

**Date:** June 4, 2002  
**Location:** Meeting Room - 1272 Comox Street, Vancouver, B.C.

Also present: John Christenson, Unit #304.

The meeting was called to order at 5:35 p.m., by Rusty Ker, President.

**PURPOSE OF MEETING**

The principal purpose of the meeting was to conduct a hearing requisitioned by Mr. John Christenson of full Council, to address and resolve the decisions requested by Mr. Christenson, and to address any other business, if applicable.

After some discussion, outlining that the current gathering was, in fact, a Council meeting called in order to hold a hearing, non-owners were not to be present at the meeting as per the regulations of the Strata Property Act. It was noted that another individual was present at the meeting, Dexter Stirling, a tenant of Chateau Comox. Mr. Christenson explained that Mr. Stirling was invited by him to take notes on his behalf. It was decided, by a majority of Council members, that this particular hearing was for the benefit of Mr. Christenson only, not for any other owners or tenants of the building. Any owner or tenant of the building may request a separate hearing to voice his/her concerns. Mr. Stirling agreed to leave the meeting. Mr. Christenson then insisted that he be allowed to tape record the hearing.

A **MOTION** was made by Mike Ghafarzadeh that the meeting should not be tape-recorded. This motion was **SECONDED** by Len Fleming. After some discussion, the **MOTION** made by Mike Ghafarzadeh was **WITHDRAWN, SECONDED** by Len Fleming and it was agreed by a majority of Council members that this particular portion of the meeting, being the hearing portion wherein Mr. Christenson may present his concerns, may be tape-recorded by him. It was further outlined and reiterated that Council meetings would not be tape-recorded as addressed via motion in the May 17, 2002 meeting. This decision was reached due to difficulties and cost issues related to proper transcription of tape-recorded documents and their distribution.

## HEARING

Then proceeded the hearing portion of the meeting.

Mr. Christenson proceeded to thank all Council members for attending the hearing to enable him to voice and summarize his concerns. Mr. Christenson referred to general concerns he had about "issues" addressed at Council meetings, the details of which, he believed were being kept secret from owners. Mr. Christenson also referred to "issues" created by several Council members that may be unknown to other Council members. Details of such "issues" were not presented at this time.

Mr. Christenson then proceeded to present correspondence he had provided to Council via the building management company, Barker, Ross & Associates, correspondence to which Mr. Christenson noted, he had not received a response.

The correspondence presented by Mr. Christenson and read aloud by him to the Council members was as follows: (correspondence as read into the meeting is appended hereto)

- 1) Letter dated March 12, 2002; no Council member was in possession of this letter; a copy will be requested from the Management Office, Barker Ross, and appended hereto prior to distribution of these minutes.
- 2) Letter dated April 12, 2002;
- 3) Letter dated April 12, 2002;

- 4) Letter dated April 29, 2002;
- 5) Letter dated May 22, 2002.

Mr. Christenson pointed out that since Mr. Ker was a subject of some of his concerns, Mr. Ker should not be permitted to join in a discussion of the matters outlined in the correspondence. Stan Bennett reminded everyone that according to s. 136 of the Strata Property Act, in cases of complaints against Council members, the Council member in question may participate in any discussions but may not participate in a decision.

Following the reading of Mr. Christenson's correspondence, Council then requested that Mr. Christenson present to them the request for any specific decisions he may wish to have reviewed in light of his presented concerns. Some discussion ensued about the difference between lodging a complaint or asking for a decision. Under the Strata Property Act (s.15(3)), it is clearly stated that a request for a decision must be made by the complainant and that Council shall review such request and render an appropriate decision within one week.

#### **REQUESTED DECISIONS**

Mr. Christenson provided the Council with two requests:

- 1) Rusty Ker, President, be removed from the Strata Council;
- 2) Stan Bennett, member, be removed from the Garden Committee.

#### **TERMINATION OF HEARING**

At this point the Hearing portion of this Council meeting was terminated and Mr. Christenson was thanked for his appearance and assured that a requisite decision would be forthcoming.

#### **STRATA COUNCIL MEETING**

Council members continued the meeting to deal with the issues at hand regarding the decisions requested by Mr. Christenson.

#### **DECISION ON REQUEST #1**

In the case of Item #1, the removal of Mr. Ker, Mr. Ker was asked to leave the meeting so that a fair and unbiased discussion could be held. After lengthy discussion wherein certain issues were taken into consideration, such as the large number of hours Mr. Ker has given of his time to address the various serious on-going issues in the areas of building maintenance and repair, and the positive results that his hard work have achieved to date, a consensus was reached that, personality clashes aside, Mr. Ker was tackling a difficult job with positive results.

**MOTION** was made by Stan Bennett, **SECONDED** by Mike Ghafarzadeh, that Mr. Ker not be removed from Council. It was further discussed that, should there be a general consensus among building owners that they are not satisfied with the leadership of the Strata Council, such sentiment can be executed by vote at the next Annual General Meeting. For the sake of continuity, it was decided that Mr. Ker should continue his duty as President on Strata council. The motion was **CARRIED** by a majority; Pat Rose, member of the Strata Council, did not accede.

#### **DECISION ON REQUEST #2**

In the case of Item #2, the removal of Mr. Stan Bennett from the Garden Committee, Mr. Bennett was asked to leave the meeting so that a fair and unbiased discussion could be held on this matter. After lengthy discussion revisiting the history of the forming of the Garden Committee and its objectives, it was agreed that Mr. Bennett had done a fine job with limited funds to address the difficulties presented by the building's landscaping. One major issue dealt with security as large shrubs/plants obstructed the view of the front of the building, allowing individuals to loiter by the front door undetected. Another major issue dealt with existing plants growing to such proportions as to cause damage to the building's structure. Council members agreed that no money was wasted to address these issues, and that in fact, Mr. Bennett had received help from volunteers to complete some of the gardening labour. Certain shrubs/plants were used as trade-ins towards the cost of landscaping work further reducing the building's costs.

**MOTION** was made by Len Fleming, **SECONDED** by Patricia Pracher, that Mr. Bennett continue

as Garden Committee. Mr. Bennett noted that he was the only member in the Garden Committee and would be more than happy to have company in that area. To date, no interest to join this Committee has been shown by any owners of the building but members are most certainly welcome. The motion was **CARRIED** by a majority; Pat Rose, member of the Strata Council, did not accede.

#### **GENERAL DISCUSSION**

Discussion ensued about the general state of affairs regarding the addressing by Council of any concerns or complaints from owners or tenants. It was agreed that the forming of the Hearings Committee at the May 17, 2002 meeting was long overdue as it is of great importance to address all concerns in a timely and satisfactory manner. It was reflected that whatever issues may not have been addressed in a satisfactory manner in the past, a great effort will be made by the Hearings Committee to not have history repeat itself and promptly and efficiently address all concerns as per the regulations of the Strata Property Act.

#### **CORRESPONDENCE**

Correspondence was received from Dexter Sterling, Unit #602, requesting a hearing. It was decided by the Strata Council to extend Mr. Sterling the same courtesy of a full Council hearing at which time he may voice his concerns and submit his requests for decisions. Such Council meeting will take place within the required time frame.

Correspondence was received from Unit #403 regarding a noise complaint from Unit #303. This complaint will be forwarded to the Hearings Committee to be dealt with in a timely manner.

Correspondence was also received from Unit #403 requesting that approval be given to tile being installed on the balcony. **MOTION** was made by Pat Rose, **SECONDED** by Len Fleming that the owner of Unit #403 may proceed with the work. The motion was **CARRIED** unanimously.

#### **NEXT MEETING**

Provided that all notices are duly provided and meeting dates agreed to, the next Council meeting is scheduled to be held on Monday, June 10<sup>th</sup> at 5:30 p.m.

#### **ADJOURNMENT**

There being no further business, it was moved by Patricia Pracher, that the meeting be adjourned (seconded by Stan Bennett). The meeting was adjourned at 7:30 p.m.

