

# ***CONSTITUTION of the Clear Lake Cabin Owners' Association at Riding Mountain National Park***

NOTE: This document is amended when deemed appropriate by the CLCA membership as per the CLCA Constitution

Adopted July 1974, amended July 1978, amended September 3, 1989, amended June 29, 2004, amended August 31, 2009, amended June 30, 2021, amended July 3, 2023.

## **ARTICLE I – Name**

The name of the association shall be the Clear Lake Cabin Owners' Association ("CLCA" herein).

## **ARTICLE II – Purpose**

- (a) The CLCA exists to support Parks Canada in the delivery of their mandate while representing and advocating for the collective interests of its membership, which includes the leaseholders in Riding Mountain National Park's Cabin Area (often referred to as "the Old Campground").
- (b) Along with representatives from the Clear Lake Cottage Owners' Association ("CLCOA" herein) and the Wasagaming Chamber of Commerce, the CLCA shall be represented on the Wasagaming Tenants' Association (WTA).
- (c) Whether acting as an independent association, or alongside partner associations and organizations, the CLCA shall provide input to Parks Canada on concerns, solutions, and a vision for the Cabin Area that are consistent with the wishes of the membership.
- (d) The CLCA shall also contribute to the knowledge, safety, and enjoyment of the membership by sharing information, assisting in the resolution of disputes between members, and hosting and facilitating events aimed at a building a strong sense of community.

## **ARTICLE III – Membership**

- (a) The leaseholder(s) of a Cabin Lot may designate one individual to serve as a member of the CLCA and to act as the agent and representative of the leaseholder(s) for all matters pertaining to the CLCA, including but not limited to, voting and serving as a Director or Committee member of the CLCA.

The individual designated in Article III (a) may register for and purchase an annual membership in the CLCA.

- (b) Membership in the CLCA shall be annual and coincide with the fiscal year of January 1 through December 31.
- (c) An annual membership entitles that individual to be a member in the CLCA and therefore:
  - i. participate in the Annual General Meeting ("AGM" herein) of the CLCA and vote on all matters arising therein;

- ii. be nominated to, or nominate other members, to serve on the Board of Directors of the CLCA;
  - iii. serve as a member of the Executive of the CLCA Board of Directors and such other Committees of the Board as may be formed from time to time;
  - iv. receive notices and correspondence on all matters pertaining to the CLCA;
  - v. participate in CLCA surveys, activities, etc.
- (d) The amount of the annual membership fee and the collection thereof shall be determined by the CLCA Board of Directors. The CLCA will confirm receipt of payment to the member upon payment of the annual membership fee.
- (e) Memberships are non-transferable.
- (f) Failure to pay the annual membership fee will void membership, including voting rights at any CLCA meeting.

#### **ARTICLE IV – Management**

- (a) The general control and management of activities of the CLCA will be vested in the Board of Directors.
- (b) The Board shall consist of the Executive Officers (4), the Past-President (1), and up to eight (8), and no less than two (2), other elected members who will be Directors-at-Large.
- (c) The Executive Officers of the CLCA will be: President, Vice-President, Treasurer, and Secretary, with the Past-President serving as an ex officio member and voting only when needed to break a tie.
- (d) The Past-President shall be the immediate Past-President, unless the immediate Past-President is unable or unwilling to participate, at which point the previous Past-President shall be offered the role.
- (e) No person shall remain in the same Executive Officer position for more than four (4) consecutive years.
- (f) The Board shall meet at the discretion of the President, with a minimum of two (2) meetings per year.
- (g) Each Board member is elected for a two-year term, with half of the Board elected each year. Regardless of resignations or mid-term elections due to untimely vacancies, the membership will renew two-year terms as follows:
- i. Odd years: President, Treasurer, and 50% of the Directors at Large (e.g., Director at Large positions number 1, 2, 3, and 4).
  - ii. Even years: Vice-President, Secretary, and the other 50% (i.e., those not renewed in the previous year) of the Directors at Large (e.g., Director at Large positions number 5, 6, 7, and 8).
- (h) For the purposes of Board terms, a year is defined as the period of time between Annual General Meetings (typically early September to early September).

- (i) Given any vacancy on the Board during a term of office, an interim replacement will be appointed by the Board of Directors to serve until the next general meeting at which time the position will be filled by election.
- (j) Any Board Member who is absent for three consecutive meetings, or who does not fulfill the stated expectations of the respective position, may be removed from the Board, at the sole discretion of the Executive by a majority vote.

## **ARTICLE V – Roles and Responsibilities of Board Members**

### **(a) President**

- Prepares the Agenda for, and presides at, all meetings of the membership, and of the Board, unless the President designates otherwise.
- With the Vice-President and Treasurer, acts as joint trustee and signing authority of all CLCA funds.
- Serves as ex-officio member of all standing and special committees.
- Acts as a liaison between the CLCA and Parks Canada as well as other organizations when necessary.
- Submits a report to the Annual General Meeting of the CLCA.
- Appoints Chairs of standing committees from within the Board.
- Endeavors to keep all members informed of CLCA activities.
- Represents, and is the sole official spokesperson of, the CLCA – unless the President delegates this authority to an alternate Board member.

### **(b) Vice-President**

- Assumes the duties of the President in the absence or resignation of the President.
- With the President and Treasurer, acts as joint trustee and signing authority of all CLCA funds.

### **(c) Treasurer**

- Maintains records of the financial affairs of the CLCA and keeps adequate and accurate records.
- With the President and Vice-President, acts as joint trustee and signing authority of all CLCA funds.
- Prepares and reports interim and year-end financial statements, that shall be reconciled with current bank statements.
- Reports to the CLCA membership, as directed by the Board of Directors.

### **(d) Secretary**

- Keeps minutes of all regular CLCA meetings (Board meetings, General Meetings).
- If there is a vacancy in the role of Vice-President or Treasurer, acts as temporary joint trustee and signing authority of all CLCA funds.
- Maintains a record of attendance at each meeting.
- Is responsible for general correspondence involving the CLCA.
- Is responsible for organizing and storing the current and historical records of the CLCA.  
Provides notice of CLCA meetings to CLCA members at least two weeks before the scheduled meetings.

- (e) Past President
  - Presents a slate of prospective Board Members to the membership at the Annual General Meeting.
  - Presides over elections and oversees voting procedures.
  - Keeps the Board of Directors abreast of and in line with the fundamental principles of the CLCA Constitution, and the rules and positions of the CLCA Bylaws.
  - In addition to the current President, serves as liaison between the CLCA and Parks Canada as well as other organizations when necessary.
- (f) Directors at Large (up to 8)
  - Attend and participate at meetings, helping to ensure good governance.
  - Chair and/or participate on a Committee of the Board and carry out those related responsibilities.

#### **ARTICLE VI – Association Meetings**

- (a) There are three kinds of General Meetings: Annual General Meeting, Regular General Meeting, and Special General Meeting. General Meetings are recognized as a necessary part of the function of the CLCA.
- (b) The Annual General Meeting will be held no later than the September long weekend of each calendar year.
- (c) A Regular General Meeting will be held prior to the second week of July of each calendar year.
- (d) A Special General Meeting may be called by the President at any time providing adequate notice is given to the membership.
- (e) In the exceptional event the CLCA is not able to conduct a General Meeting in the ordinary course, the Officers may make any alternate arrangements necessary to continue the functions of the CLCA.
- (f) Unless otherwise amended by the President with support from the Executive, General Meetings shall have the following standing agenda items:
  - Call to Order
  - Approval of Agenda
  - Approval of previous meeting Minutes
  - Treasurer’s Report
  - Membership Report
  - President’s Report
  - Report from Parks Canada
  - Q&A with the Board and Parks Canada
  - New Business arising
  - Board Elections (AGM only)
  - Adjournment

#### **ARTICLE VII – Nominations and Elections**

- (a) The Election of Officers and Board Members will be held at the Annual General Meeting.
- (b) Nominations for the positions of Board Members and Executive Officers may be submitted by the Nominating Committee, or may be made by the membership during the meeting.
- (c) When two (2) or more members are nominated for any Executive Officer position, voting will be required. In the event of a tie, the Past President, or designate per the President, shall cast the deciding vote.
- (d) When the number members nominated for Director at Large positions exceeds the number of vacancies, voting will be required. In the event of a tie, the Past President, or designate per the President, shall cast the deciding vote.

#### **ARTICLE VIII – Voting Procedures at the Annual General Meeting**

- (a) In accordance with Article III (a), only one individual may be designated by the leaseholder(s) of a Cabin Lot to be a member of the CLCA.
- (b) Only a member of the CLCA is entitled to vote at any meeting of the CLCA.
- (c) If a member is unable to attend a meeting, that member may delegate another leaseholder of the member's Cabin Lot or CLCA member as their proxy for purposes of voting.
- (d) A proxy may be appointed by the member by signing a proxy card as provided by the CLCA Board of Directors or by providing a written appointment of proxy letter at the time of meeting registration.
- (e) Prior to the commencement of the meeting a representative(s) of the CLCA shall:
  - i. Register all members by recording their represented Cabin Lot and full name;
  - ii. Keep a record of all members registered and all proxies received, and determine whether the members in attendance and/or represented by proxy, is sufficient to constitute quorum and to obtain an accurate count of those eligible to vote;
  - iii. Provide a voting card to the members upon registration, and (if applicable) upon receipt of a proxy cards or appointment of proxy letters. The form of voting card will be determined at the sole discretion of the CLCA Board of Directors. Voting cards shall be returned to a representative of the CLCA Board of Directors before a member, or alternate, leaves the meeting.

#### **ARTICLE IX – Quorum and Parliamentary Authority**

- (a) For a CLCA General Meeting, a minimum of thirty (30) members shall constitute a quorum.
- (b) For a Board of Directors meeting a majority of the directors in office at the time of the meeting shall constitute a quorum.
- (c) Notwithstanding the language contained within the Constitution, the most recent version

of Robert's Rules of Order will be the parliamentary authority.

#### **ARTICLE X – Additions and Amendments to the Constitution and Bylaws**

The CLCA Constitution and Bylaws will be made available to the members through publicly accessible means (e.g., website or equivalent) and on demand (e.g., via email or equivalent) within a reasonable time frame.

The CLCA Constitution may be amended by a vote of two-thirds (2/3) of the members present at any General Meeting, provided that notice has been given in writing to the members, along with the specific amendments being proposed, at least thirty days prior to the meeting.

The CLCA Bylaws may be amended by the Board of Directors as follows: a two-thirds (2/3) majority for minor changes to the wording (i.e., for language clarity or updates reflecting new developments); a unanimous vote by all active Board members for substantive changes (i.e., to fundamentally change course or direction).

## ***BYLAWS of the Clear Lake Cabin Owners' Association at Riding Mountain National Park***

NOTE: This document is amended when deemed appropriate by the CLCA Board of Directors as per the CLCA Constitution

Adopted July 3, 2023.

### **BYLAW No. 1 – Territory Acknowledgement**

In the spirit of Reconciliation, the CLCA shall include the following Territory Acknowledgement as a formal part of all meetings:

*As we meet today to advocate for the Clear Lake Cabin Area and advise Parks Canada on how best to administer these lands, we acknowledge that the Cabin Area and the surrounding lands and waters which we love and care for so deeply, are at the heart of Treaty 2. We support, in the spirit of Reconciliation, Parks Canada's relationship with First Nations of Treaty 2, 4, and 1, and the Red River Métis.*

### **BYLAW No. 2 – Fiscal Year**

The fiscal year shall be January 1 through December 31 to allow for proper accounting of peak season activities and support a smooth transition of power and signing authorities following the September long weekend Annual General Meeting.

### **BYLAW No. 3 – Committees of the Board**

The following list of Standing (or Ad hoc) Committees will be Chaired by a member of the Board of Directors and consist of other members as deemed necessary. All Committee Chairs shall be appointed by, and report directly to, the Board of Directors. Committee responsibilities may be combined at the discretion of the Executive.

(a) Governance and Nominating Committee (Standing) will:

- Be chaired by the immediate Past-President, the latest Past-President available, or alternate as designated by the President.
- Present any Constitution and/or Bylaw amendments or updates.
- Present a slate of prospective Board Members to the membership at the Annual General Meeting.
- Ensure all nominees and elected officials of the Board of Directors are current members of the CLCA.

(b) Membership Committee (Standing) will:

- Be chaired by the Vice-President, or alternate as designated by the President.
- Endeavor to contact all current and prospective leaseholders in the Clear Lake Cabin Area as required to acquire and maintain members.
- Collect membership fees.
- Maintain a current record of members' contact information (members are responsible to submit same).

(c) Communication Committee (Standing) will:

- Be chaired by the Secretary, or alternate as designated by the President.
- Collaborate with the President to forward (via newsletter, e-blast, etc.) current information regarding the activities of the Board to all members.
- Maintain the operations of the website or other digital communication platforms.
- Post the Constitution and Bylaws, proposed amendments and meeting notices to the website or other digital communication platforms.
- Compile articles, photos, and announcements.

(d) Grounds Committee (Ad Hoc) will:

- Function to provide suggestions and concerns that pertain to aspects of safety, maintenance, services, vegetation management, waterfront, and assets and facilities (e.g., roads, paths, lighting, Shower Building, public washrooms, Cook Shacks, docks, etc.) within the Cabin Area to the Board of Directors.

(e) Social Committee (Ad Hoc) will:

- Plan and host at least one informal occasion per year to offer members opportunities to liaise together.
- Facilitate other informal gatherings, coordinated and hosted by CLCA members, that are open to all members.

(f) Other Ad Hoc Committees:

- Committees may be appointed for specific tasks by the Board of Directors. The continuing need for each of these special committees will be reviewed annually.

#### **BYLAW No. 4 – Remuneration**

All Board positions are volunteer positions for which there are no fees of office. However, the Board may choose to compensate a volunteer for work that is above and beyond with a one-time Stipend. Such payment will be presented as a motion to the Board for approval, and duly recorded in the official meeting Minutes.

#### **BYLAW No. 5 – Travel and Expenses**

Thanks to technological advances and a desire to be efficient with all funds entrusted to the Board by its members, virtual meetings are almost always possible and preferred when long distance travel is required. In rare circumstances when it is deemed important by the Executive for Board members to travel, accommodation, mileage, and meal allowances are to be substituted with the following flat rate, all-inclusive Per Diems (regardless of the time away):

Total travel distance of less than 50kms (to/from home–meeting location): \$0

Total travel distance between 50 and 150kms (to/from home–meeting location): \$25

Total travel distance between 151 and 300kms (to/from home–meeting location): \$50

Total travel distance of more than 300kms (to/from home–meeting location): \$75

All other necessary and reasonable expenses incurred by Board members, including meals for those attending meetings, may be reimbursed if they are pre-approved by two of the three CLCA signing authorities.

#### **BYLAW No. 6 – Position Statement on the conservation of Cook Shacks in the Cabin Area**

The CLCA believes that the Cook Shacks are a fundamental part of the Cabin Area's history and community. They continue to be a place where neighbours gather and socialize, which helps to build strong relationships in a tight-knit community. The CLCA would like to see all thirty-two (32) Cook Shacks preserved and maintained indefinitely for future generations.

#### **BYLAW No. 7 – Position Statement on the use of Cook Shacks in the Cabin Area**

The Cook Shacks in the Cabin Area are public facility assets of Parks Canada and available for the use and enjoyment of all visitors to RMNP, including and especially all Cabin Owners in the Cabin Area. While a Cabin Owner's close proximity to a Cook Shack often means they spend more time in that particular Cook Shack than other members of the community, this proximity in no way entitles the Cabin Owner more rights to usage and enjoyment than anyone else. All Cabin Owners must be made to feel welcome to use any one of the Cook Shacks in the Cabin Area at any time, respecting a "first come, first served" approach.

#### **BYLAW No. 8 – Position Statement on Firewood in the Cabin Area**

Unlike the Wasagaming Cottage Area, the Cabin Area has thirty-two (32) Cook Shacks which require firewood for outdoor cooking and gatherings, and unlike the Wasagaming Cottage Owners, individual Cabin Owners do not have the ability to store their own firewood (i.e., there's no room for individual woodsheds). The CLCA believes that to encourage Cabin Owners to acquire, store, and manage their firewood supply would likely result in community conflict (see Bylaw No. 2), the introduction of invasive species, the incentivization of propane-fueled fire pits, and other serious fire safety concern. Therefore, the CLCA believes that firewood for use in the Cabin Area's Cook Shacks should be managed and supplied by Parks Canada on a cost recovery basis.

#### **BYLAW No. 9 – Position Statement regarding Public Washroom Facilities in the Cabin Area**

The CLCA honours and respects the Memorandum Of Understanding (MOU) of 2012 regarding the removal of public washroom facilities, however, given many parts of the Cabin Area (e.g., roads, pathways, green spaces, Cook Shacks, and docks) are public spaces which regularly play host to non-Cabin Owners, the CLCA believes that some public washrooms (in addition to the Shower Building) should be maintained in perpetuity (or replaced). It is the CLCA's preference that this vision includes simple style washrooms, including: one (1) washroom in the South section for visitors to that area, as well as one (1) washroom in the North section for visitors using the public docks along the water, and to accommodate Jamboree Hall rentals.

When decommissioning existing public washrooms located in the Cabin Area:

- A) For those located immediately behind an existing cabin, when feasible, the CLCA prefers that they be removed and repurposed as green space,
- B) For those located on/adjacent to a vacant lot, the CLCA recommends that the structures be considered for an alternate purpose, such as tornado shelters.

#### **BYLAW No. 10 – Position Statement regarding the Shower Building**

Should dollars be allocated by Parks Canada to renovate the Cabin Area Shower Building, the

CLCA recommends that renovations include additional washroom stalls, and that the building be retrofitted to be operational 365 days a year. A year-round Shower Building would provide contractors with facilities through the winter construction season and could potentially serve the Cabin Owners in the future, should lease agreements be modified to allow for cabin use in the winter.

#### **BYLAW No. 11 – Position Statement on Reforestation in the Cabin Area**

The CLCA believes that a vegetation strategy in the Cabin Area should be a high priority. Proper vegetation management, including a diverse tree canopy, is an important part of the Cabin Area's character, including sights, sounds and smells. The CLCA recommends Parks Canada consider an investment in a significant number of new, diverse trees in the Cabin Area, and that Parks Canada offer Cabin Owners the opportunity to contribute to, and assist with, vegetation management and reforestation efforts (e.g., by allowing Cabin Owners to purchase PC-approved trees to be planted in PC-approved locations).

With respect to the removal of existing trees, the CLCA would like to see a Parks Canada policy that discourages the removal of healthy trees, and that all trees that are removed also includes the removal of the tree stump, as these are unsightly and dangerous.

#### **BYLAW No. 12 – Position Statement on dock area to the North of the Cabin Area**

The docks along the waterfront (i.e., 2<sup>nd</sup> Street North, 5<sup>th</sup> Street North, etc.) are public and belong to Parks Canada. While the area is not roped off as an official designated swim area, the "2<sup>nd</sup> Street docks" has become the go-to place for CLCA members to swim and gather for lakeshore related activities. Therefore, the CLCA would like to see this area maintained for the enjoyment of the membership with access, safety, and convenience top of mind. Popular items and ideas in support of the space include: canoe and kayak storage racks, a kayak launch, a large dock (e.g., "T"-shaped for better swim access), a maintained pathway with a hand rail, and a nearby washroom (i.e., near the Jamboree Hall).

#### **BYLAW No. 13 – Position Statement on Cabin Rentals in the Cabin Area**

Parks Canada does not permit commercial rental (such as AirB&B, VRBO, etc.) and the CLCA supports Parks Canada in the enforcement of the Lease Agreements. Notwithstanding, while we believe cabins are for the exclusive use of the Lease Holders, we feel it's appropriate for the Lease Holder, when unable to use the cabin for themselves, to lend their property to family or close friends.

#### **BYLAW No. 14 – Position Statement on the Cabin Area Jamboree Hall**

An asset of Parks Canada, the Jamboree Hall is a jewel of the Cabin Area and Riding Mountain National Park and the CLCA believes it should be maintained and preserved for future generations. Parks Canada administers Jamboree Hall event rentals, but given its location within the Cabin Area, the CLCA asks that Parks Canada ensure that Jamboree Hall events do not unreasonably disrupt Cabin Area Lease Holders. This includes ensuring limitations on hours, noise levels, and group sizes (i.e., which impacts the need for parking and washrooms).

We ask that Parks Canada provide the CLCA with up to four (4) Jamboree Hall rentals per season at minimal, or no charge, including: two (2) for CLCA General Meetings, and two (2) for other CLCA community events.

## **BYLAW No. 15 – Position Statement on Lease Holder Compliance and Enforcement**

Cabin Area leases are contracts between the Lease Holder and Parks Canada, and Lease Holders are expected to ensure that they are in compliance with all applicable development standards. Notwithstanding, we believe the decades gone by with insufficient oversight and enforcement by Parks Canada related to things such as off-lot development, the use of gravel, paving stones, and other materials introduced without a permit, have put many Lease Holders in difficult compliance-related situations. Therefore, the CLCA is in favour of a Lease Holder compliance plan that includes clarity and transparency, reasonable timelines, and consistent enforcement.

## **BYLAW No. 16 – Position Statement on Vehicle Parking in the Cabin Area**

[To be developed]

## **BYLAW No. 17 – Position Statement on Trailered Boat Parking in the Cabin Area**

[To be developed]

***BOARD MEMBERSHIP of the Clear Lake Cabin Owners' Association at Riding Mountain National Park***

NOTE: This document is amended annually at the CLCA Annual General Meeting as per the CLCA Constitution

Updated September 2023

**Past President – stays on automatically until replaced by outgoing President**

- Lyle Grobb

**President – two-year term to end in September 2023**

- Christian Robin

**Vice-President – two-year term to end in September 2024**

- Andrew Urbanowicz

**Treasurer – two-year term to end in September 2023**

- Elvi Molsberry

**Secretary – two-year term to end in September 2024**

- Gale Simpson

**Director No. 1 – two-year term to end in September 2024**

- Shannan Lanctot

**Director No. 2 – two-year term to end in September 2024**

- Keith Vinthers

**Director No. 3 – two-year term to end in September 2024**

- Devin Warren

**Director No. 4 – two-year term to end in September 2023**

- John George

**Director No. 5 – two-year term to end in September 2023**

- Tracy Raison

**Director No. 6 – two-year term to end in September 2024**

- Lindsay Dingwall

**Director No. 7 – two-year term to end in September 2023**

- Melanie Sobering

**Director No. 8 – two-year term to end in September 2023**

- Kevin Earl