

Bass Lake Road Association

Constitution and By-Laws

September 3, 2011

Amended August 30, 2014

Article I - Name:

The organization shall be known as the 'Bass Lake Road Association' (the Association).

Article II - Objectives:

The objectives of this Association shall be:

1. To facilitate maintenance of the Bass Lake Road
2. To promote a sense of community amongst members of the Association.

Article III – Definitions:

The Road: For purposes of road maintenance by this Association, “The Road” (BLR) is defined as:

1. The main Bass Lake Road from Highway 169 to 1141-30 (Ward’s)
2. The “1066” road from the main road to the hill by 1066-05 (Beaudin’s)
3. The “1076” road from the main road to 1076-16 (Bramall’s)

Property: For the purpose of defining which lots are to be included in the annual fee assessments, a “Property” is defined as:

1. A lot on Bass Lake Road that has a “civic address” (e.g. 1234 Bass Lake Road) and upon which there is a habitable dwelling,
2. A vacant lot on Bass Lake Road where a dwelling is under construction.

Winter User: For the purpose of fee category, the following are deemed to be “Winter Users:

1. Permanent residents living on Bass Lake Road (BLR)
2. Individuals or families who visit their cottage more than twice during the winter period
3. Those required to maintain year round access for insurance purposes
4. Cottages that require heating and therefore access by fuel suppliers during the winter
5. Properties being renovated during the winter months
6. Properties and vacant lots being offered for sale during the winter months
7. Properties being checked during the winter months where the “checker” requires road access

Article IV – Seasonal Mandate:

The mandate of this Association is to maintain the road year round (summer and winter)

Article V - Membership:

Membership in the Association shall be restricted to registered owners of property on Bass Lake who access their property from Bass Lake Road.

Article VI - Voting Member:

1. Each member or their delegate in good standing with the Association (maximum of one voting member per property) shall be entitled to one vote at any annual, general or special meeting of the members of the Association.
2. A voting member in good standing may cast a proxy vote on behalf of an absent member, provided that he or she is in possession of a written authority to do so.

Article VII – Members Meetings:

There shall be one regular meeting of the membership in each year (the Annual General Meeting) to be held on the Saturday of the Labour Day weekend (or as designated by the Executive). Other meetings may be called at the discretion of the Executive, or upon the written request of a minimum of five (5) voting members of the Association, presented on at least twenty eight (28) days prior notice of the proposed meeting date.

Article VIII - Quorum - Association Meetings:

Eleven (11) voting members shall constitute a quorum for conducting business at an Association meeting.

Article IX - Directors, Officers and Elections:

1. The planning and business of the Association will be managed by a Board of Directors of not less than 3 and not more than 7 Directors. The precise number of Directors within that range will be determined by the Executive from time to time. Directors must be members of the Association in good standing.
2. The Officers of the Association shall be known as the Executive, and shall consist of a President, “Road Boss”, Secretary, and Treasurer. The immediate Past President shall remain a member of the Executive, and shall have a vote. Officers must be Directors.
3. An individual may serve in a maximum of 2 positions (e.g. secretary and treasurer)
4. Directors and Officers will be elected by the Membership at the Annual General Meeting of the Association in even numbered years. They will assume office on the day following Labour Day of that year, and serve a two-year term.
5. A vacancy occurring in any Executive office or on the board may be filled by a majority vote of the Directors.
6. A majority of the Directors then in office shall constitute a quorum for meetings of the Board

Article X - Duties of Officers and Directors:

1. The President shall preside at all meetings of the Association members and Executive officers. He shall appoint all committees not provided for in this Constitution, and shall be an ex-officio member of all

committees. He shall not propose motions, and will vote only in the event of a tie. It will be his responsibility to assure that the provisions of this Constitution are adhered to.

2. The "Road Boss" shall chair the committee responsible for recommending the appropriate levels of maintenance of the road, and shall perform the duties of the President in his absence or the inability of that officer to act.
3. The Secretary shall keep a correct record of all meetings of the Association, both General and Executive, using a permanent book for that purpose. The book shall be the property of the Association, and shall be available for inspection by members on request. The Secretary shall be responsible for all correspondence of the Association, including notification of meetings, and the preparation of agendas.
4. The Treasurer shall be the custodian of the funds and financial records of the Association. The Treasurer shall receive all funds and disburse funds as approved by the Executive. All accounts must be paid by cheque, which shall be signed by any two (2) of the President, "Road Boss", Secretary and Treasurer. The Treasurer shall file all accounts, and shall keep a balanced record in the name of the Association that shall be available at all Executive and General Meetings. The financial statement shall be submitted for questions at each annual meeting.
5. Other Directors will assist the Officers in conducting the business of the Association.
6. The Executive shall have the discretionary power to authorize and pay for work not foreseen in the yearly road maintenance plan if conditions warrant. All such additional spending must be clearly disclosed at the next Members' Meeting.

Article XI - Committees:

1. **Road Maintenance** – Under the directions of the "Road Boss", it shall be the responsibility of this committee to recommend the road maintenance for the year, and to research and recommend potential contractors.
2. **Ad Hoc** - An Ad Hoc committee may be appointed and dissolved at the discretion of the Executive. The President shall name the chair of this type of committee.

Article XII - Fees:

1. Annual membership fees shall be determined by a majority vote of the voting members at an annual or any special meeting of the Association.
2. Fees shall reflect that some cottagers use the road year round, while others use it only during non-winter months. Members must declare each year whether they are a summer-only or year-round user of the road for the coming year. The fee structure shall also acknowledge the distance from Highway 169.

Please refer to Appendix A for a sample of the current (2011) fee schedule. Note that actual fees are set each year.

Article XIII – Expenses

The fees are intended to cover the costs of grading, gravel, insurance, winter snow removal, contingencies and the costs of operating the association.

Article XIV - Association Books:

The books of the Association shall be open to all members, and the Treasurer or another Officer will respond to any questions from the membership

Article XV - Fiscal Year End:

The fiscal year end for the Association shall be August 31st.

Article XVI - Amendments:

The Association, by a two-thirds (2/3) vote of the voting members present at any Annual General or special meeting, may amend or repeal any article in this Constitution and By-Law, subject to twenty eight (28) days prior notice in writing to all members of such proposed amendment or repeal.

This Constitution and By-Laws were adopted by the Bass Lake Association at the Annual General Meeting held at 1066-05 Bass Lake Road on the 3rd day of September 2011, and amended at the Annual General Meeting on the 30th of August, 2014.

(Witness)

(President)

(Witness)

(Secretary)

Appendix A

This appendix reflects the principles and the current fee structure of the Bass Lake Road Association, as adopted in September 2014. These fees are examples only, intended to offer some guidance. The exact yearly fees will be set at each annual meeting of the association (reference Article XI – Fees above).

- Summer only users be charged a total of \$300 – this is \$225 for summer usage and \$75 for casual (once or twice) use of the road in winter
- Summer and winter users on the first half of the road (highway 169 to 1141-05 BLR - Kociuba's) be charged a total of \$400
- Summer and winter users on the second half of the road (from 1141-05 BLR - Kociuba's - to 1141-30 BLR - Ward's) be charged a total of \$500

It was acknowledged that the road does not receive “uniform” maintenance. From a historical perspective, the section of the road from the highway to the “flat rock” has always received the most gravel as the most people use it. The next section (to 1134 BLR) receives less gravel and the section to 1141-30 even less.

Costs to be covered by annual fees shall cover the costs of insurance, grading, gravel, winter ploughing, and a contingency for emergency repairs.