

Minutes of Council Meeting

Strata Plan VR-408

January 20th, 2008, at 7pm.

Held: Sunday January 20th, 2008, at Suite 202

In attendance: Julia Arkos #301, Shannon Bradley #305, Christa Kaufman #202, Tricia Meneghello #214

Regrets: Jody Gartner #208

Absent: Karmel Aberly, Strata Manager (SM), Colleen Browning #108

The meeting was called to order at 7:40pm.

Council has agreed to meet once per month until the end of term. Our Strata Manager (SM) Karmel, per ATIRA's contract, can only attend every second month. Council agreed to meet without the SM to complete more strata business and to avoid additional charges for our SM's time outside the contracted hours.

1. Adoption of Previous Minutes

Before the Minutes from Dec. 17th could be adopted, a few points of correction/clarification needed to be made:

A). Rod's name was misspelled as "Ron" in the preamble; council apologizes for this error.

B). Under "Business Arising from the Minutes", point "g" should have read, "...this should leave approximately \$24,000. A vote will be held at the AGM to decide whether the money should be returned to owners or whether owners wish to transfer this money over to cover the deficit found in the 2005-2006 audit (approximately \$24,000). Council will recommend voting to use the funds for deficit recovery to avoid assessing owners for the \$24,000 (approx.) deficit. Per the Strata Property Act (herein referred to as the SPA) a Strata cannot operate in a deficit, so this money cannot remain owing and must be recovered.

C). Under "Financial Statements", regarding the amounts "written off", it should read that the amounts "written off" were in the amounts of \$209.38+ \$30.00 in unpaid maintenance fees by the previous owners of #212 and #218 respectively, who had both sold in 2006 and from whom that money was never collected by VCS. Our SM recommended that these funds be written off rather than sitting on the books, as they would be extremely difficult and more expensive to recover than the sum out-standing.

With these changes it was moved, seconded and carried to adopt the minutes from December 17, 2007.

2. Financial Statements

As of the November statement there is \$23, 613.38 left in the roofing fund. All invoices for the roof have now been paid.

The Plumbing and Building portion of the budget has \$11, 716.89

It still appears the Strata paid for one additional hot water tank in early 2007. The SM has been instructed to follow up with Milani about this over-charge and council is waiting to hear back.

There is an outstanding balance of \$4, 545.89 for unpaid maintenance fees owed by several owners and these funds are in arrears between 1-30 and 30-60 days (these owners have been in arrears from one to two months). The SM has been instructed to write letters to all owners in arrears notifying them that these monies are past due and must be paid immediately. Owners who fail to pay their fees will be fined \$50 per infraction (as per bylaw 2.4 "Payment of Strata Fees"). Owners are reminded that, per

the bylaws, Strata Fees are due the first day of the month and all owners must provide ATIRA with 12 post-dated-cheques for payment of these fees (or use the PAW program for payment). Any owners who have not arranged payment through one of these two methods are in contravention of the bylaws and will be additionally fined \$50 for failing to comply.

There is still approximately \$17,000.00 outstanding in Roofing Levy arrears. The owners who are in arrears have been sent letters notifying them that their money is overdue. The SM has now been instructed to approach the mortgage companies of these owners for full payment of these funds if these owners do not clear their arrears by the end of February. These owners will also be subject to a \$50 fine and 10% (compound per annum) late charge as set out by bylaw 2.7.

The treasurer (Colleen Browning) reviewed the financial statements for November and emailed her approval to council. December financials were not yet available from ATIRA and will be approved at the next council meeting. It was moved, seconded and carried to approve the financials from November 2007.

3. **Business Arising from Minutes**

a) Spare dryer – The dryer has still not been sold. Council will be re-posting the dryer aggressively on craigslist and kijiji with a photo.

b) Flooring quote for basement entrance and stairwells - Given the current operating budget numbers, council will not be moving forward with these repairs at this time but hopes the work will be done first thing in the new fiscal year.

c) Rain Barrel - This has been purchased (for \$75) and will be installed near the front entrance attached to the downspout. Council is installing this barrel as a pilot project in the hopes of expanding this program to all first floor suites (which have downspouts). Water stored during the wet months will be used for watering the gardens in the summer thus saving some of the increased water expenses the strata experiences in the summer months.

d) Drain pan for parking stall leak – Council has approved this work to be done with the quote provided.

e) Building Keys – The additional building keys ordered have been delivered. Owners who wish to purchase an additional front door key are asked to contact ATIRA.

f) Fire Doors, Repair of Latches - This work was completed last week, and council is very pleased with the job done by Brent Hampton the workman who was hired.

g) Additional Commuter Bike Rack - Council was furnished with one quote for a bike rack but will be researching a few other options before making a decision.

4. **Correspondence from Owners**

A Letter was received requesting some clarification on the minutes from Dec. 17th, 2007. This owner requested that his letter be responded to in detail in these minutes and the response follows:

a) There was a request for some clarification on the need for boiler replacement that was mentioned by Rod MacDonnell at the last council meeting. This owner wished to have some financial context and information on whether the cost of repair justified wholesale replacement of the boilers at this time.

Reply - Council took Mr. MacDonnell's concerns under advisement but other than instructing the SM to get quotes to understand the cost of this replacement council has not moved forward with this work at this time (any work of this scope would have to be presented to owners to vote on at an SGM or AGM in any case). Council is exploring the ongoing costs of repair to the boiler and how much "life" it still has in it; it has been mentioned by every building inspector and repairman that attends our building that our boiler is "beyond its service life" and could stop working at any time. Council is attempting to be proactive and prepare for this event, which would leave the building without heat and scrambling to undertake a very expensive repair under a time crunch. Additionally, the boiler is original to the building and highly inefficient by today's standards.

b) In regards to the money left over from the Roof Levy, this owner pointed out that any money left over needed to be returned to owners and could not be used towards payment of the deficit without first consulting owners at an SGM or AGM.

Reply - Council asks this owner to please read the "corrections to Dec. 17th minutes" found at the top of these minutes which addresses his concern.

c) *In regards to the funds "written off", this owner expressed concern and mentioned that council does not have authority to dismiss debt per the Strata Property Act (SPA) and that all owners must pay their portion of the roof levy.*

Reply - Council asks this owner to read the "corrections to the Dec. 17th's minutes" and additionally mentions that no roof levy arrears have been dismissed.

d) *In regards to the quotes obtained by council for a Relining or Re-piping of our building, this owner asked whether an owner had requested that council explore a re-pipe at this time, and if not, he requests that council provide a detailed rational for why they have initiated this action of obtaining quotes.*

Reply - Per the SPA, it is council's responsibility to maintain the property and as there have been major leaks in our building mentioned in the minutes dating back as far as 2002 (when a re-pipe fund was started for an "imminent" building re-piping) it was obvious to council that to properly "maintain" our building the pipes need to be repaired/replaced. Council is only following through on the "Five Year Plan" that was presented to council in June of 2006 by the "Major Works Committee" who recommended pipes be the next major project tackled after the roof. Council mentions that the longer this building waits to tackle this inevitable repair the more the cost of this repair increases (not to mention the money wasted out of the operating budget for plumber fees, drywall replacement and restoration services, each time a leak occurs). In 2003 an estimate for the re-pipe came in at \$175,000 and by July 2006 this cost had risen to \$220,800; our latest numbers place the re-pipe cost at approximately \$309,000.00. Dragging our heels on this issue has cost owners an additional \$134,000 over the past 5 years and this number will only increase the longer we wait.

e) *This owner mentioned that the roof hatches are unsecured and the expensive re-keyed locks are missing.*

Reply - Council was unaware the locks were missing and we thank the owner for bringing this to our attention. Council will instruct our SM follow up with Cambie Roofing to find the whereabouts of the locks.

A letter was received from another owner concerning renovation noise and other small business items. Council thanks this owner for their letter and will be instructing our SM to follow up on the items mentioned within.

A letter was received from an owner requesting that the city take back maintenance of the bulge/garden on the North West corner of the building. Council has called the city and they will clean up and maintain our decorative bulge. Any owners wishing to volunteer to care for this bulge once it is cleaned up are asked to contact ATIRA.

A letter was received complaining about the state of the work-site next to our building. Owners are asked to write to the city to complain about the garbage left on the site; the owner of this site will be holding the property for a year, not developing it, and in the meantime he must maintain his site and keep it free of debris (per city bylaws).

A letter was received from an owner concerning violations of the bylaws by another owner. Council will investigate and address these allegations.

5. New Business

a) Re-line and Re-pipe quotes:

Council has received one quote for a re-line and one quote for a re-pipe of the building with the intent of putting forth a vote for a special assessment at the AGM. More quotes will be obtained and reports on the options will be circulated to owners for review before the AGM.

b) Vote Miscount on the Flooring Bylaw (AGM 2007):

Our SM Karmel discovered, while reviewing the minutes from last year, that the flooring-bylaw-vote held at the last AGM was miscounted by our previous SM and resulted in a "mistaken-defeat" of the flooring

motions presented. SPA rules stipulate that all abstaining votes are to be removed from the total count, therefore resolutions #1 and #3 both passed by several votes rather than being defeated by one vote. However, due to SPA rules that stipulate bylaw changes must be registered within 60 days of a vote, the VCS mistake cannot be rectified without another vote taking place at an SGM or AGM. Council will not be pursuing a re-vote on the flooring bylaw unless council receives instructions from owners to do so.

c) Gas Fireplace Metering Quote:

Council has received a quote from Surefire Gas Services in the amount of \$5717.25 for the installation of separate metering for the (11) gas fireplaces within the building. Council will be putting forward a motion to meter the gas fireplaces at the next AGM, thus removing the cost of gas for those fireplaces (a cost of \$4400/year) from the operating budget. The cost of the installation would pay for itself in 16 months.

d) Garbage Regulations:

There will be a notice posted on the corkboards outlining the new garbage regulations for the City and owners are asked to familiarize themselves with these new rules. If banned items end up in our bins this will result in our garbage removal company leaving the bins un-emptied. Our current collection company is the only company in the city that does pickup from within our parking garage, and we do not wish to lose this privilege. Council would like to alert owners that the cost to drop items at the transfer station is only \$6.00 and owners are responsible for removal of waste that does not comply with the new regulations.

e) Boiler Replacement:

Council is looking into how much life is left on the boiler and the cost for it's replacement as well as what operational savings can be obtaining from newer, more efficient models.

f) Roof Leak update:

Cambie attended and fixed a leak in 306; as the roof was just completed in June 2007 and is still under a 10-year warranty council expects there to be no additional costs associated with this repair.

g) Utility Consumption and Costs:

Although we are consuming approximately the same amount as last year for this time period, cost have risen and owners should conserve and reduce energy consumption. Council will be exploring the replacement of our washer/dryers with more energy efficient models. Council instructs all owners who have not done so already to replace their patio/balcony lights with Compact Fluorescent Bulbs. Council would also like to suggest that all owners who are replacing their appliances purchase "energy star" models.

h) Update on Garage Cracks and Leaks:

Centimark was contacted re: the leaks in the underground and will be attending some time next week to give an assessment of the cause of (and a repair strategy for) these leaks.

i) Garbage/Storage in Parking Stalls:

Letters will be sent to all owners who currently have items stored (including garbage and renovation debris) in their parking stalls. Council has undertaken a clean up of the parking garage for the past two years and fines will now be issued to owners who have continued to keep items (other than bikes and cars) in their parking stalls. Owners are reminded that that items cleared from the parking stalls are not to be dumped in our communal bins and that the cost to drop items at the transfer station is only \$6.00 per load.

j) Storage Room/Laundry Room Door Needs to be Locked:

Owners are reminded to lock the storage room and laundry room every time they exit.

The meeting was adjourned at 8:50pm.

The next meeting is scheduled for **Wednesday February 20th, 2008 at 7pm** in suite 202.

FYI: The AGM is fast approaching (in April) and owners are encouraged to run for council at that time.

Minutes of the Council Meeting of Strata Plan 408, held February 20, 2008 in suite 202, 330 7th Avenue East, Vancouver at 7:00 PM.

In Attendance: Julia Arkos # 301 Christa Kaufmann # 202
 Shannon Bradley # 305 Jody Gartner # 208
 Tricia Meneghello # 214

Karmel Aberly – Strata Manager [referred to as S/M in minutes]

Absent: Colleen Browning # 108

The meeting was called to order at 7:05 PM

1. **Adoption of Previous Minutes**

It was moved, seconded and carried to adopt the minutes of the January 20, 2008 Council Meeting as circulated.

2. **Business Arising from Minutes**

- a) Spare dryer – an offer of \$200 was received. Council decided to accept it as the dryer doesn't seem to have generated much interest even though it is new.
- b) Boiler/Building Piping – Xpert Mechanical. A quote of \$39,325 + GST was received from this company to replace the boiler and replace hot water tanks with a boiler storage system. The S/M spoke with Don from Xpert Mechanical and he gave many valid reasons why the boiler system should be replaced soon. The system now runs at 65% efficiency. A new system would run at 85% efficiency. Most boilers have a 20 year life span. If the boiler goes before replacement is arranged the building will be without heat/hot water for 4 to 6 weeks while a new boiler is ordered. The present system may last 2 or 3 more years but there is no guarantee that it will.

Due to the complexity of the building's piping and boiler system, the tight timeline Council finds themselves under, and the lack of an owner ratified five year plan for our building, Council will not be presenting a motion to assess owners for a re-pipe/re-line/boiler replacement at the AGM. Council will, at the AGM, ask owners to vote whether they would sanction:

- A) hiring an engineer to assess the building as a whole and all it's systems in order to develop a ratified repair plan for the building or
- B) whether owners wish to move ahead with a re-pipe or re-line and hire an engineer to assess the buildings piping and hot-water system and act as a consultant in the tendering process for this work. If owners choose this option and the engineer finds a new system is required, the engineer's results will be presented to owners at an SGM later in the year where a vote will take place to assess owners for this work.

- b) Hot Water Tanks – Milani – The S/M contacted the company and their accounts receivable person will check invoicing for the strata to see how many tanks were charged for and how many were installed.

- c) Roof Hatch Locks – The S/M contacted Cambie Roofing to see what happened to the locks. They were going to check with the supervisor for the job and get back to her.
- d) Bike Rack – a company was found that does the same type of bike rack that is downstairs. It will cost \$645 + both taxes. Delivery and installation is free. Council decided to go ahead with the new bike rack. This rack will be for commuters to use so it will be easier to lock/unlock their bikes. The two bike racks that are down stairs will have to be moved to accommodate the new one. This means that all the bikes locked to these racks will have to be removed for a couple of days. Residents will be informed in plenty of time to move their bikes. Any bikes left locked to the racks will be moved with the racks. The Council will not be held responsible for any damage to bikes not removed from the racks as residents will receive plenty of notice and a reminder at the AGM.

3. Financial Statements

December Financials Approved: Colleen Browning reviewed the financial statements for December 2007 and emailed her approval of these statements to Julia Arkos. It was moved, seconded and carried to approve the financial statements for December 2007. The January statements were just received by Council so were tabled for the next meeting.

Laundry Money: The laundry money has been collected and will be deposited directly into the bank account by the Council member[s] that collected, rolled and counted the funds.

Arrears Update: One of the owners that had a lien put on their unit due to non payment of special levy and strata fees has paid in full. The other owner with the lien has until February 29th, 2008 to pay. If funds are not received Atira will contact the mortgage company for this unit to request payment.

The Council wishes to thank everyone for clearing up their strata fee arrears.

4. Strata Manager's Report

Centimark: They will be on site next week to investigate the leaks in the underground.

Rental Waitlist: there is a rental waitlist for the building. It is not clear if one of the names on the list is that of a present owner or of a previous owner. The S/M has written to the owner to inquire if their name should be on this list. The S/M could not call the owner as no phone number for the unit has been provided to the property management company and they are not listed in the directory. Once a response has been received from this owner then the waitlist will be updated.

5. New Business

Car Alarm: There is a car in the parkade that has a very sensitive alarm. It activates when another vehicle is started in the parkade. A letter will be written to the owner to request that they reset the alarm so it is not as sensitive.

Items stored in Parking stalls in contravention: There are many stalls in the parkade that have inappropriate items stored in them. Council will be going through the parkade some time in the next two weeks. Only vehicles are permitted to be in the parking stalls. "Vehicle" includes bikes and wheeled carts. Anyone with items other than a vehicle in their stall will be fined as per strata bylaws [\$50 per violation].

Non-permitted Pet: There is a suite that has two large dogs. A letter will be written to the owner of the unit as only one dog per strata lot is permitted as per strata bylaws. The resident also lets the dogs run off leash in the building. This is also against the strata's bylaws.

6. Correspondence from Owners

Re-piping/Gas metering concern: A letter was received from an owner expressing concerns about re-piping the building and metering the gas fireplaces. Due to the tight timeline and complexity of the re-piping/re-lining/boiler replacement Council will not be bringing forward a motion to assess for the pipes/boiler at the AGM.

In regards to the metering of the gas fireplaces, Council now understands that to change the system 100% of the owners must agree to this. Council feels that this will not happen but they still want to look into having the fireplace switches upgraded so they will be more efficient. S/M will call the company back to get a quote for upgrading the switches so the temperature of the fire places can be regulated.

Rental Request: An owner requested to rent their unit. The Council approved this request. This brings the total number of rented units to 4.

Exterior Painting: A letter was received from an owner telling the Council the name of the company that has painted the siding over the past few years. Council thanks the owner for this information. Should exterior painting be required they will contact this company for a quote.

Cork Flooring Request: As one of the Council members was in a conflict of interest with the next item, they left the meeting while the remaining members discussed the request. An owner, on the second floor, requested permission to install cork flooring through out their suite. Based on the strata's bylaws that state "soft flooring only" for suites on the second and third floors, the Council denied this request. Council is bound by the bylaws, as written, and is not allowed to interpret them. As the bylaws do not give council any meter by which to judge a floorings "softness", Council can only approve carpet in second and third floor units as long as the bylaw stands as written. Previous councils made bad judgments by interpreting the bylaws to allow Marmoleum and Cork in order to get around the wording of the bylaw and give owners on the 2nd and 3rd floor options for flooring.

The next meeting is scheduled Thursday March 20, 2008 at 7:00 PM in unit 202. This will be the budget meeting

The meeting adjourned at 9:12 PM

A set of keys was found in the lobby on February 20, 2008 in the evening. If you lost a set of keys please contact Atria Property Management Inc at 604.439.8848 or karmel@atira.ca to describe the keys or key chain and arrange pick up. Thanks

