



West Rutherford Homeowners Association  
PO Box 22617 Southbrook  
Edmonton, Alberta T6W 0C3  
E info@westrutherford.ca  
Website www.westrutherford.ca

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## INFORMATION

**TO: West Rutherford Homeowners Association**  
**RE: Annual General Meeting 2017**

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Notice is hereby given to The West Rutherford Homeowners Association of the Annual General Meeting to be held:

**TIME: 6:00 P.M. – Registration**  
**7:00 P.M. – Meeting Commencement**

**DATE: Thursday, March 15<sup>th</sup>, 2018**

**PLACE: Ellerslie Rugby Park**  
**11004 Ellerslie Road SW, Edmonton, Alberta**

Please find enclosed herewith the following:

1. Notice of the Annual General Meeting;
2. Meeting Agenda;
3. Minutes of 2015/2016 Annual General Meeting;
4. Budget for year ending November 30<sup>th</sup>, 2018;
5. Audited Financial Statement as at November 30<sup>th</sup>, 2017;
6. Notice of 2018 Fees.

Yours truly,

**GROUP THREE PROPERTY MANAGEMENT INC.**  
**AGENTS FOR WEST RUTHERFORD HOMEOWNERS ASSOCIATION**

Sundas Khan  
Property Manager  
*Enclosure*



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## WEST RUTHERFORD HOMEOWNERS ASSOCIATION NOTICE OF ANNUAL GENERAL MEETING

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**TIME:** 6:00 P.M. – Registration  
7:00 P.M. – Meeting Commencement

**DATE:** Thursday, March 15<sup>th</sup>, 2018

**PLACE:** Ellerslie Rugby Park  
11004 Ellerslie Road SW, Edmonton, Alberta

For the following purposes:

- 1) To receive general information;
- 2) To review the Financial Statements and other reports;
- 3) To elect Members of the Board;
- 4) Any other business that may come legally before the meeting can be emailed to the Property Manager.

You are encouraged to attend this meeting. In addition to the Annual General Meeting documents, please find enclosed the 2018 fee notice and budget.

All owners are reminded that their HOA fees MUST be paid in full in order to participate during the WRHOA Annual General Meeting. We encourage payments are made 24 hours prior to the meeting. For more information about your community please visit the website: [www.westrutherford.ca](http://www.westrutherford.ca).

Yours truly,

**GROUP THREE PROPERTY MANAGEMENT INC.**  
**AGENTS FOR WEST RUTHERFORD HOMEOWNERS ASSOCIATION**

Sundas Khan  
Property Manager  
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# WEST RUTHERFORD HOMEOWNERS ASSOCIATION

## AGENDA – ANNUAL GENERAL MEETING

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1. Call to Order by the Chairperson;
2. Call of the roll
3. Proof of notice of meeting or waiver of proof of notice;
4. Reading and disposal of any unapproved minutes;
5. Board of Directors Report
6. Financial Report/Budget and Appointment of Auditors (if necessary);
7. Specified Items of New Business;
  - Dissolution of HOA
  - Pet disposable bags
8. Election of Members of the Board;
9. Adjournment

# West Rutherford Homeowners Association

## DRAFT MINUTES OF THE ANNUAL GENERAL MEETING OF The West Rutherford Homeowners Association

Held at 7:00 pm on Thursday, March 9, 2017  
At Ellerslie Rugby Park

**CHAIRPERSON:** Cheryl Soenen-Peters

**RECORDING SECRETARY:** Sundas Khan (Group Three)

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### **Call to Order**

Meeting called to order at 7:00 p.m. by Cheryl Soenen-Peters.

### **Establishment of Quorum**

41 Owners present.

Motion made by **Anny Giguere** that quorum was met and notification was properly circulated as per the bylaws, seconded by **Elizabeth Acheson**.

**CARRIED.**

### **Proof of Notice of Meeting**

Our Bylaws state that Notice of the Annual General Meeting must be provided to homeowners in advance of the meeting.

Group Three Property Management Inc. circulated notice of the Annual General Meeting to all unit holders which were mailed to all homeowners on **February 7, 2017**. If required, copy of the notice was provided upon request.

Motion made by **Vicki Anderson** that notification was properly circulated as per the bylaws, seconded by **Diana Bower**.

**CARRIED.**

Following comments made by Pam Williams:

-Update on the Helm lawsuit?

The lawsuit never went to court, Quinn G. met with owner of Helm and was able to retrieve all documents.

-Update on lawsuit with CondoPro?

Received only the Helm documents back from CondoPro, still require all of the CondoPro documents.

Anny G.: The current legal fees accrued are they from Helm?

No they are from CondoPro, obtaining land titles, application as a society and for the association designation.

-Made a comment that fees began in 2010.

### **Approval of Minutes of 2014 Annual General Meeting**

The minutes of the last Annual General Meeting of the WRHOA were circulated to all homeowners with tonight's Agenda.

Those in attendance have had an opportunity to review the minutes of our last AGM, Cheryl called upon any of the attendees to report any errors or omissions.

The following things needed to be amended:

-Report of President not included

-Legal action pertaining to CondoPro

-questions regarding the HOA owing anything

-bushes

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-fences belonging to Anny

**Pam Williams** Motioned that the minutes of the 2014 Annual General Meeting be adopted as amended, seconded by **Nick Harrington**.

**CARRIED.**

### **Report of the Board of Directors**

AGM Combined 2015 & 2016

Directors' Report

The board would like to thank everyone attending tonight's combined AGM for 2015 and 2016 for the West Rutherford Homeowners Annual General meeting.

To say that the years 2015 and 2016 have been challenging would be an understatement and I am proud of what the board has accomplished in the last 18 months under incredible stress.

We currently have 4 board members, which include Quinn Gillard, Hali Yanitski, Roland Baranowski and me - Cheryl Soenen-Peters.

The West Rutherford HOA is a private, not-for-profit association operating for the long-term benefit of its member residents that was originally put in place by the area developer to maintain our area. We are governed by a volunteer Board of Directors, elected by fellow residents at the Annual General Meeting. All of the board positions are voluntary, unpaid and require a high level of commitment and in the last couple years incredible tenacity to weather the storms that have prevailed.

Membership to the WRHOA is automatic and mandatory for owners of all properties within West Rutherford, which means there are restrictive covenants and encumbrances registered on all lot titles.

The West Rutherford HOA provides:

- 1) maintenance to the green perimeter fence around the entire area and any fencing that borders onto public walkways within the perimeter
- 2) owns and maintains the fountains within the pond, but not the pond itself, or the pond area as that is city managed property.
- 3) maintains the entry markers and landscaping around the entrances of 119<sup>th</sup> Street off Ellerslie Road, 15<sup>th</sup> and 20<sup>th</sup> Avenue entrances off 127<sup>th</sup> Street, which includes additional weeding and mowing and maintenance of electrical of the lit signage. There are 4 Signs (11901 & Ellerslie Road, T Intersection, 1017 Rutherford Road, 15 Ave & 127 St. SW, 20 Ave & 127 St. SW)
- 4) Maintains the brick retaining walls.
- 5) currently provides an annual budget of \$2K for replenishing doggie bag receptacles that developer installed originally.

We last had an AGM in October 29, 2015 and since then:

- 1) fired our previous Property Management company - sued them for the return of our information and files – currently still before the courts
- 2) as a volunteer board without a property management company maintained the area as required in 2016:
  - a. included finishing the fence painting,
  - b. repairing the fountain in the pond off of Rutherford Road between 20<sup>th</sup> and 19<sup>th</sup> Avenue,
  - c. dealing with electrical issues at front entrance/bulb replacement
  - d. replenishing doggie bags,
  - e. repairing the rustic fence bordering Rutherford Road
  - f. maintained the grounds keeping at our entranceways
- 3) worked on WRHOA Homeowners list, which was in disarray

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- 4) after diligent research hired a new Property Management Company – Group Three effective at the end of October.

Financially, WRHOA is behind in the collection of fees because of the difficulties experienced with the previous property management, but we appear to be on the right track with Group Three and will have the situation rectified by the end of 2017.

We have not increased the HOA fees since its inception and to this day if a homeowner pays before, or on a specified date – this year August 31, 2017 the fee is reduced.

The WRHOA fiscal year runs from December 1<sup>st</sup> to November 30<sup>th</sup>. For this AGM – we have audited financials for 2015 and unaudited financials for 2016, which will be explained by Barb Surrey. Our reason for having a combined AGM is to help us as an association hit a reset button and to allow us going forward to have our AGM's as early in the year as possible.

This will permit us to have the collection of the annual fees at the beginning of the year rather than at the end of the year, which historically has been the case and an issue.

Our hope is that next year, our AGM will be as early in the year as possible to have audited 2017 statements and the deadline for collection of 2018 fees to be by the end of April, or May next year rather than the latter part of 2018. – This will be discussed by the new board – as G3 thinks that August 31<sup>st</sup> is a good date for an early incentive deadline as it is now. We need to have one date going forward for Residents.

In the upcoming year – once the weather is good – our plan is to look at the fences within the area and ensure that they meet the standard that has been set by the developer within our encumbrances, which includes, but not limited to paint color and fence style and height. We will be issuing notices to homeowners that are not complying.

Our area is currently over 10 years old and we need to ensure that our neighbors and friends within the area are maintaining the standard that was set out legally when we purchased our homes.

I would like to say that I am sincerely very pleased with the work that Group Three has accomplished for us in ensuring that we were ready for this AGM and I am excited for the upcoming year.

I encourage anyone who has thoughts, or concerns about the area, or the HOA consider joining the board. We would love to have you.

Report of Board of Directors has been accepted.

### **Audit/Budget Financial Report**

Report presented by **Barb Surry**

Q: Is it true that a Board member was doing the financials?

A: No, Trish was maintaining Owners list and payments, not completing financials.

Q: How will the discount amount be shown?

A: We can reconcile to show discount.

Q: Is it the full \$150.00 or the \$100.00 that is shown?

A: Group Three can indicate on their financials.

Q: Why do we have our own telephone line?

A; Just in case it does not work out with another Mgmt. company then we can cut all ties and still have our own line and filter calls ourselves.

Q: Why is the revenue lower in the budget?

A: We use the discounted revenue amount.

Q: Under winterization why is it \$6000.00?

A: We had a fountain breakdown and it cost \$6000.00 to fix that is why we carried over the amount for this year, if it happens again to the other fountain.

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Q: Was the pump taken out of the fountain?

A: yes it was.

Q: Can we have the fountains removed?

A: Will be discussed under new business.

-Comments made that fountains are required, we have to maintain as per the City, fountains help maintain water and keeps the water moving.

Q: Which section of the fence was repainted?

A: Section 3.

Q: Can the discount fee be one flat fee?

A: Can be discussed under new business.

Q: Do we know the vendor completing the fence painting and were 3 quotes obtained?

A: Yes and yes 3 quotes or sometimes more are always obtained.

Q: The administration amount in the budget is incorrect, it should be \$32,900.00.

A: G3 to double check.

Q: Do we have a reserve fund?

A: Yes we do.

Q: Please go over budget line items.

A: We will be adding lights to the signs, LED so the signs can be seen. We will continue to do fence repairs and a Spring walk around to ensure all fences are the same color and are to bylaws.

Q: Is the rod iron fence part of the HOA?

A: No, that is part of the City.

Q: For the fence maintenance is there any repetition of repair?

A: No, but all fences will be investigated this Spring.

Q: My area has never been painted.

A: Please email the specifics to Group Three.

Q: Comment was made that everyone has been paying one year in advance, not behind or for current year.

Q: Can we remove doggy bags?

A: Will be discussed under new business.

-Motion was made by Anny G. to remove doggy bags, seconded by Naomi Harasyn. Carried.

Q: Insurance should have kicked in for lawsuit.

A: Board to look into this.

Motion by **Ken Zinyk** to accept the Audited Financial Statements for the year ending November 30, 2015, seconded by **Vicki Anderson**.

**CARRIED.**

**New Business**

Discussion continued on removal of fountains, no decision will be made at the AGM. Board will investigate and speak with the City and will update the HOA accordingly.

Discussion on dissolving the HOA began.

-Pam Williams discussed the HOA from the beginning and gave background information.

-Comment about not dissolving the HOA at the AGM has to be done at a special meeting.

-changing the HOA fee to a flat rate will be left at this time.

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- Dissolving the HOA will result in no one taking care of the fences, signs, landscaping, electrical (lights etc.) and fountains. City will not look after it and all the following components will fall apart,
  - Board will seek legal advice and hold a special meeting to further discuss dissolving the HOA.

**Election of the Members of the Board**

The following Owners have been elected to the Board:

- Cheryl Soenen-Peters
- Roland Baranowski
- Hali Hopkins
- Anny Giguere
- Vicki Anderson
- Chris Allen
- Joanne McDonald

**Adjournment**

Motion to adjourn at 8:56 pm by **Ed Keef** and seconded by **Diana Bower**.

**CARRIED.**



2018 West Rutherford Homeowners Association  
Budget Breakdown

	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	TOTAL
4020 Homeowners Association fees	235,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	235,500.00
4022 Homeowners Association fees - Discounts	(6,541.00)	(6,541.00)	(6,541.00)	(6,541.00)	(6,542.00)	(6,542.00)	(6,542.00)	(6,542.00)	(6,542.00)	(6,542.00)	(6,542.00)	(6,542.00)	(78,500.00)
<b>Total Revenue</b>	<b>228,959.00</b>	<b>(6,541.00)</b>	<b>(6,541.00)</b>	<b>(6,541.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>(6,542.00)</b>	<b>157,000.00</b>
5030 Bank Charges	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	1,800.00
5050 Administration Expenses	833.33	833.33	833.33	833.33	833.33	833.33	833.33	833.33	833.33	833.33	833.33	833.33	10,000.00
5020 Professional Fee/Audit/ Legal	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	1,333.33	16,000.00
5060 Management Fees	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	2,166.67	26,000.00
5080 Insurance	208.33	208.33	208.33	208.33	208.33	208.33	208.33	208.33	208.33	208.33	208.33	208.33	2,500.00
<b>Total Administration</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>4,691.66</b>	<b>56,299.92</b>
5110 Power/Water/Gas	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	3,000.00
5120 Intercomi/Phones	29.17	29.17	29.17	29.17	29.17	29.17	29.17	29.17	29.17	29.17	29.17	29.13	350.00
<b>Total Utilities</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.17</b>	<b>279.13</b>	<b>3,350.00</b>
5350 General Repairs & Maintenance	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	5,000.00
5387 Fence Maintenance	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	2,208.33	26,500.00
5385 Doggy Bags	291.67	291.67	291.67	291.67	291.67	291.67	291.67	291.67	291.67	291.67	291.67	291.67	3,500.00
5320 Electrical	166.67	166.67	166.67	166.67	166.67	166.67	166.67	166.67	166.67	166.67	166.67	166.67	2,000.00
5386 Sign Maintenance	333.33	333.33	333.33	333.33	333.33	333.33	333.33	333.33	333.33	333.33	333.33	333.45	4,000.08
5340 Landscaping (shrubs, flower beds)	830.00	830.00	830.00	830.00	830.00	830.00	830.00	830.00	830.00	830.00	830.00	830.00	4,150.00
5390 Fountain	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	416.67	5,000.00
<b>Total R &amp; M Expense</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.34</b>	<b>3,833.46</b>	<b>50,150.08</b>
<b>TOTAL EXPENSES</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.17</b>	<b>8,804.25</b>	<b>109,800.00</b>
7310 Reserve Contribution	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	3,933.33	47,200.00
<b>Net Surplus/Shortfall</b>	<b>216,221.50</b>	<b>(19,278.50)</b>	<b>(19,278.50)</b>	<b>(19,278.50)</b>	<b>(20,109.50)</b>	<b>(20,109.50)</b>	<b>(20,109.50)</b>	<b>(20,109.50)</b>	<b>(20,109.50)</b>	<b>(20,109.50)</b>	<b>(20,109.50)</b>	<b>(19,279.58)</b>	<b>(0.00)</b>

## **2018 FEE NOTICE**

January 17, 2018

To West Rutherford Homeowners:

Please be advised the Board of Directors for the West Rutherford Homeowners Association has approved the 2018 Homeowners association fee as per the attached budget.

The 2018 Fee for house owners (includes duplexes, triplexes and fourplexes) is \$150.00 per year. The fee is payable annually by November 30<sup>th</sup> of the calendar year. Homeowners Fee for condominium/townhouses is \$75.00 per year, also payable annually by November 30<sup>th</sup> of the calendar year. All payments prior to **August 31<sup>st</sup>, 2018** are offered at an early incentive amount (\$100.00 for houses and \$50.00 for condominiums/townhouses). Fees received after August 31, 2018 will not receive the early incentive, no exceptions.

The West Rutherford Homeowners Association fees maintains the following items:

- The perimeter fence around the entire area and any fencing that borders onto public walkways within the perimeter.
- The fountain within the pond but not the pond or the pond area.
- The entry markers and landscaping around the entrances of 119<sup>th</sup> Street off Ellerslie Road, 15<sup>th</sup> Avenue and 25<sup>th</sup> Avenue entrances off 127<sup>th</sup> Street.

For those of you that submit cheques for your WRHOA payment, please ensure cheques are made payable to **West Rutherford Homeowners Association;**

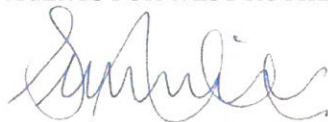
**Mail To:  
West Rutherford Homeowners Association  
PO Box 22617 Southbrook  
Edmonton, AB. T6W 0C3**

- For those that would like to pay by credit card or e transfer please visit [www.westrutherford.ca](http://www.westrutherford.ca) for further information.
- **For those who have an outstanding amount owing please find your statement of account enclosed.**
- For those that are currently in legal you will remain in legal until your account has been settled with Witten LLP.

Should you have any questions or concerns please do not hesitate to contact the undersigned at 780.577.1420.

Yours truly,

**GROUP THREE PROPERTY MANAGEMENT INC.  
AGENTS FOR WEST RUTHERFORD HOMEOWNERS ASSOCIATION**



Sundas Khan  
Property Manager