social and recreational activities.
- 3.2 Claude then called for a minute of silence for the members of the Association who passed away, as well as the victims of the recent disaster at Mégantic Lake.
- 3.3 Claude then proceeded to give a summary and update on the so-called Grand-Pic file.
- a) The Association was served with court papers in December 2005 for a portion of the Grand-Pic road allowance in front of the property of Mr. Daniel Bédard. PSLL also received another court action from Mr. Bédard for a portion of the road allowance on the opposite side of the road, directly across from his property. Two other property owners were also served court papers. A lawyer was hired at that time (M^c Jean-Carol Boucher). A discovery hearing was held in February 2006. Those in attendance included the Association's lawyer, the President and one Board member. Since then, subsequent filings of defence have been submitted to the Court.
- b) Essentially, the Association had to defend its ownership of the disputed portions of Grand-Pic Road; had it not done so, the road would have become significantly less accessible for the other owners and one owner would have been blocked altogether. PSLL's mandate, in large part, is to protect its members.
- c) The Association's defence was prepared and, finally, in September 2009 Claude Bergeron and Rick Murphy appeared before the Court. The parties were granted a 90-day extension to review the additional documentation submitted by the plaintiff and to commence negotiations to resolve the issue.
- d) The Association proceeded to solidify its position and also confirmed with André Turcotte (Municipal Director, Environment and Urban Planning) that the Municipality had concerns regarding manoeuvrability of safety / emergency vehicles if the Grand-Pic road allowance was reduced. Mr. Turcotte also confirmed that the property owner had yet to seek a minor variance for the property in question.
- e) On March 31, 2010, the President and Vice-President met with Jean Lafrenière (Mayor) to clarify outstanding issues. The Mayor confirmed that the Municipality would not be in a position to verbalise Grand-Pic Road as it was a cul-de-sac and too narrow. He also noted that there were existing cadastral errors as a result of the Quebec Government's cadastral reform process and suggested that Grand-Pic Road should be re-surveyed to correct the anomalies and to protect the Association.

- f) The Association strongly felt that it should not incur the additional costs of the survey and ultimately the plaintiff agreed to cover the costs of re-surveying Grand-Pic Road. The Association also attempted to reach a settlement with the plaintiff by offering to sell him a small portion of the road allowance upon which he had already built the front steps to his home.
 - g) It was the Association's position that continued legal action would entail considerable costs and that the most practical outcome would be to cede this small portion of land which would not impede road access for others. The Association also requested that all legal costs incurred to date be reimbursed. The plaintiff refused and insisted on proceeding with the court case.
 - h) In April 2011, the Association was advised that the approaching court date had been cancelled with a new hearing to be held in April 2013. The Association's lawyer estimated that the trial costs could be \$12,000 to \$15,000. It was noted that approximately \$12,000 had already been spent on legal fees.
 - i) The Association and the plaintiff reached a settlement before the April 2013 court date. Essentially, the plaintiff agreed to pay for the small portion of land that he had built a stairway on; the plaintiff also formally declared, in writing, that he had no acquired rights and that he would not request any future rights from the Association's road allowance. \$2,000 in compensation was paid. The plaintiff will also be responsible for all costs associated to the sale.
 - j) Objectively and practically the Association considers this to be a good and successful outcome. The additional \$10,000 to \$15,000 in future costs has been avoided and the affected property owners have been protected. There was no guarantee that the plaintiff's claim of acquired rights would have been denied and it is not assured that the Court would have ruled that PSSL's costs should be reimbursed. Legal precedent is that individuals have the right to sue and the defendant must defend itself. The Association now considers this case closed.
 - k) One member asked Claude if there were any other encroachment cases on the Association's property. Claude reported that there is one case at the end of Lac Barnes Road. Tony Bernard (Property Holdings and Issues Committee) reported that the neighbouring owner thinks that the encroachment is on his property and that he does not wish the Association to get involved at this point.
- 3.4 Claude reported on the upcoming installation of high speed Internet equipment within the Domain. Initially, Digicom – the company providing the service – asked the Association to erect a tower next to Sizérin Road. However, Municipal By-Laws do not allow any structures within 25 feet of a road; the tower will now be installed on nearby land owned by Lauzon Trust Cie. Digicom is also currently looking for a second property on either Chêne-Rouge or des Buses Roads.
- a) The micro waves are 10 times faster than cell phone signals and the Mayor reported that current users say that it is very rapid and reliable. The Mayor further said that it would be up and running by fall 2013.

- 3.5 Claude further reported that the Association had made a funding request for its social activities in the amount of \$2,500 from the Municipality. The Association obtained \$250.
- 3.6 Claude's next point related to the \$500 grant for the Federation of Lakes of Val-des-Monts. Other lake associations have given money to the Federation, and Claude suggested that Association PSLL should also follow suit. The Association profits greatly from the Federation: big discounts on water testing, as well as the many studies and projects undertaken by the Federation which directly benefit our environment.

❑ **MOVED BY: *Monique Oaks***
SECONDED BY: *Laurent Roy*

THAT the Association PSLL provides a one-time grant of \$500 to the Federation of Lakes of Val-des-Monts.

UNANIMOUSLY CARRIED

- 3.7 Claude then asked the Mayor, Jean Lafrenière, and the Councillor for the Ward, Jacques Laurin, to address the assembly. They both chose to answer questions from the members.

Q1: What is the time line for the repaving of Blackburn Road?

Mayor: It will be done by the fall of 2013.

Q2: Will the section of Blackburn Road in front of Bataille Lake beach be paved?

Mayor: Not at this date. The funding request was done for the section currently being repaved, as requested by the petition. In the unlikely event that the repaving costs less than the \$2.1 million put aside for it, there is a possibility that it might be used in order to pave Blackburn in front of the beach.

Claude Bergeron: According to the foreman of the company, all hills will be done at the end, since special machinery has to be brought in. Also, the road along Mud Bay will be reinforced and protected with large boulders.

Q3: When will the road be re-done in the village of Perkins?

Mayor: It will be repaved, with sidewalks, in 2013.

Q4: Is there news on the soccer fields?

Mayor: Yes, the new soccer fields will be ready this summer, and are located next to the Municipal Garage (at the end of McGregor Lake near the 366 Highway).

Q5: What happened to the septic field inspection program?

Jacques Laurin (Councillor): The program will be replaced with a new municipal initiative to systematically empty septic tanks, starting in 2014 or 2015. The reservoirs of permanent residences will be drained every two years; seasonal residences will be emptied every four years. The cost will be added to the property tax bill.

Q6: Can the Association post the Municipal elections information to its website?

Mayor: Yes, although the electronic files might be in French only since the Municipality has gotten into trouble with the “Office de la langue française” for providing information in both languages. However, the documents exist, in printed form, in both languages and could be scanned and posted to the PSLL site.

- 3.8 Claude announced that he will run for the position of Councillor in the 2013 election (Ward 3). He reminded everyone that they have to register if they want to vote, particularly non-permanent residents.
- 3.9 Jens Urban proceeded with the proposition to officially change the name of the Association to “Association Perkins-sur-le-lac” from “Property Owners’ and Residents’ Association of Perkins-sur-le-lac”. The old name is too long and notes that there is a spelling mistake in the French version.
- a) In relation to the name change, a short discussion started with respect to whom exactly has access to the Bataille Lake boat launch. Part of the discussion revealed that non-residents of Rhéaume and Bataille Lakes were using the launch for “day privileges”, which put a burden upon volunteers and also ran the risk of boats being moored on the beach, which is not permitted.
- b) At the next Board meeting of the Association, the issue of whether boat ramp access should be limited to the residents of Rhéaume Lake and Bataille Lake will be reviewed.
- c) Councillor Jacques Laurin said that the issue of the docks of non-shore residents on Bataille Lake has been noted by the Municipality and that the matter is ongoing. Claude Bergeron pointed out that one has to have a minimum of 45 metres of shoreline to build a dock. He also stated that trailers were not permitted on empty lots. Any infractions should be reported to the Municipal By-Law Officers.
- d) It was noted that legally it is one vote per owner and not one vote per property.

☐ **MOVED BY: *Jens Urban***
SECONDED BY: *Doug Holden*

THAT the name of the “Property Owners’ and Residents’ Association of Perkins-sur-le-lac” be changed to “Association Perkins-sur-le-lac”.

CARRIED WITH ONE (1) VOTE AGAINST

4.0 TREASURER’S REPORT

4.1 2012 Financial Statements

- a) David Hodgkin briefly reviewed the *2012 Financial Statement* and asked if there were any questions.

Q1: What are the website costs used for?

France Joncas (Webmaster): The Association previously used free web hosting and email services. However, the significant number of documents and the increasing use of group emails to the members required more server space and bandwidth which only commercial web services provide.

Q2: With a surplus of \$3,500, why was there a membership fee increase?

Claude Bergeron: The surplus is essentially the Association's revenue from advertising revenues. There is no guarantee that this revenue will be there every year.

- ❑ **MOVED BY: *Doug Holden***
SECONDED BY: *Constance Hudak*

THAT the Association's *Revenues and Expenditures for 2012* be approved as presented to paid members via the *Newsletter* and previously recommended by the Board of Directors.

UNANIMOUSLY CARRIED

4.2 Projected 2013 Budget

- a) David Hodgkin briefly presented the *Projected 2013 Budget* and noted that there currently was more membership revenue than expected as well as additional advertising money, which would hopefully be repeated next year.

Q1: Should the Association simply pay for the fireworks, since they are enjoyed by all members?

Claude Bergeron: This is an interesting suggestion that could be discussed at the next Board meeting.

Q2: Would the purchase of a fire pump be a good idea?

Claude Bergeron: The North Rhéaume Road Committee has one that could possibly be shared. This will be discussed at the next Board meeting.

- ❑ **MOVED BY: *Richard Legault***
SECONDED BY: *Serge Tremblay*

THAT the Association's *Projected 2013 Budget* be approved as presented to paid members via the *Newsletter* and as previously recommended by the Board of Directors.

UNANIMOUSLY CARRIED

5.0 REPORTS FROM THE BOARD COMMITTEES

5.1 Communications

- a) Constance Hudak once again thanked the newsletter team for their excellent work, namely Rick and Thérèse Murphy, Claire Trépanier, France Joncas and Odette Surch, who once again hosted the yearly newsletter “stuffing party”.
- b) Constance reported that the “New Members Kit” is still being considered and before the end of the summer it will be decided if the Association should go ahead with it, or, if the *Newsletter* and website contain sufficient information for new members.
- c) Answering a member’s question, Constance confirmed that there are still copies of the publication *Under our Feet* available, in print, from David Hodgkin.
- d) Finally, Constance reviewed the advertising procedure. Essentially, the Board prepares a list of potential advertisers who were approached, mainly by Claude Bergeron. Constance reviewed the advertising procedures and price list and encouraged people to participate in finding advertisers for the *Newsletter*. When shopping at an advertiser’s store, members were asked to mention that they saw the ad in the *Newsletter*.

5.2 Property Holdings and Issues

- a) Tony Bernard reported that the Grand-Pic file was concluded with an out-of-court settlement and that it was now closed.
- b) Tony also explained that the sale of a section of des Jaseurs Road to Mr. John Westeinde was completed.

5.3 Environment

- a) Doug Holden thanked all participants involved with the water testing.
- b) Chris Hemmingway reported that the results of the water testing were all good and that there was nothing to worry about. One more test (R-36) was added by request from the membership and this was noted by Richard Murphy for next year’s testing.
- c) Claude Bergeron added that \$3,800 was spent this year to stock the lakes with rainbow trout (speckled trout for Chevreuil Lake). As for the tree distribution, 38 members requested trees but there were less species and trees available this year. Also, many people did not pick up the trees they had ordered. Finally, Claude explained that if there is a beaver dam on your property and it breaks, that you, the owner, are responsible for all damages. There will be an article on this topic in the next issue of the *Echos of our Lakes*.
- d) Some members had questions.

Q1: When you find suspicious algae in the lake, who should you contact?

A1: Claude said to contact him or any other Board member.

Q2: Should fallen trees in the lake stay in the water?

A2: Claude suggested taking a picture of the tree, removing the tree, and keeping the photo as proof that it has indeed fallen by itself.

Q3: There is equipment left at the end of Carouges Road, near Louise Lake. Will it be removed?

A3: Claude had already contacted the Municipality and will do so again.

5.4 Membership

- a) David Hodgkin reiterated the procedure to reach non-members. Following the AGM, letters are sent out to non-members, which will be done before Labour Day this year. Subsequently, Board members directly contact non-members. David asked all members to help sign-up non-members.

5.5 Recreation and Social Activities

- a) Clayton Devine highlighted the past and future activities:
- i. The snowshoe trails were a big success last winter and will be expanded this year. At the moment, all trails start at Barnes Lake.
 - ii. The curling bonspiel was also a big success and will be repeated next year.
 - iii. The sugar bush outing attracted 80 members and was also a big success.
 - iv. The golf tournament is coming up on July 27 and will be held at Tecumseh Golf Course.
 - v. The annual regatta will be held August 3rd; the Association still requires life guards.
 - vi. The corn roast will take place during the Labour Day weekend at no cost; all members are invited.

6.0 ELECTION OF THE BOARD OF DIRECTORS

- a) Laurent Roy chaired the election.
- **Claude Bergeron** was nominated as *President* by **Odette Surch** and **Clayton Devine** for a two (2) year term.
 - **Jens Urban** was nominated as *Secretary* by **Richard Murphy** and **Richard Legault** for a two (2) year term.
 - **John Smart** was nominated as *Bataille Lake Representative* by **Constance Hudak** and **Shane Livingstone** for a two (2) year term.
 - **Luc Fournier** was nominated as *Bataille Lake Representative* by **France Joncas** and **Clayton Devine** for a two (2) year term.
 - **Tony Bernard** was nominated as *Rhéaume Lake Representative* by **Line Legault** and **Monique Oaks** for a one (1) year term.

- **Richard Murphy** was nominated as *Rhéaume Lake Representative* by **Thérèse Murphy** and **Richard Legault** for a two (2) year term.
- **Richard Legault** was nominated as *Rhéaume Lake Representative* by **Odette Surch** and **Clayton Devine** for a two (2) year term.
- **Don Stanley** was nominated as *Barnes Lake Representative* by **Clayton Devine** and **Claude Bergeron** for a two (2) year term.
- **Doug Holden** was nominated as *Épinettes Lake Representative* by **Richard Murphy** and **Tony Bernard** for a two (2) year term.
- **Claire Trépanier** was nominated as *Louise Lake Representative* by **Thérèse Murphy** and **France Joncas** for a two (2) year term.

All the aforementioned candidates were elected by ACCLAMATION.

- b) Maskinongé and Corrigan Lakes remain without representation.

7.0 OTHER BUSINESS

- a) Odette Surch reminded everyone that there will be an all candidates meeting at the end of October for the Municipal election.
- b) There being no further business, the Annual General Meeting was adjourned at 12:14 p.m.

Respectfully submitted,

Jens Urban, Secretary

Claude Bergeron, President