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THE OWNERS, STRATA PLAN BCS 3037

MINUTES OF THE ANNUAL GENERAL MEETING

MONDAY, DECEMBER 13, 2010

A. CALL TO ORDER

The Meeting was called to order at 7:00 pm by Paul Wehr the President of the Strata Council. The meeting was called for 6:30pm, but with lack of quorum, under the Strata Corporation bylaws after waiting for thirty minutes the meeting can proceed with the Owners present.

B. CALLING OF THE ROLL & CERTIFICATION OF PROXIES

The Council Members present were: Paul Wehr, Damien Chan, Mike Michl, Carlos Lau, Anita Chan, and regrets from Tim Li. The Management Company was represented by Tiit Pikksalu and Geoffrey Rosen.

C. DETERMINING THAT THERE IS QUORUM

The Management Company reported that there were seven (7) proxies present and eligible to vote, plus twenty-one (21) Owners who had registered for a total of twenty-eight (28) votes. Seventy-six (76) votes are required for a quorum (1/3 of the all Owners), as per the Strata Corporation's bylaws, section 45, the meeting was able to proceed after having waited 30 minutes.

D. PROOF OF NOTICE OF MEETING

In compliance with *the Strata Property Act of BC*, which states that twenty (20) clear days notice must be given to all Owners eligible to vote, the Management Company confirms that the notices had been sent out to all Owners, to comply with *the Act*, on November 18th, 2009.

E. APPROVAL OF THE AGENDA

Upon a MOTION duly made by Mike Michl and seconded by Damien Chan, it was RESOLVED that the Agenda as distributed, be APPROVED for use at this Annual General meeting.

F. APPROVAL OF THE MINUTES OF THE LAST ANNUAL GENERAL MEETING HELD ON WEDNESDAY, DECEMBER 9TH, 2009

Upon a MOTION duly made by Mike Michl and seconded by Anita Chan, it was resolved that the Minutes of the Last Annual General Meeting held on Wednesday, December 9, 2009, be approved as distributed.

G. PRESIDENTS REPORTS

- *Challenges:*
 - New Property Management Company.
 - Transferring services from Crosby.
 - Depleted funds.
 - Outstanding fees.
 - Hire Caretakers Twice.
 - Dorin Cichiuciuc Mar/10
 - Joseph Coutu & Kim Robinson Oct/10
 - Insurance renewal.
 - Security.
- *Achievements:*
 - Stabilized financials.
 - Security: \$30,000 in upgrades:
 - Additional gates added to protect parkade.
 - Additional cage added in parkade stairwell.
 - About 10 “undesirable” tenants forced out.
 - Overall decrease in crime.
- *Future Directions:*
 - Continue to improve security.
 - Additional cameras.
 - Unwanted visitors through the parking gate / front entrance.
 - Security during move-ins/move-outs.
 - New Projects:
 - Bike room.
 - New gate for residential parking.
 - Second Treadmill to exercise facility.
 - Timers/motion censors for garbage room and storage rooms; lowering lights in garbage room.
 - Electrical bill for 2010: \$51,737.45

TREASURERS REPORT

- Annual Surplus:
 - \$62,854.16
- Operating Account Oct 31/10:
 - \$71,470.51
 - Increased from \$30,557.66
- Contingency Fund:
 - \$100,927.87
 - Increased from 76,048.77

- Insurance for 2011:
 - \$95,000
 - Increased from \$69,743.80
- Budget for 2011:
 - \$721,930.14
 - 5% increase in strata fees.

SPECIAL RESOLUTION TO CHANGE FISCAL YEAR END OF THE STRATA CORPORATION

WHEREAS the present year end of the Strata Corporation is October 31, causing as required under the Strata Property Act of B.C. to have the Annual General Meeting held before December 31, an extremely busy time of the year, and therefore limiting the number of people able to attend that Annual General Meeting.

BE IT RESOLVED, as provided for under Section 102 of the Strata Property Act, to change the date of the fiscal year end from October 31, 2010 to December 31, 2010 to allow for the Strata Corporation to begin a new fiscal year on January 1, 2011, based on the Budget to be approved at the Annual General Meeting held on December 13th, 2010.

As per the Strata Property Act, Section 104, the Owners will continue to pay the same strata fees for the months of November and December 2010, as they were required to pay under the previous Budget.

Upon a MOTION duly made by Ron Chong and seconded by Wayne Shamley, it was resolved that the Strata Corporations Fiscal year end change to December.

Upon a vote being taken all votes present, twenty-eight (28), were in favor of approving changing the fiscal year end to December 31st, thus it was unanimously APPROVED.

APPROVAL OF THE BUDGET FOR 2011

Upon a MOTION duly made by Damien Chan and seconded by Mick Michl, it was resolved that the Proposed 2011 Budget be approval with a 5% increase in Strata Fees as presented.

Discussion

A number of Owners asked questions about the prior fiscal year.

An Owner wanted to know why the Photocopy & Postage line item was over budget for the prior year. The Management Company explained that due the cost of postage and photocopying and the number of mailings over the past year the Strata Corporation had exceeded the line item, however the Strata Corporation has now shifted to distributing the monthly minutes via the Internet which should dramatically reduce this item in the upcoming fiscal year.

Another question focused on why there was now a line item for the parking lot/garage, this line item now breaks out the cost to maintain the garage gates and bi-annual cleaning of the parkade floor.

Upon a vote being taken twenty-seven (27) were in favour, with one (1) opposed, thus the proposed 2011 Budget, was APPROVED

H. SPECIAL RESOLUTIONS

With thirteen Special Resolutions to be voted upon as one omnibus motion, it was suggested by the chairperson that the proposed Bylaw #2(3) Mandatory Payment of Strata Fees by Pre-authorized payment, be voted upon separately.

7. New Bylaw #2 (3) Mandatory Payment of Strata Fees by Pre-authorized Payment

All Owners must pay strata fees by pre-authorized payment. This does not apply to units managed by professional Management companies. Failure by an Owner to provide written authorization for the pre-authorized payment of strata fees will result in a \$50.00 fine for each contravention until the pre-authorized payment application is completed and available for use by the Strata Corporation. Each dishonored cheque from a Management Company, responsible for a rental suite, will be subject to a fine of \$50.00 and an Administration charge of \$25.00

A MOTION was made by Nicola Canosa and seconded by Yuko Andrea Soukup that the Resolution as having been presented be APPROVED.

Discussion

A number Owners asked why this Bylaw was required and, the Strata Council responded that in order to ensure that the monthly Strata Fees are paid and ensure the Strata Corporations financial well being, this Bylaw was highly recommended and is used by other Strata Corporations.

Upon a vote being taken all, all votes present, Twenty three (23), were in favour of approval with, five (5) opposed, thus the Resolution was APPROVED, as it exceeded the 75% approval required.

The remaining twelve proposed Bylaws and Rules, were presented as follows:

1. New Bylaw #49

Unauthorized reproduction, copying, duplicating of Strata passes, notices, etc., is considered fraud and is subject to a \$200.00 fine for each occurrence.

2. New Bylaw #50

Tampering with any Strata Property equipment, such as gates, doors, mailboxes, etc., is forbidden and is subject to reimbursement of the full cost of repair or replacement, plus a fine.

3. Amend Bylaw #8 (3) to read as follows:

Owners of strata lots are required to provide access to their suites for annual in-suite fire safety inspections and repairs. The scheduled time and dates will be communicated to the Owner, occupant or tenant of the strata lot at least two (2) weeks in advance and there will be one (1) inspection attempt made. Any Owner of a strata lot who does not provide access will be required to contact the fire safety inspection company servicing the building directly and have a technician test their in-suite fire safety devices **AT THEIR OWN EXPENSE** and provide proof of inspection before the due date set by the Strata Corporation. If an Owner fails to do so, the Strata Corporation will organize the work for the missed unit and will gain access to the unit after providing at least 48 hours notice. All expenses will be charged to the Owner. Also fines may be levied pursuant to the Bylaws and Rules of the Strata Corporation.

4. New Bylaw #8 (4)

Owners of strata lots are required to provide access to their suites for annual dryer vent cleaning (inside and outside). The scheduled time and dates will be communicated to the Owner, occupant or tenant of the strata lot at least two (2) weeks in advance. Any Owner or a strata lot who does not provide access will be required to contact the dryer vent cleaning company directly and have a technician clean the dryer vent inside their suite **AT THEIR OWN EXPENSE** and provide proof of inspection before the due date set by the Strata Corporation. If an Owner fails to do so, the Strata Corporation will organize the work for the missed unit and will gain access to the unit after providing at least 48 hours notice. All expenses will be charged to the Owner. Also fines may be levied pursuant to the Bylaws and Rules of the Strata Corporation.

5. New Bylaw #2 (1) Arrears in Strata Fees

Owners who are in arrears for three (3) months or more, or if the amount outstanding is greater than or equal to three (3) months maintenance fees, will have their access to all common area amenities and visitors parking privileges suspended until such time as all outstanding amounts are paid in full.

6. New Bylaw #2 (2) Application of Funds

Any payments from Owners in arrears, will first be applied to any outstanding penalties or fines and then be applied to outstanding strata fees.

8. Amend Bylaw #6 (8) by changing hours of work to read Monday to Saturday from 9:00 a.m. to 5:00 p.m. No work on Sunday and holidays.

9. New Bylaw #6 (14) Construction Work

- a. Contractor is responsible for removing all debris, old carpets, boards, drywall and any other type of construction material from the building.
- b. Contractor is responsible for cleaning the hallways, stairwells and elevators of any dust, dirt, debris, etc. at the end of each working day.
- c. Security; Owner and contractor are responsible for the security of the building at all times.
- d. All carpeted areas between the elevator and suite must be fully covered with drop sheets or other protective covering for the duration of the work performed.

10. New Bylaw #6 (15)

The failure of an Owner to comply with any of the construction related Bylaws will result in a fine of \$200.00 for each contravention. A fine may be imposed every seven (7) days if the contravention is not corrected.

11. Amend Bylaw #37 (5) to read as follows:

There will be a security deposit given to the Resident Manager in the amount of \$200.00. It is refundable if no damages are done to the common area. This fee is to be paid in cash and will be used towards repairing any damage caused by the move. Any damage to the front lobby or passage ways in excess of \$200.00 will be assessed to the strata lot and/or billed to the Owner responsible.

12. Replace Rule #8 with the following:

Garbage and Recycling Disposal

- i. All garbage cans and receptacles will comply with municipal bylaws.
- ii. Ordinary household refuse and garbage will be removed from each Strata Lot by the Owner/Resident and deposited in the garbage receptacles provided for that purpose. Any materials other than ordinary household refuse and garbage such as discarded furniture, etc. is the sole responsibility of the Owner/Resident and will be removed from the strata plan at the expense of or by the Owner/Resident.
- iii. An Owner, tenant, occupant or visitors must properly bag and securely tie garbage in plastic bags before depositing in the garbage receptacles. **Empty cardboard boxes must be collapsed before being placed in cardboard recycling containers** and blue bin items must be correctly sorted.

- iv. Litter and garbage, which is spilled or dropped from a strata lot will be the responsibility of the Owner/Resident and must be tidied up by the Owner/Resident, as soon as possible.
- v. At no time will rubbish, garbage, boxes, packing cases, batteries, fenders or the like, be left in the parkade, doorways or any other part of the common property.
- vi. No garbage is to be thrown, left and/or deposited in the stairwells or fire exits.
- vii. No garbage is to be left outside strata lots or in the hallways on any floor of the building.

13. Amend Rule #2 (9)

Replace “unsecured” with “secured”.

A MOTION was made by Yuko Andrea Soukup and seconded by Carlos Lau that Special Resolutions 1~7, 9-13 as having been presented be APPROVED.

Discussion:

An Owner asked who was responsible if a Tenant violated a building Bylaw or Rule. The Strata Council explained that Owners are responsible for their tenants behaviour while residing in the building and that when they complete the Form K as required under the Strata Property Act of BC the with their tenant, they must also provide a copy of the building’s Bylaws and Rules to ensure that their tenants have a copy. If a tenant is fined by the Strata Corporation for violating the Bylaws or Rules then it is the Strata Lot which is fined and the Owner is responsible for payment. The Owner would have to seek repayment from their tenant.

Upon a vote being taken all, all votes present, Twenty-six (26), were in favour of approved, and two (2) abstained. Thus the Resolutions were APPROVED, the new approved Bylaws and amendments will be files at the BC Land Titles office and become part of the Standard Bylaws of the Strata Corporations.

G. REPORT ON INSURANCE COVERAGE

The Management Company was asked to explain that under *the Strata Property Act*, it is required that the Memorandum of Insurance, and the information on the insurance coverage be provided to all owners at the Annual General Meeting. The Certificate of Insurance was included with the Invitation to the AGM so that all owners can provide a copy of this to their insurance broker or insurance carrier to make sure that their condominium insurer is aware of the deductibles and the amounts insured, to allow for proper insurance protection to be carried by owners.

The building’s insurance policy is written on a replacement basis, providing full replacement coverage for perils including earthquake. All owners should be aware that the policy covers only

what was originally built by the Developer/Builder and any upgrades or replacements, for such items as flooring, kitchen or bathroom cupboards and/or counters, etc. are not covered under this insurance policy and must be covered under the owner's own Strata coverage.

Owners must also be aware that the Strata's Policy carries a \$2,500.00 deductible and the water and flood damage deductible is now \$10,000. The Strata's By-Laws require that an Owner becomes responsible for the deductible if there is an occurrence, which emanates from their suite.

Discussion

An Owner asked the Strata Council the process by which Owners get approval to install hardwood floors in their suites. The Strata Council responded by explaining that Owners are required as per the building's bylaws to request permission to install hardwood floors and that the underlay must meet a certain standard to ensure that there is adequate sound proofing. If an Owner is found to have installed Hardwood floors without correct quality of underlay they would be required to take out the floor and install an underlay as approved by the Strata Corporation.

I. ELECTION OF STRATA COUNCIL

As required under the *Strata Property Act of BC*, the President, Paul Wehr, announced that all of the 2009/2010 Strata Council Members are resigning.

The following Owners were nominated for the 2010/2011 Strata Council.

Paul Wehr
Damien Chan
Mike Michl
Carlos Lau
Anita Chan
Tim Li
Nick Canosa

There being no further nominees put forward, a MOTION was made to cease the nomination.

Seven (7) Owners having been nominated, there was no requirement for a vote to determine the Strata Council.

Thus the following seven (7) owners were elected to the 2010/2011 Strata Council:

Paul Wehr
Damien Chan
Mike Michl
Carlos Lau
Anita Chan
Tim Li
Nick Canosa

An Owner thanked the volunteer Council Members, as there is a significant amount of volunteer time required to service the Strata Council. Thanks for their many hours of conscientious effort as volunteers in running the affairs of the Strata Corporation in a very efficient and economical manner

I. ADJOURNMENT

There being no further business to transact, upon a MOTION duly made it was resolved that the meeting would be adjourned at 7:45 p.m.

The Newly Elected Council decided that the **First Strata Council Meeting** would be held on:

Thursday, January 6, 2011
@ 6:30 pm
in the Amenities Room

The Strata Property Act of B.C. requires a vendor to provide purchasers with copies of Minutes.
Please retain these Minutes provided to you, for further reference; replacement copies will be subject to payment of a fee.

Minutes prepared by:
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