

From Peter Muir to Jeff Stubbins, Secretary

Wednesday, December 15, 2021 @ 7:19 p.m.

Hi Jeff,

The following is our request for a special general meeting that you no doubt were anticipating. Given that the holiday season is now well underway, we recognize that the holding of a membership meeting in December is impractical. We suggest that the special meeting be held in mid-January.

To Jeff Stubbins, Secretary of the Owners' and Residents' Association of Lake Bernard (the Association)

Article 11 of Bylaw No 1 states "All general special meetings of the membership shall be held as required on the date and at the place fixed by the board of directors. It shall be permissible for the president or for the board of directors to convene all such meetings. Moreover, **the secretary shall be required to call a special general meeting of the members upon demand to this end, in writing, signed by a minimum of ten percent (10%) of the regular active members, and this within eight (8) days following receipt of such written request, which must specify the object of this special meeting.** Should the secretary fail to call a meeting within the specified time, the meeting may be convened by the members who signed the written report."

Thirty-nine (see signature block) regular active members are hereby requiring you, as Secretary of the Association, to call a special general meeting of the members, the objective of which is to consider and vote on the following:

1 Meeting Chair

To ensure the perception of fairness and proper process we request the employment of an impartial professional chairperson for this meeting. This would allow the President and other board members to fully participate in the meeting.

2 Release of Verbal Transcript of Board Meetings Since May 2021

Release of the Microsoft Teams meeting recordings will help to resolve the conflicting accounts of recent Board meetings.

3 Ad-hoc Committee to Revamp and Update the Corporation's Bylaws

The special committee appointed by the Board should, in addition to consulting with the Association's lawyer, broadly consult with the membership and prepare amendments to the Bylaw for approval by the membership at its 2022 meetings. In particular, given the pain caused to a certain member by the current expulsion process (Article 8 of By-law 1), this be reviewed to ensure fairness and due process.

4 Disposition of Clubhouse Property (CHP) and Association Relationship with the New Non-Profit Organization Being Created by Rick Soderstrom and Gaye Moffett et al (NPO)

- a Recognizing that the sale of the CHP is scheduled to be completed on December 17th, the Association, immediately after completion of the sale, make a contribution to the NPO equal to the proceeds of the sale, with the conditions that
 - i the NPO is set up to benefit residents of the lake area, and
 - ii the Association be given the right of first refusal to re-purchase at the then fair market value less the contribution made in a) above.
- b That the Board of Directors negotiate and enter into a memorandum of understanding (MOU) with the NPO that
 - i states that the intent of both organizations is to cooperate and support the activities of each other, and
 - ii provides a clear understanding of respective areas of focus and means of sharing information in order to cooperate in a healthy and effective manner.

5.1 Affirmation of the Fall General Annual Meeting (GAM/AGM) and Election of the Board of Directors

It is hereby confirmed that the Bylaw as it stands is correct (i.e., the Association's GAM/AGM to be held within the last three months of the calendar year. See Article 10 of Bylaw No 1 which states, "The general annual meeting of the members of the corporation shall be held on the date and at the place fixed each year by the board of directors, but within the last three months of the calendar year.") This allows for proper planning over the winter in preparation for the following summer season. Therefore,

- a In order for the Association to comply with Article 18 of Bylaw No 1 which states in part, "Members of the board of directors are elected each year by the active members, during their general annual meeting.",
 - i this meeting be deemed a GAM/AGM during which a new Board of Directors will be elected, or
 - ii a GAM/AGM including a Board election be scheduled before the end of January, 2022.
- b The fiscal year end of the Association be changed back to September 30 so that a financial report can be provided at the GAM/AGM.

OR 5.2 Change to Bylaw No 1, Article 10

The Bylaw is amended so that Article 10 reads:

“The general annual meeting of the members of the corporation shall be held on the date and at the place fixed each year by the board of directors, but within the 2nd quarter of the calendar year.”

Signed by

Claude Bertrand
John and Sue Bowden
Craig and BJ Brown
Chris Bruckert
Don Butler
Roslyn Butler
Brenda and Jim Chambers
Derek Christopher
Ian Christopher
Holly Coll-Black
Carl Dawson
Lorraine and Dave Dawson
Mike Dowling
Francine Filion and Tim Casey
Sandra Floyd
Joe and Julie Furano
Nancy and Paul Gilbert
Paul and Melissa Hayes
Abby Heggtveit and Wyatt Grant
Stephen and Kelly Hoogenraad
Susan Hopkinson
Alison Jones and Michael
Melenaghan
Yvonne Lai
Linda Coll and Fred Lapner
Sarah and Michael Lapner
Alison and Bruce Lillico
Sandra Lillico
Sherri and Brian Lillico
Gaye Moffett
David and Penny Muir
Kathy and Peter Muir
Lisa Pohlman and David Tilson
Danielle and Lucien Robitaille
Melissa Saunders
Gavin Schnobb
Rick and Bobbi Soderstrom
Dunkin and Lynn Walker
Lesley Walker
Anne and Adam Williams