



**Owners' and Residents' Association of Lac Bernard**

**Annual General Meeting of Members**

**Thursday, June 2, 2022 – 7:00 p.m.**

**Virtual/ – Zoom**

**Duration: 2 hours, 36 minutes**

**119 Participants at Start / 110 Participants at End**

Verification of Login Information and Technical Setup

Technical Description and Details of the Zoom Meeting Format (Graham Longair)

**President's Welcome** (Chris Ault)

**Procedural Motion:**

We wish to strike Anne Williams' motion from this evening's agenda because it, in fact, contravenes a clause in Section 3 of the new bylaw: "In accordance with the objectives of the Charter of the Corporation (Letters Patent), the objectives for which the Corporation is constituted include the following: 3.5 To encourage the development of a respectful, involved and convivial community."

Should Ms. Williams' motion remain on the agenda?

No – 57%

Yes – 43%

(119 members were in attendance for the vote)

**Special Guest - Pam Ross** – Municipal Councillor for La Pêche Ward 5

Ms. Ross answers to questions from the floor:

- No update on the extension of Highway 5
- Kalalla Road will undergo improvements this year
- Lac Bernard Road is getting the attention of Public Works and will be worked on this year
- If you wish to know what La Pêche has planned for the upcoming year, it's on the municipal website in advance of the work. – [villelapêche.qc.ca](http://villelapêche.qc.ca)
- Reminds everyone about rules about fireworks. Need a fire permit to set them off in La Pêche.
- **Absolutely no fireworks are allowed at AirBnBs.** Landlords need to be vigilant that their guests are not using fireworks.
- We have a strong internet component in La Pêche. Federal government has pledged to get internet access to rural areas. Pablo Sanchez is a local internet expert and is working closely with the municipality. Pam Ross will share his contact information with us if we have questions.
- Garbage Collection – garbage and compost will be collected together. Compost is collected every week and either blue box or garbage is collected with it.
- Milfoil control on Lac Bernard – La Pêche's response to the problem is totally dependent on the residents of Lac Bernard. It's been proven that actions will help eliminate the spread. It's impossible to put burlap everywhere in Lac Bernard. But it is an issue. Lac Gauvreau is well on its way to dying. Situation critical there. We (Lac Bernard) need to pay close attention to the situation there. They are really struggling. There is a big divide on Lac Gauvreau between the people who love boating and the people who want to save their lake. La Pêche has provided funds from the Green Fund for a large study on Lac Gauvreau. Does not have results. Will share them when they are ready. The only solution for the years to come is to manage human behaviour:

- Make sure our septic systems are fully functional and not leaching into the lake
  - Boats (motor or paddle) should not be entering into Milfoil infested areas.
  - Put down burlap in your immediate swimming areas
- If we wish to get the municipality's mandate on the environment (Milfoil), **contact Pam Ross at [p.ross@villelapeche.qc.ca](mailto:p.ross@villelapeche.qc.ca)**

### **Special Guest - Craig Anderson – Ferme L'eau du ruisseau**

My name is Craig Anderson, and I am one of the owners of Ferme L'eau du ruisseau.

Briefly, we are a farm that hosts tourism activities and sells our farm-grown food. We are located directly on the 105 in the village of Low (when passing you may have noticed our new orchard, tall deer fencing, or signage). We put the ecology of our farm first, improving the landscape while also growing great food. Almost everything is grown directly on site, including grass-fed beef, organically grown vegetables and fruit, eggs, chicken, and honey. We also make prepared foods and farm-to-table meals that are available to take home or ready to eat at our picnic tables. We welcome visitors to come in and see the farm, the animals, use the walking trails, and to pick their own vegetables and fruit in the orchard.

Craig Anderson  
**Ferme L'eau du ruisseau**  
[eauduruisseau.ca](http://eauduruisseau.ca)  
 613-612-9348  
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### **Treasurer's Report (Don McLean)**

Why have we been delayed. We changed Treasurers in the middle of the year. (December 2021). We then had to identify an accountant to help us put the books together for 2021 and that was challenging because we had to orient the accountant with the Lac Bernard records and numbers.

#### **Highlights:**

- Increased membership revenue from \$13,650 (2020) to \$16,050 (2021)
- Ended 2021 with a total revenue of \$23,516
- Legal expenses jumped significantly from \$1,725 (2020) to \$15,993 (2021)
- Since 2017, legal expenses have been \$24,479. Virtually all of this is attributed to Clubhouse Right of Way costs. The only portion of that amount that was approved by the membership is \$7,500, which was voted on last October.
- Loss for 2021 is \$9,175
- Other Expenses – Loss on Sale of Assets (Clubhouse) of \$14,162.00 (Book Loss) Accepted this because it was in the best interests of the lake. Note that this is not a loss in cash. In fact, the Association is in good shape on cash.
- Regarding the Association's cash on hand – we will be buying some GIC's as well as targeting specific initiatives such as Milfoil mitigation in common areas of the lake, and our IT situation.
- We will be soliciting help from financial professionals / financially savvy Association members to perform a financial oversight function. These individuals will be independent of the Board and will satisfy one of the new bylaw requirements. Their input will ensure compliance and guidance on the way that we use Association money.

#### **Questions for the Treasurer:**

Q. (MS) How much of the legal expenses in 2021 were not related to the Right of Way?

A. A very small portion of that total amount.

Q. (DB) Can we see a Balance Sheet?

A. It is not available yet. Still working on the retained earnings section. Can tell you what is on the Balance Sheet. \$70,000.00 + in cash. The Regatta property is an asset. We have GICs. The Balance Sheet overall is strong.

Q. (JB) Who provided the accountant service?

A. Sandra Zlobina, Alex Accounting Services (Information was released near end of meeting.)

Q. (HC) Does the Association file the Annual Declaration with the Quebec government?

A. Yes. Absolutely.

Point of Order: (WG / AH) The Treasurer Report does not reflect the new bylaw section 5.5 requirement to “review and approve the budget for the upcoming fiscal year.”

Response: A budget will be forthcoming, but due to extenuating circumstances, it was not ready for this meeting.

Q. (?) Are accounting services being donated or will the Association incur an expense for these services?

A. That is under discussion. There probably will be an expense this time due to circumstances.

## **Presidents Report – Chris Ault**

This was a pivotal year for the Board, and lake Association, as this was the year when the Clubhouse Right of Way trial, that has been in the works for decades, finally placed us in court in front of a judge. I’ll provide details on that in my few slides. I’m also going to review the changes in funding that took place for the Clubhouse.

We had a Special General Meeting in January – I’ll cover what that is, what we discussed, and the outcome. Mountains were moved by a dedicated team focused on updating our 42-year-old bylaws.

The Board gets a lot of emails, and there are similarities in many of them. I’ll quickly walk you through those similarities.

First things first – we established a charter, or program to aid with guidance of time and money spend through the year.

- **Lake Health**
  - Encompasses activities which include measurement of the current state of lake health, and identify financial options mated with mitigation options to effectively and economically reduce the rate of milfoil growth in measurable and meaningful ways.
- **Assets Viability**
  - Encompasses activities which **assess and communicate the current state of the Lake Association assets** and explore *and communicate options* for increasing the utilization of our assets.
- **Financial transparency**
  - Includes, but is not limited to, **communication and approval within the executive for expenditure.**

Newly taking the reins of the Board, our first approach was to establish a baseline by reviewing past meeting minutes – both the AGM and Board Meeting minutes going back several years.

I’m going to show you several points throughout the past year where this Board has demonstrated a commitment to this charter, executing with good governance and probity: strong moral principles, honesty, and decency, all in an effort to provide you with the transparency you requested – and deserve.

We discovered a 2010 direction from the membership stipulating that the Clubhouse was to be self-sustaining, a Clubhouse fund established, and all expenses kept separate from general revenues. This was counter to the model that was currently in place.

We examined all minutes from 2010 to present to identify when the change in direction from membership was raised and carried. We could find no record of change in funding, prior to the Spring 2017 meeting.

In the Spring 2017 member’s meeting, the Treasurer Report indicates that the Clubhouse fund had been exhausted, and ‘operating funds for the Clubhouse will come from general revenues.

- 2010 -> 2016 Clubhouse Fund had money; funds depleted in 2017.

It was at this meeting in 2017 that the Board at that time first learned of the change in funding model.

**Let me repeat** – the 2017 Board learned of this change in funding model at the same time - as it was communicated to the members -- during that meeting. This was not discussed with the Board beforehand. There are emails among the 2017 Board members supporting this fact.

During this same meeting, the Treasurer asked to defer the approval of the 2017 financial report, including this funding change, to the fall 2017 AGM.

We found no record of approval of this funding change. In addition, we could not find evidence of it ever being approved between that meeting and today.

2021:

Noting the discrepancy in funding models, and the lack of supporting evidence of approval, this current Board made it a priority to ensure the 2010 membership direction be re-established by raising a motion to **separate** the Clubhouse finances from general revenues, and a self-sustaining model be reintroduced as per your direction from over a decade ago.

Seven board members voted FOR the motion to return to the 2010 model, and 6 board members voted AGAINST returning to the 2010 model. The motion carried.

Nearly 50% of your 2021 elected Board voted to maintain a funding model that was **knowingly** not supported by membership. All of the Board members who resigned this year voted AGAINST adopting this motion.

The Treasurer's Report tonight showed the financial impact of the 2017 decision to overall finances.

### **Right of Way Trial – October 2021**

As your new Board, knowing that the trial was coming, we engaged directly with our lawyer for a complete update on status.

During that initial meeting, we learned, for the first time, the following:

- Successfully attaching the Right of Way to the Clubhouse property **in no way provides legal allowance for placing a dock at the lakeside.**
- In addition to no dock, **no boat would be allowed to be left unattended on the waterfront;**
- It was confirmed that the estimated costs of the trial were \$7,500.00
- In 2018, the defendant offered to pay the Association \$5,000.00 to withdraw our claim on the Right of Way.
- Our lawyer was directed by the then-President to decline this offer, BUT there is no record of this offer ever being presented to the Board. There was no record of motion, nor any vote. The rest of the Board were not even aware of this offer.
- Also, in 2018, the Association was offered an opportunity to buy a waterfront property that already had a variance for a dock attached to it – for \$11,000.00. Again, there is no record that this was ever brought to the Board for discussion, nor could we find any record of this being brought to Association members for consideration. That offer was declined without Board discussion.
- We also learned that:
  - Our likelihood of winning the case was at 50/50
  - The defendant had a strong argument.
  - The costs do not justify the outcome in any way.

More concerning and surprising was that our lawyer had been **consistently guiding us over several years to cease and desist** this pursuit. According to our lawyer, he has been repeatedly advising us that there is no way that we can put a dock at the end of the Right of Way. Yet this information was also never provided to the Board.

This current Board shared these discoveries along with the estimated costs of \$7,500.00 with all members in an email on Sept. 26, 2021.

We ask for approval for the trial by vote to proceed as the \$7,500.00 amount is beyond our 'self-imposed approvals' limit for spending.

Our lawyer needed answer from us by Sept 30<sup>th</sup>. Do we proceed with trial or don't we? Again, given projected costs were at that time \$7,500.00, we felt members input was imperative and we requested a members vote.

The voting period was September 26<sup>th</sup>–September 29<sup>th</sup>. The result – a majority vote to proceed with the trial.

During voting period, on September 28, we received an **unsolicited offer** from Rick Soderstrom to purchase the Clubhouse with a stipulation on the sale that the Right of Way trial not be halted. As a vote was already underway and with a majority of the members voting for us to proceed to trial, no further actions were taken to pursue Rick's offer which expired Oct 8<sup>th</sup>.

On September 30<sup>th</sup> we advised our lawyer to proceed to trial.

One important point to note – the Clubhouse was never for sale. Rick Soderstrom's offer was unsolicited.

With a clear directive from the Board (and on behalf of the members) the trial was allowed to go ahead as scheduled for October 25 – 29, 2021. Witness preparation commenced the week of October 18<sup>th</sup>– Our witnesses were Gaye Moffett, Don Butler, and Stephen Hoogenraad.

On 10/25/2021, **Day 1** of the court trial, the key witness to our claim that a Right of Way is in existence, was asked to identify the path which has been in historic use for access to the Clubhouse. The judge immediately pointed out that the identified path was in fact not along the property of the defendant, but, rather, along the neighbouring property instead.

At this point, the trial was halted and postponed as the owner of the neighbouring property (where our key witness identified the path that was used) was not in court. The trial was postponed to November 15, 2021.

To summarize:

We've spent the last couple of decades pursuing the wrong defendant, for a Right of Way that will not allow us to put a dock in the water, nor allow us to park a boat on shore.

This postponement period was to allow the new defendant time to get a lawyer, determine a course of action, and report such intentions to court. Those intentions were received by our lawyer on November 9, 2021.

After reviewing the new defendant's reply, we again met with our lawyer to review the situation. This meeting took place on November 9, 2021. These are the points provided to the Board by our lawyer:

- The trial could be remanded for 18 – 24 months to allow for new counsel to prepare.
- The overall legal costs will increase by another \$10,000 (estimated).
- The likelihood of success remains at 50/50 of having the Right of Way established at the new property.
- Should the Right of Way be awarded to the Association, there **remains no legal means** by which a dock may be placed at the water's edge of the Right of Way.
- No equipment, boats or such may be left at the water's edge of the Right of Way, thus making the Right of Way simply a drop-off point.

Our lawyer left the meeting and the Board continued to discuss these key points:

- No dock can be legally placed at the end of the Right of Way.
- No boat can be legally left at the water's edge when using the Right of Way.
- The estimated cost of the legal proceedings was an additional \$10,000.00, putting the total projected spend for the Right of Way for 2021 to be in excess of \$28,000.00.
- Continuing with the trial will bring no meaningful increase in value to the property as the sole goal of expanding access to the lake via a dock cannot be met.

At this time, I would like to remind everyone of the responsibilities of the Board (as provided to us by our lawyer):

- The Board's **primary responsibility** is to protect the health of the corporation.
- The Board's **secondary responsibility** is to service the membership.
- The bylaws allow the Board to choose to sell assets as needed to protect the prime responsibility.

Given these responsibilities, and in light of the increased costs in continuing with this trial, and after weighing outcome and benefit on the previous slide, the Board voted almost unanimously to re-engage the offer from Rick Soderstrom and directed me (as President) to re-engage with Rick toward the sale of the Clubhouse, which eventually sold to a newly formed Non-Profit Organization (NPO) on December 22, 2021.

For those who do not use listserv – the new NPO for the Clubhouse can be found at [amisdulacbernard.org](http://amisdulacbernard.org). It's a nice website. I invite you to go there.

How was the \$35,000.00 price tag determined? Simple – that was the purchase price offered by Rick Soderstrom in his first offer in September; the one that we let expire.

Let me explain How that number was determined.

During a Board meeting on March 24, 2021, the Board learned that a property assessment had been commissioned and had commenced on March 12<sup>th</sup> on the Clubhouse property and structure. That's 12 days after the assessment had commenced. At no previous Board meeting had we discussed a need for an assessment on the value of the Clubhouse.

We were told that a property value assessment was under way, and that the cost of that assessment was \$977.21 At the same time we learned of an assessment, a reimbursement was requested. It all happened in 15 minutes.

Same meeting, same time, the Board also learned, for the first time, that an architectural firm had been retained to create a design and 3D drawings of a new Clubhouse structure to be erected at the Regatta site. This was shown to you at last year's AGM.

Once again, at no previous meeting of the Board had we discussed, voted or approved this engagement. It was only brought to the Board's attention when reimbursement for the costs (\$2,874.38) was requested. Different 15 minutes, but I think you get the idea.

All information covered in my slides so far was presented at the December Members' Meeting. I am reviewing here in case you missed that meeting, and because it leads into my next topic.

## **Bylaw Review**

Over the course of the summer/fall, the Board continued its due diligence to fully understand the bylaws – and noted a number of discrepancies - they do not make provision for virtual meetings, electronic voting, and had several other deficiencies regarding tied votes, Robert's Rules, financial audits, specifying a Board Code of Conduct, information sharing policies, etc.

At the December 8<sup>th</sup> all-members meeting, I brought these bylaw discrepancies to the members attention, and highlighted that the bylaws and accepted practice of financial reporting period and dates for AGMs were out of sync. Motions had been raised to accept a change in year-end from September to December. This change has been in place for a while now. With no complaint from membership.

However, the bylaws were not updated to cement that change. Likely a simple oversight in process. But an amendment to the bylaws was required to align reporting periods and to address the other discrepancies noted by the Board.

During the December member's meeting, I talked about the formation of a **new Bylaw committee** to address these discrepancies and to:

- revamp the bylaws to rectify these deficiencies,
- to poll members for suggestions,
- to assemble and present an overhauled set of bylaws
- and have this package available for review by members and our lawyer.

A new Bylaw Committee was struck - and they delivered. The new set of bylaws was overwhelmingly ratified on May 12, 2022.

## **Special General Meeting**

On December 15<sup>th</sup>, 2021, exactly one week after the December 8<sup>th</sup> Fall Members' Meeting, the Board received a demand for a Special General Meeting – an SGM.

Our bylaws make provisions for members to call special meetings if:

- The demand is signed by at least 10% of the membership
- There is a clear object, a purpose, specifying what is to be discussed.

I'll walk you through this process and the outcome, but keep in mind that considerable time and legal expense was incurred as a result of this SGM, which had no clear purpose or meaningful outcome. Let me explain.

The purpose of this SGM is listed here:

- A demand that the President be the Chair of the meeting.
- A demand for verbal transcripts of Board meetings
- A demand to form a bylaw committee
- A demand that the \$35,000 from the sale of the Clubhouse be refunded
- A demand for an AGM in the Fall – OR—the bylaws be updated to capture an AGM in the Spring with calendar-year reporting periods.

This demand was received one week after the Dec. meeting where I informed attendees about the deficiencies in the bylaws and the creation of the Bylaw Committee.

I told them about the deficiencies in the bylaws – and now we must spend considerable money in legal fees to navigate this situation.

Let's take a look at the demands:

#1 – President chairing the meeting. That's a no-brainer. Of course.

#2 - the verbal transcripts do not exist. Any recordings of Board meetings are for the purpose of accurate minutes, then deleted. Minutes are not a transcript, but an accurate capture of issues, debate, and outcome.

#3 – the demand that we create a committee to revamp the bylaws. I said that we were doing this – a week earlier at the December 8 meeting. This is already under way.

#4 – the SGM requestors want the cost of the Clubhouse sale refunded. They want a clear engagement model between the Association and the newly created NPO for the Clubhouse. I talked about exactly that second point at the December members meeting.

Our lawyer reviewed all these demands. He told us that the members do not have the purview for this point (#4), and it does not need to be addressed. (Remember, the bylaws and corporate structure stipulate that the Board's primary responsibility is to protect the health of the corporation, and to service the member's wishes a secondary responsibility. The members cannot force an expenditure which may jeopardize the financial health of the corporation.)

Regardless of there being no clear items for discussion – our lawyer advised that the Board is required to meet the demand for the SGM. The SGM was held January 19<sup>th</sup>, 2022.

#### **Bylaw Review continued....**

The corporation is now running under version 2 of our bylaws – a major overhaul was executed by Jane Barton, Janet Bax, Wendy Carr, and Gerry Yemensky,

The deficiencies in the bylaws that were reported at the December meeting have all been resolved. The entire set has been brought into present day accounting for in-person and virtual meetings, electronic voting, Non-Disclosure Agreements, Code of Conduct, and Confidentiality clauses for the Board. The fiscal year-end remains at end of December – as has been accepted practice since about

2018. And the AGM date has been corrected to match, with recent AGMs, to be held no later than the end of May each subsequent year.

This AGM falls outside of that date range. We moved it due to last week's major storm which knocked out power, Cell service, and internet for many.

The new bylaws were voted upon – electronically, and had overwhelming acceptance at the review meeting on May 12, 2022. Some salient points:

- Virtual AGMs and voting.
- Fiscal calendar is January – December
- AGM in Spring.
- Conflict of Interest Agreement for Board of Directors
- Code of Conduct for Board of Directors
- Confidentiality Agreement for Board of Directors

We all owe Gerry, Janet, Jane, and Wendy a huge thank you. Their effort was massive. As is the outcome.

The nit point regarding financial reporting period and date of AGM are now in line with practice of the last several years.

### Sample of Emails Received

I want to walk you through a typical email that has been received by this Board. We have hundreds of these. This one is just more recent. (I have summarized and paraphrased some. The identity of the sender will remain protected.)

This email came in the day after the Bylaw meeting of May 12.

*"Sadly, this is my only contact with you that I can find on the association website." "I found last Thursday Zoom meeting an insult!"*

The sender is frustrated with not being able to find how to contact the executive, feels the Bylaw committee's Zoom meeting was inadequate, and called it a sham.

The message was sent directly to the 'watersports@lacbernard.ca' e-mail alias, which lands in my Inbox. You may recall that I dedicate volunteer time to promoting water sports and water safety on the lake.

Hundreds of emails from a very small group of members.

Stick with me for the next few slides – I'm going to demonstrate that there are individuals who can become furious with this Board **without** having done proper due diligence, proper information gathering, and proper analysis of new information against their current knowledge and opinions.

- That first point was frustration toward not being able to find how to contact the Executive. It appears that very little effort was spent looking for how to contact us. This is incredibly hard to miss on the Lac Bernard website's home page. (Shows slide of our website's home page.)
- Anger that this page cannot be found should be directed inward – not at the Board.
- The Board had nothing to do with the Bylaw Committee's meeting. Nothing whatsoever. The writer is 100% ill-informed on this point – yet they are furious with the Board.

*"Not quite sure what your dog and pony show is up to....but I will be contacting our family lawyer to see just what legal remedies our family has....over this sham you called a Zoom meeting."*

We are "up to" providing membership with transparency, which membership has not had, and fiscal responsibility, which the membership has not experienced in several years. Our "dog & pony show" is "up to" providing membership with clear, accurate, complete information from which informed decisions may be made.

### Summary: Year in Rear-view Mirror



Our mandate from the 2021 AGM was operational transparency, fiscal responsibility, addressing lake health and Milfoil threats, and assets viability.

#### Financial Responsibility

- We discovered facts previously withheld regarding the separation of finances of the Clubhouse funds and general Association finances. We carried a motion to revert to the Clubhouse being self-sustaining.
- We discovered facts previously withheld and shared these facts with the membership immediately, completely and without prejudice.
  - Clubhouse Right of Way costs, benefits, dock, and lawyer guidance
  - Waterfront land purchase

Given new information, we requested renewed approval for committing to legal costs for RoW trial.

#### Lake Health

- Environmental assessment of the lake was performed
- Non-compliant yellow Milfoil marker buoys replaced with Coast Guard-approved buoys; insurance coverage is secured.

#### Assets Viability

Discovered and reported on new facts regarding the Right of Way trial. We requested approval to proceed.

Executed on the Right of Way trial (Day 1)

And yet, after all of this, we have been accused of bullying, harassment and abuse.

- Holding a person accountable for the role which they hold is not bullying, abuse or harassment
- Asking for timeliness and accuracy is not abuse, nor bullying, nor harassment

Good governance and probity were the principles of this Board. For that we have been subjected to numerous legal challenges. Regardless, this Board has remained very discreet. Let me reassure the Association that this Board has never used similar foul language or racial slurs at Board meetings.

The comments at last year's AGM, and the flurry of discussions on the listserv, made our mandate very clear. And we executed with clarity and transparency not seen by the Membership in recent years.

We've been vilified – and yet, we're still here to service you with accurate and transparent information. Perhaps some are just not recognizing it.

#### Questions & Statements:

Statement – (Sandra Floyd) – “I’d like to know if the President’s slide show is against our current Non-Disclosure Agreement (NDA) which has been put into protocol by divulging executive votes. I do not believe that this presentation created a sense of community for the same reason that Anne Williams’ motion was shot down.”.

#### *Secretary Clarification:*

*SF refers to two appendices to the new set of bylaws: the Confidentiality Agreement and the Code of Conduct for Directors of the Corporation. The first point about divulging executive votes would apply if the meeting in question were In Camera. (Code of Conduct: “Abstain from divulging any information discussed in an In Camera meeting without the consent of each Director”). The June 2021 Board of Directors meeting was not In Camera. President Chris Ault did not name the Directors.*

*Their second point about the President’s Address contravening bylaw Section 3.5 – “encourage the development of a respectful, involved and convivial community.” – is subjective, like Ms. Williams’ motion. However, no discussion ensued and no vote was called.*

Q. – (?) When will the new compliant Milfoil marker buoys be distributed?

A. - Environmental Chair Paul Saunders will speak to that in his address though it is expected that they will be installed in the next couple of weeks, weather permitting. The buoys are on the President’s property at the lake.

Statement – Sandra Lillico takes exception to the President’s tone and hand gestures during his address.

Response - Chris Ault apologizes that he sometimes gets animated when speaking with passion.

Statement - Steve Kulba says that Chris Ault's presentation was accurate.

### **Environment Committee Report (Paul Saunders)**

#### Members of the Environment Committee

- Jane Barton
- Blair Patacairk
- Kevin Radford
- Jeff Stubbins

#### Yellow Buoy Volunteers

- Jean Charles Hudon
- Dick and Mary Jane Green
- Terry and Mary Jane Green
- Hilary and Liam Casey
- Laurence McClelland
- Jane Barton
- Andrew Floyd
- Steve Chapman
- Dominique Quesnel
- Steve Adams
- Alain Marcil and Julie Roger
- Paul Hays
- John Pearson
- Scott Duncan
- Leigh Sullivan
- Paul Warriner
- Raymond Kotchorek
- Dani Kennedy
- Liane Benoit

We are a community and I'd like to thank all those people for their help.

### **Issues at the Inlet (and Outlet)**

- Major issues last year with beavers that blocked the inlet
- This was a significant contributor to high phosphorous levels in late summer
- Kevin Radford and Blair Patacairk walked the inlet and reached out to neighbours bordering the inlet to correct the situation
- This year we had a problem with the inlet being blocked again – but this time the likely culprit(s) were firefighters that blocked to get enough water to fight the fire
- The Association worked closely with members of the Lac Notre-Dame Association to quickly resolve the problem
- The outlet is not managed leading to problems. New Board should look at this issue.

### **Water Quality Testing**

- Water quality testing is an important exercise we conduct each year to monitor the health of our lake
- We are fortunate to have had volunteers over the years to assist in this process and to have a resident expert in this area – Jane Barton
- In 2021 we observed some very high readings for phosphorous in the lake
- Too much phosphorous is not good since it can cause increased growth of algae and large plants
- High levels of phosphorus can also lead to algae blooms that produce toxins - harmful to human and animal health

- Phosphorous enters the lake in many ways:
- Soil erosion is a major contributor
- Fertilizers used on gardens and lawns
- Septic tanks leaking

### **Milfoil Action**

- Milfoil beds occupied 2.7% of our lake in 2012- the first year we conducted research into this invasive species
- As of last July 2021 – research indicates that Milfoil beds now occupy 16% of our lake or 1.1M square metres of Lac Bernard
- Milfoil is now the dominant species of aquatic plant in our lake – by far
- Cuttings from boats are the principal means of spreading milfoil throughout the lake

We do not want to get into a situation like Lac Gauvreau where they are in real trouble. The time for action is now. We are heading in the wrong direction today and we want to neutralize that.

### **Installing the Yellow Buoys**

- We have purchased Transport Canada compliant buoys to be deployed in June
- The goal is to put them in areas that have high density beds of milfoil
- Remember that cuttings from boats are the principal means of spreading milfoil throughout the lake
- Keeping boats out of heavily weeded areas reduces the spread and has a significant impact on the health of the lake
- Group of volunteers will be putting them in the lake in mid-June for the boating season. Many thanks to those volunteers for their participation.

### **Cottager's Burlap Initiative**

- We belong to the Gatineau Lake Association and we work together to share ideas to assist in tackling environmental initiatives
- Ideas include encouraging cottagers to lay burlap in front of their properties (up to 75 M<sup>2</sup>) The government now recognizes that you should have a place to swim and that is why you are allowed to lay 75 square metres of burlap at your shore.

Règlement sur l'encadrement d'activités en fonction de leur impact sur l'environnement : version administrative dynamique  
([gouv.qc.ca](http://gouv.qc.ca))

#### Partie II, Titre IV, Chapitre I, Section II

- Many cottagers ordered burlap kits -- unfortunately there were some technical problems
- Note that for 2022 the Association is initiating a program to help to fund students (up to 50% of the cost) that want to work this summer to lay burlap for those cottagers that would like to purchase this service.

### **Rob Perrins – Block-Aid – Burlap Kit Supplier**

- Block-Aid is offering burlap kits via its ShoreSaver.ca website (2 kits = 75 square metres)
- The kits are approximately 12.5 feet wide x 32 feet long.
- The burlap has been treated with ozone to ensure that living organisms in the burlap have been killed. Ozone leaves no residue behind.
- Burlap kits are easily installed with one tool – a pole – with some rope
- There is a payment processing holdup but the website is expected to be up and running in less than two weeks. When the credit card issue is resolved, everyone will be notified.
- It's important to note that there will be less phosphorus in the lake if we can control the Milfoil.

### **Questions for Rob Perrins:**

Q. - Is there a risk of killing off indigenous species when burlap is laid down on the lake bottom?

A. - Indigenous species can grow through the burlap. Milfoil is a weak plant and can't get through.

Q. - Why are we not planting indigenous shoreline vegetation to save the shoreline?

A. - That is an initiative we are looking at for the upcoming year. It has been done in the past and it was quite successful.

## **Membership Committee Report – Steve Kulba**

### **Membership Data:**

- 2021 – 321
- 2022 – 199
- 2023 – 51
- 2024 - 6

Found a new way for members to renew. aMember. Thank you to those who have adopted it. Wants to emphasize to get away from cash and cheques to be used to renew memberships. You still have to go to aMember to set up a profile, to set up a password. You can pay with a debit card or a credit card.

There will be a transition period but Steve Kulba will be working in the background to help, even though he is retiring from the Board and moving away from the lake.

Final comment – We have divergent opinions. It's best to look at past issues and let them go. We have two wonderful groups, each with their own mandate, support those that need the support. Get along and have a great community.

### Questions for Steve Kulba:

Q. - (GS) How much do you anticipate membership declining in the coming years given the new bylaw restricting voting to one person per property?

A. - In a typical year, we have 260 members. Steve hopes to maintain that level.

Q. - (MS) Will people be getting a refund for 2022?

A. - That is to be left to the Board to decide.

Graham Longair reads a number of statements thanking Steve Kulba for his work. Writers included Rob Perrins, Donna Serafini, Jake Blair, Will Lockhart, Ross Hines, John Pearson, Janet Bax.

Steve Kulba has good memories of everybody and will keep a special place for Lac Bernard in his heart.

## **Document / Records Management Initiative – John McDonald**

### State of the Association's Records

- Tend to be scattered, not well organized, and no procedures for systematic retention and disposition
- Business records scattered on the personal computers of current and former Board members
- Documents, photos, old maps held in various conditions by cottagers around the lake
- No policy and no one in charge!

### Towards a Policy and Procedures

- Worked through the winter with Paul Hays supported by Charles Topp and others
- Developed draft policy and procedures to be tabled to the new Board

### Suggested Policy Statement

It is the policy of the association to create authentic, complete, accurate, and reliable records (i.e., records that can be trusted) and to retain these records in an accessible form for as long as they are required to support the business and accountability requirements of the association and the interests of the lake community.

### Draft Procedures

- Builds on what is already in place
- SeedDMS for business records

- Advantages
- ‘User’ folders for board members, committee chairs and others
- Association-managed ‘archive’ folders for significant operational/administrative records to support Association business through the long term
- Systematic transfer of significant records from the SeedDMS system to the Association website

#### Association Website

- Already holds records of long-term value (e.g. History, Environment)
- Build on what it offers rather than reinvent wheel with separate archives repository
- Suggestions offered on enhancing the web site to serve as the Association archive
- BUT!
- Implementation will be challenging and labour intensive
- Recommend assessment leading to updated structure, content, technology

#### Two New Non-Board Positions

- IT Administrator
- Formalization of current role
- Records Administrator
- Provides advice on the policy and procedures
- Provides advice on how SeedDMS and the website should be used to manage records
- Monitors integrity of records on SeedDMS and the Website
- Records administrator, IT administrator and Association Secretary to organize info session for the new Board

#### Vision

Authentic, complete, accurate, reliable records easily accessible to:

- Support accountability and transparency
- Contribute to decision making
- Foster a rich and deep appreciation of the history of our lake

In closing, I’d like to thank Paul Hays and Charles Topp for their contributions, as well as those who offered informal comments on previous drafts such as Jane Barton, Will Lockhart, Gaye Moffett, Jeff Stubbins and several others.

And with that, I look forward to the wider involvement of the lake community – that’s yourselves – as we move forward on the development of an effective archives and records program.

#### **Regatta** (Chris Ault)

Plans have not been finalized for 2022. Stay tuned.

#### **General Election Voting Details** (Chris Ault)

- ElectionBuddy will handle every detail of then General Election.
- Vote opens at 10:00 p.m. Thursday.
- It closes at 6:00 p.m. (tomorrow) on Friday evening.

#### **Closing Remarks** (Chris Ault)

This Board’s behaviour is:

- driven and governed by our **ethics**, our **experience**, and our **sense of duty**
- governed by many inputs and acted upon by a majority vote. No individual has a vote greater in weight than any other individual on the Board

#### **Question and Answer Session:**

Q. - (PH) Where was the roster of voters acquired?

A. - (Jeff Stubbins) It is the Membership list supplied by Membership Chair Steve Kulba.

Q. - (BS) Could Chris explain to the voters how the requirement of 50% of the voters affects the voting according to the bylaws?

A. - The question can be answered by citing bylaw Section 6.2.7 – *“In the case where there is the same or fewer, number of candidates as vacancies for the Board, each candidate must receive more than 50% of the total number of votes cast in order to be elected to the Board.”* In the current case, there are more candidates than there are seats on the Board so this requirement is not applicable.

Q. - (PW) Where can we find the full candidate list?

A. - It will be on the email from ElectionBuddy that you will receive at 10:00 o’clock this evening. In addition, Secretary Jeff Stubbins distributed the full list of candidates, complete with a short bio.

Statement - (Sarah Brown) It may help community harmony if Chris Ault could offer to publicly address some of the issues raised by the non-majority in recent months. I am concerned that it hinders the moving on process when the Board’s position is, often, to dismiss concerns raised by members when those concerns are not held by themselves or the majority of membership. (Don Butler raises the same concern.)

Response\_- Chris Ault invites Sarah Brown to send him an email. He is prepared to chat.

#### **Adjournment (Chris Ault)**

Really appreciates everyone’s time and patience. We are committed to resolving the various technical issues for the next meeting.

Reminder that everyone will get an invitation to vote from ElectionBuddy in just a few minutes.

Thank you to Graham and Christopher Longair for running the meeting. An excellent professional job.

**Spring 2022 Annual General Meeting  
of the Owners’ and Residents’ Association of Lac Bernard  
ends at 9:53 p.m.**

**Thursday, June 2, 2022**