

**MINUTES OF THE STRATA COUNCIL MEETING**  
**Of Strata Plan LMS 280, Chateau Comox**  
**Held on Tuesday March 3, 2009 at 7:00 P.M.**  
**Common Room 1272 Comox Street, Vancouver, B. C.**

**Present:** Kevin Wice President  
Judy McVeigh Vice-President  
Ken Hogan Treasurer  
Gail Balaski  
Pat Francis  
Bruce McDonald

Strata Manager Brian Slater Southview Property Management, Inc.

**Guest:** Michael McWilliams Stan and Hella Bennett  
**Absent:** Ray Leclair

**1. CALL TO ORDER**

Council President, Kevin Wice called the meeting to order at 7:05 p.m.

**2. GUEST BUSINESS**

Michael spoke about a recent problem related to plumbing work completed in his strata lot. "The strata's plumber damaged the bathroom vanity during repair work. The plumbing contractor is claiming that they are not fiscally responsible for the damage to the vanity. This has created a dilemma into which party is responsible for the outstanding repairs. Given that the plumbing problem was associated to Strata Corporation common property, I feel that either the Strata Corporation is responsible for the damage or the plumber, not myself as a strata owner. We would just like to have our outstanding bathroom repairs completed as soon as possible, given that this has been outstanding for several months".

Council acknowledged that this was unacceptable and agreed to write the plumbing contractor a letter to indicate that if the plumber is working on strata property they are liable for any resultant damage. The Strata Corporation will also be letting the contractor know that based on these events in a 'Chateau Comox' strata lot that their working arrangement will be terminated if they do not accept fiscal responsibility for the bathroom vanity damage and subsequent repair costs.

Council also agreed to remove this contractor from the Strata Corporation general contractor list and set-up a new plumbing contractor. Southview Property Management will do this. Council thanked Michael for taking the time to present this item and promised that this concern would be expedited to conclusion.

**3. ADOPTION OF PREVIOUS MINUTES**

It was **Moved** (J. McVeigh)/**Seconded** (K. Hogan) to adopt the minutes of the January 6, 2009 Council Meeting as circulated. **Carried**

**4. FINANCIAL REPORTS**

The Treasurer, Ken Hogan reported that he had reviewed the Financial Statements for December

2008 and January 2009 and found them to be in order.

It was then **Moved** (K. Wice)/**Seconded** (J. McVeigh) to adopt the Financial Statements for the months of December 2008 and January 2009 as circulated. **Carried**

The Strata Manager provided Council with an Accounts Receivable Report as of March 3, 2009 advising that all owners are current with their strata fees.

However the Strata Manager reported that there is currently one (1) strata lot owner with Special Levy payments outstanding as of March 3, 2009. Based on the one (1) delinquent account, the Strata Council directed the Strata Manager to proceed with placing the following fines:

#### **Bylaw 2. Late payment of strata fees**

2.1 If an owner is late in paying his or her strata fees, assessments and or fines from Bylaw or Rule infractions, the owner must pay to the Strata Corporation interest on the late payment in amount of 10% per annum, compounded annually and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid.

### **5. BUSINESS ARISING FROM PREVIOUS MINUTES**

#### **5.1 Building Envelope**

Spratt Emanuel has completed twenty-seven observation reports outlining and reviewing the project progress. The progress and quality of the work up to report 27, is reflecting positive work results being completed. All windows have now been installed. There are two interior repair areas remaining, the 5<sup>th</sup> and 7<sup>th</sup> floors. The flagpole is due for painting and re-installation shortly. A CAN/CSA Water Penetration Performance Test of Allied Windows Aluminum Windows, 45 Series was performed on February 17, 2009 on a typical window installed at 1272 Comox Street. The test results confirmed a successful window test. The Allied Windows window assemblies did not allow water penetration during any of the completed tests. We have been advised that the project is nearing completion and we are anticipating a March 31<sup>st</sup> completion date. Council will be providing update reports to owners on an ongoing basis by e-mail.

Council approved distributing a questionnaire to the owners that have had building envelope work done to inquire if there are any noted deficiencies.

#### **5.2 Deck Roofing**

Council reviewed a report from OceanWest Construction and Mack Kirk Roofing. The report reflects repair work associated to deck/roofing areas of four areas. Two areas on the 8<sup>th</sup> floor and two on the 7<sup>th</sup> floor. These areas have been diagnosed as a roof surface waterproof application similar to the buildings main roof. The current Strata Council was advised that these four deck/roof areas were re-roofed in 1999 but the roofing technique was not done to code. The waterproofing membrane outside Suite 801 is deteriorated to the point where water has ingressed around the East side door frame and the door frame itself has been damaged for many years and is due to be replaced in unison with the current building envelope repair project. The budget quote pricing for the four roof/deck areas is approximately \$65,375.00 + GST for four deck roofing balconies. Based on a review of the current status of the building envelope fund there is no money available to complete these repairs. Council agreed that this is a very large capital outlay at this time to re-roof and repair the four areas, however the outstanding door replacement repairs of the deck/roof area of Suite 801 is being held up due to the failed roof membrane. Replacement of the one deck/roof areas has been priced at \$17,820.00 + GST with the final cost

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to be determined upon completion. It was agreed by Council that we are in tough situation and have run out of options when it comes to completing this repair. Council does want to make sure that proper repair maintenance is followed on behalf of Chateau Comox.

Based on this emergency repair it was **Moved** (K. Wice)/**Seconded** (J. McVeigh) to approve the necessary \$17,820.00 + GST repairs of the deck/roofing of Suite 801 as follows:

- Any remaining balance of the roof replacement fund – amount to be determined once roof project is complete. To be ratified by the owners at a still to be convened Owners Meeting.
- Current Operating Budget - amount to be determined as we move towards our fiscal year-end June 30/09
- Balance of monies will be expensed from our Contingency Reserve Fund. To be ratified by the owners at a still to be convened Owners Meeting. **Carried**

### **5.3 Window Seal Replacement**

Council continued the discussion for our window sealed unit replacement project. An initial budget of approximately \$15,000.00 was discussed. Council agreed to place this project funding including a keyless entry system for 'Chateau Comox' as a Special Levy project, Special General Owners Meeting as the funds have not been anticipated in the 2008–2009 operating budget.

### **5.4 Building Common Door Locks/Keyless Entry**

Council continued the discussion for our 'FOB' system, security camera project and re-keying of remaining common doors to include the stairwells and garbage enclosure. An initial budget of approximately \$40,000.00 was discussed. Council agreed to place this project funding, including a keyless entry system, security cameras and re-keying for 'Chateau Comox' as a Special Levy project, Special General Owners Meeting as the funds have not been anticipated in the 2008–2009 operating budget.

It was agreed to move forward in convening the Special General Meeting to review these Special Levy items as soon as possible.

### **5.5 Building Envelope Warranty**

The material regarding the expense of third party inspections at the 2<sup>nd</sup>, 3<sup>rd</sup> and 5<sup>th</sup> year anniversaries of the 2008 envelope restoration project was not available for review.

### **5.6 Emergency Generator**

Council reviewed three quotes for generator maintenance. Based on the quotes received it was **Moved** (K.Wice)/**Seconded** (J.McVeigh) to approve Simson-Maxwell to complete the maintenance and servicing of the emergency generator as quoted. **Carried**

### **5.7 Bike Racks**

The material regarding obtaining and installing bike racks was not available for review.

## **6. CORRESPONDENCE**

No items of correspondence were received.

## **7. NEW BUSINESS**

### **7.1 Roofing Project Update**

Council discussed the pending roof replacement project. It is anticipated that the stairwell and elevator shaft roof areas will be replaced in unison with the deck/roof area of suite 801. We are anticipating the rest of the roof replacement to commence on or before March 31, 2009.

### **7.2 Building Re-piping**

We are starting to notice an increase in domestic water line leaks as the buildings' plumbing is starting to age. Based on this, Council discussed setting up a 4–5 year plan to consider re-piping. The initial budget repair estimate has been set at approximately \$250,000.00. Additional details will be provided to owners at a later date.

## **8. Next Council Meeting Date & Adjournment**

There being no further business, the meeting adjourned at 9:25 P.M. The next Council Meeting will be held **Tuesday May 12, 2009.**

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