

**APPROVED MINUTES
ANNUAL GENERAL MEETING
SUNDAY, JULY 20, 2014
J.A. PERKINS COMMUNITY CENTRE
17 DU MANOIR ROAD
VAL-DES-MONTS, QC**



Registration: 9:30 a.m.

Executive Committee Members in Attendance:

Constance Hudak (Vice-President and Acting President), David Hodgkin (Treasurer), Jens Urban (Secretary), Don Stanley (Director) and Tony Bernard (Director)

Board Members in Attendance:

Clayton Devine, Claude Bergeron, Luc Fournier, Doug Holden, Shane Livingstone, Richard Murphy, John Smart, Laurent Roy, Richard Legault and Claire Trépanier

Board Members' Regrets:

Diane Girard, Chris Hemmingway and Maurice Vézina

Guests:

Jacques Laurin, Mayor, Municipality of Val-des-Monts

The voluntary attendance sheet had 63 signatures. Not everyone signed the attendance sheet.

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

The Vice-President and Acting President called the meeting to order at 9:47 a.m. and welcomed all participants to the Annual General Meeting of the Association.

1.0 APPROVAL OF THE AGENDA

a) The following items were added to the agenda:

- 5.2.1 Meeting with Lauzon Forestry
- 5.2.2 Meeting with D&R Construction
- 5.2.3 Motion 1 concerning servitudes
- 5.2.4 Motion 2 concerning the Bataille Lake Boat Launch

- MOVED BY:** *Shane Livingstone*
SECONDED BY: *Clayton Devine*

THAT the Agenda be approved as amended.

UNANIMOUSLY CARRIED

2.0 APPROVAL OF THE JULY 21, 2013 ANNUAL GENERAL MEETING MINUTES

- ☐ **MOVED BY:** *Claude Bergeron*
SECONDED BY: *Irma Bigras*

THAT the July 21, 2013 Annual General Meeting Minutes be approved as presented.

UNANIMOUSLY CARRIED

3.0 PRESIDENT'S REPORT AND RECOMMENDATIONS

- a) Constance Hudak thanked everyone for their support during her last 6 months as Acting President, due to Claude Bergeron's election to the position of Municipal Councillor. She welcomed the Councillor and the Mayor Jacques Laurin and indicated that both would be available for questions.
- b) Constance gave a small overview of the many activities run by the Association PSLL, including the water testing and all the social activities. All other items would be dealt with under the appropriate agenda points.
- c) Constance finished by saying that this would be her last role as Acting President. She will not run for President, because she thinks that a permanent resident should occupy this position. She will run for the position of Vice-President again and continue to be active in the Association PSLL.

4.0 TREASURER'S REPORT

4.1 2013 Financial Statements

David Hodgkin briefly reviewed the *2013 Financial Statement* and pointed asked if there were any questions.

Q1: Were neighbours advised to the sale of the part of Des Jaseurs road to a member?

Tony Bernard (Property and Holdings Committee): All direct neighbours were advised before the sale. The part of the property that will be sealed off was the neighbour's property already, but a small part of Des Jaseurs Road was sold so he can control access to his private waterfront in order to avoid future trespassing. Lac Rhéaume owners can continue to use the Lac Bataille beach to launch their boat provided they are PSLL members.

Q2: Was the firework insurance included in the insurance cost?

David Hodgkin: Yes, the cost is reflected in the statement.

- ❑ **MOVED BY: *Richard Legault***
SECONDED BY: *Laurent Roy*

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

UNANIMOUSLY CARRIED

4.2 Projected 2014 Budget

David Hodgkin briefly presented the *Projected 2014 Budget* and noted the following:

In the budget there is the provision for a pavilion on Bataille Lake Beach, since the volunteers for the social events asked for logistical assistance. During the spring 2014 Board meetings this option was discussed in detail, including cost, impact etc.. In the end, it was rejected and instead tents, chairs and a BBQ will be rented for the regatta and the corn roast. The expenditure will therefore be replaced by a \$2,000 expenditure for rentals.

- ❑ **MOVED BY: *John Smart***
SECONDED BY: *Richard Legault*

THAT the Association's *Projected 2014 Budget* will replace the \$8,000 expenditure for a pavilion with a \$2,000 expenditure for rentals.

UNANIMOUSLY CARRIED

- ❑ **MOVED BY: *Claire Trépanier***
SECONDED BY: *John Smart*

THAT the Association's *Projected 2014 Budget* be approved as amended.

UNANIMOUSLY CARRIED

5.0 REPORTS FROM THE BOARD COMMITTEES

5.1 Communications

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".

5.2 Property Holdings and Issues

5.2.1 Meeting with Lauzon Forestry

Constance Hudak asked everyone to refer to the map (**APPENDIX A**) that was handed out before the meeting. Lauzon Forestry own essentially all the property around the domaine that is not owned by either the members or the developers.

This spring, a group calling itself "Gang of 12" leased property from Lauzon near Louise Lake, closed off access and installed cameras. The residents of Louise Lake are particularly concerned with the environmental impact of this lease.

The municipality has been contacted and has met with the concerned neighbours and the Gang of 12 in order to remind them of the municipal and provincial by-laws with respect to the environment and development. It seems that the Gang of 12 might be willing to discuss access outside of the hunting season for hiking or snowshoeing.

The Association PSLL will not get further involved, but rely on the municipality to enforce all by-laws. The mayor addressed the assembly and assured everyone that the by-law inspector will closely check-up on this property and make sure that all by-laws are being respected.

The Association PSLL had a meeting with Lauzon to inquire about other properties which are available to be leased. Essentially, Lauzon would be willing to lease these properties to interested groups of members (the prices were printed on the map) and PSLL can establish contact with Lauzon if there is any such interest.

5.2.2 Meeting with D & R Construction

The Acting President, the Secretary and our Councillor also met with the owners of D&R Construction, who have bought almost all the remaining property from Guy Audet. The purpose of the meeting was to establish communication and to understand their plans and timeframe. The properties to be developed if sold are along Blackburn between Barnes and Bataille lakes and at the end of Bataille Lake. The developers plan to have a shared boat launch for the future owners of their properties at the end of Oiseaux-Mouches at Bataille Lake, which will be only accessible to those owners via chip card. There are also several legal disputes between members and the developers as to deeded access rights, but Association PSLL is not involved and can only facilitate contact.

With respect to the proposed boat launch, the Mayor reminded everyone that for a new dock to be built, owners must own at least 40 meters of waterfront property and a building on the lot.

The developers also own a small stretch of land next to the Bataille beach, but once again, no dock can be built there and only daily boat access could possibly be provided.

All this being said, the developers became members of the Association PSLL and are generally trying to find amicable solutions to any problems that might come up.

5.2.3 Motion 1 Concerning Servitudes

Tony Bernard reported the following:

When the Association acquired roads as a consequence of purchasing the Lac Bataille beach property from Guy Audette in 2001, there were certain ‘built in’ conditions which went along with ownership.

Many properties adjacent to these roads had servitudes of restrictive covenants attached to them when they were sold and the owner of the adjacent road was registered as 1 of 2 ‘dominant lands’ holding the servitude. This goes back to at least 1975 and the covenants remain on the properties, regardless of sale or not, until or unless the owner of the ‘dominant lands’ signs off on a legal document releasing the affected property from the servitude (s). Any modification of a legally registered servitude is required by the Quebec Civil Code to have the/all owner(s) sign off.

It is assumed that many properties have changed hands over the years without any provision to deal with the servitudes, which would still be in effect. The servitudes of which we are aware are 30 foot setbacks from any road and 100 foot setbacks from the high water mark for any building. These setbacks are now different and mandated by the province and/or the municipality and would not be enforceable.

In March of 2014 the Association was requested to sign off on a particular property which was in the process of being sold and the Acting President did so. In fact the new deed just omitted the servitudes which had been in the original deed.

In the future, more cases will arise and it is the recommendation of the Board of Directors that the Association have a policy recorded and available to enable the executive at the time to easily deal with the issue.

❑ **MOVED BY:** *France Joncas*
SECONDED BY: *Stéphan Bergevin*

THAT the Association certifies that the Board of Directors is directed to sign off on any servitudes, affected by property owned by the Association, which are outdated and superseded by municipal and provincial jurisdictions, when such action is necessary for the transfer and/or sale of such property.

UNANIMOUSLY CARRIED

5.2.4 Motion 2 Concerning the Bataille Lake Boat Launch

Constance Hudak submitted the following:

When it comes to power boats, you either love them or not. This is clearly reflected in the make-up of our nine lakes. Power boats are permitted on three lakes only: Barnes, Bataille and Rhéaume. As such, controls regarding speed, type of craft, and numbers of crafts become much more important on these lakes which are not overly large. Therefore, at the request of resident-owners of Bataille and Rhéaume lakes, the Association approved a policy which is in effect as of January 1, 2014, and which was to be subject to approval at this AGM.

This policy states that boats belonging only to property owners who own waterfront property on Bataille or Rhéaume Lakes can be launched at the Bataille Lake boat launch. The rationale behind this policy is as follows:

- 6 lakes are non-boating. It does not make sense to allow owners on those lakes to enter sister lakes with their boat(s) on a daily basis. Remember, there is no dockage at the beach, so if the boat does not have a home on either Rhéaume or Bataille, it cannot be stored at the beach. Had boating been a consideration for owners on the 6 lakes, then logic tells us they would have purchased property where no such restrictions were in place.
- Volunteers who open/close the launch gate are few and should not be expected to provide a daily in and out “valet” service.
- Historically the launch has not been open to the public; this policy further controls non-resident access to the two lakes.
- Of course, owners on Barnes Lake will continue to launch from their lake.
- New developments are popping up on the domain without direct access to the lakes, and power boat use should be restricted of property owners without lake access in order to avoid over-usage.

There are no restrictions to anyone from any lake within the domaine in using the Bataille Lake beach facility for family picnics, swims, etc. In fact, there are no controls or restrictions to entry at the beach by Association members with non – power crafts. Canoe and Kayak to your heart’s content!

After an animated discussion, an amendment to the original motion was tabled. A number of members without waterfront lots on either Lac Bataille or Lac Rhéaume had enjoyed access to those lakes over many years. It was submitted that it would be unfair to suddenly ban these owners from the lakes.

- ❑ **MOVED BY:** *John Alink*
SECONDED BY: *Clayton Devine*

THAT any new restriction on powered watercraft access via the Bataille Lake beach excludes those owners who consider themselves to have "grandfathered" rights to launch their powered watercraft on that beach.

**APPROVED WITH
33 MEMBERS IN FAVOUR and 25 MEMBERS AGAINST**

- ❑ **MOVED BY:** *Laurent Roy*
SECONDED BY: *Clayton Devine*

THAT only powered watercraft belonging to property owners who own waterfront property on Bataille or Rhéaume Lakes, as well as those self-identified owners who previously accessed the boat launch can be launched at the Bataille Lake boat launch. All future property owners without direct access to those lakes cannot launch their powered watercraft on the boat launch.

UNANIMOUSLY APPROVED

5.3 Environment

The water testing results were made accessible to all attending members. The lakes are in good shape, some spikes in the results are due to rain before the test date.

5.4 Membership

David Hodgkin reported that as of the AGM, 210 members had signed up.

5.5 Recreation and Social Activities

Clayton Devine highlighted the past and future activities:

- i. The snowshoe trails were a big success last winter and will be further 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 many members and was also a big success.
- iv. The golf tournament on July 12 was held at Tecumseh Golf Course and was successful as well.
- v. The annual regatta will be held August 2nd; tickets for the roast are for sale immediately.
- vi. The corn roast will take place during the Labour Day weekend at no cost; all members are invited.

John Westeinde asked if members are interested to hold a garage sale in the spring. Anyone interested, please contact John at john@westeinde.ca .

6.0 ELECTION OF THE BOARD OF DIRECTORS

a) Laurent Roy chaired the election.

- **Jens Urban** was nominated as *President* by **Constance Hudak** and **Clayton Devine** for a one (1) year term.
- **Constance Hudak** was nominated as *Vice-President* by **Jens Urban** and **Rita Legault** for a two (2) year term.
- **Claire Trépanier** was nominated as *Secretary* by **Constance Hudak** and **Irma Bigras** for a one (1) year term.
- **David Hodgkin** was nominated as *Treasurer* by **Claire Trépanier** and **Tony Bernard** for a two (2) year term.
- **Stéphan Bergevin** was nominated as *Bataille Lake Representative* by **Claude Bergeron** and **Luc Fournier** for a two (2) year term.
- **Shane Livingstone** was nominated as *Bataille Lake Representative* by **Luc Fournier** and **Claude Bergeron** for a two (2) year term.
- **Laurent Roy** was nominated as *Rhémaume Lake Representative* by **Claire Trépanier** and **Irma Bigras** for a two (2) year term.
- **Clayton Devine** was nominated as *Barnes Lake Representative* by **Claude Bergeron** and **Sue Canaj** for a two (2) year term.
- **Suzanne Williamson** was nominated as *Épinettes Lake Representative* by **Doug Holden** and **Claude Bergeron** for a two (2) year term.
- **Chris Hemmingway** was nominated as *Lac Truite Representative* by **Jens Urban** and **Clayton Devine** for a two (2) year term.
- **André Cossette** was nominated as *Louise Lake Representative* by **Richard Legault** and **Doug Holden** for a two (2) year term.

All the aforementioned candidates were elected by ACCLAMATION.

b) Chevreuil and Corrigan Lakes remain without representation.

7.0 OTHER BUSINESS

a) A member asked about then municipal septic system pumping program and its application to closed holding tanks. The Mayor Jacques Laurin answered that holding tanks will be emptied, but not be refilled with clean water (plus the bacteria) like the other septic systems. The company that empties the tanks will report back to the municipality in order to make them aware which owners have septic systems and which owners have holding tanks.

- b) Several thefts have occurred on the domain, namely on Bataille, Rhéaume and Truite lakes. Everyone is asked to be alert and call the police in case of suspicious behaviour.
- c) There being no further business, the Annual General Meeting was adjourned at 12:03 p.m.

☐ **MOVED BY:** *Richard Legault*
SECONDED BY: *Shane Livingstone*

THAT the meeting be adjourned.

UNANIMOUSLY APPROVED

Respectfully submitted,

Jens Urban, Secretary

Constance Hudak, Acting President

