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## **Minutes of the Special General Meeting**

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**Held:** On Saturday, January 15, 2005 at 10:00 am in the Meeting Room at 1272, Comox Street, Vancouver, BC.

**Present:** 18 owners in person or by proxy as per the registration sheet.

**Property Manager:** Patricia Graham, Assertive Property Management & Real Estate Services Inc.

**CALL TO ORDER, QUORUM REPORT:** The meeting was called of order at 10:00 am. The Property Manager noted that with 18 eligible voters, the quorum requirements set out in the bylaws had been met.

**APPROVAL OF AGENDA:** There were no amendments or changes to the agenda.

**PROOF OF NOTICE:** The Strata Manager advised that the notice was issued in compliance with the Strata Property Act.

**MINUTES:** It was moved, seconded and **carried** to adopt the minutes of the June 22, 2004, Annual General Meeting, as circulated.

### **RESOLUTIONS REQUIRING A ¾ VOTE**

#### **RESOLUTION NUMBER 1:**

Resolution Number 1 was brought forward for discussion at this time.

Prior to the vote, an owner advised he had obtained an alternate quotation from a contractor in the area. The quote was for \$2000 plus GST. Several owners questioned whether repairs under this new quote would be adequate judging by the difference in the quoted totals from \$9000 down to \$2000. The owner advised "The work could be done on a "cost plus basis" and the contractor who submitted the lower quote is covered by WCB." Two owners advised and everyone agreed that in order to ensure quality and proper workmanship and to make an informed decision, additional quotations would be obtained and provided to the Property Manager by Friday, January 21, 2005. It was agreed to hold a Special General Meeting prior to the strata council meeting scheduled for Tuesday, February 22, 2005 to review all quotations including any new ones obtained and to reach a decision on the required repairs.

The council President advised that work is proposed at several levels noting there is poor drainage from the roof on over the east stairwell that is causing damage to the lobby area. The repairs are required to prevent further ingress of water into the lobby area resulting in dampness at the base of the walls. The work proposed includes is the raising the exit door several inches and installing a waterproof sill under it. Also proposed is the waterproofing along the base of the exterior walls of the lobby level to prevent the possibility of wall erosion and rot in the future.

A design/construction flaw stemming from the original construction of the building had interior wallboard under the stucco which now has completely eroded due to water being absorbed into it.

The leak was discovered when exploring lobby renovations. The strata council also considered the importance of having quality guaranteed work performed the benefits of which would last for many to come versus "band-aid" or piecemeal repairs which have on occasion occurred in the past.

In order to prevent the water from falling directly into the stairwell from the roof and flowing into the lobby level of that area and causing the damage in #1, will require proper drainage from the roof over the stairwells will be required. This will include the installation of standard rainwater downpipes from the eighth (8<sup>th</sup>) floor storey overflow deck drains to the ground which also drains into the stairwells.

The resolution contained in the Notice of Meeting as follows was brought forward for consideration at this time.

*"Be it resolved, by a resolution passed by a ¾ vote of The Owners, Strata Plan LMS 280 approve an expenditure not to exceed \$20,000 for purpose of repairing the lobby leak, installing roof drains and extending the scuppers. The sum of \$20,000 is to be charged against the owners as a special levy in proportion to the unit entitlement of their respective strata lot.*

*The special levy of \$20,000 shall be assessed on Saturday, January 15, 2005 and any owner who sells transfers his/her title to the unit or re-mortgages shall pay the full amount outstanding. As a matter of financial convenience only, the owners may pay their special levy over a period of four (4) months, such payments to be equally divided and commencing on February 1, 2005 Any instalment not made on the first day of each month shall be assessed a fine of \$25.00."*

With 0 in favour, 18 opposed, the resolution was declared **defeated** as it did not receive more than ¾ of the vote's cast, in favour.

## RESOLUTION NUMBER 2

Resolution Number 2 was brought forward for discussion at this time.

A lengthy discussion took place regarding replacement of three (3) windows. An owner advised that windows may be an owner's responsibility and requested the strata council review the bylaws with a view to possibly amending them prior to the next Annual General Meeting.

The council President, Adriaan advised that the windows require replacement as soon as possible. One window has badly failed. The strata corporation does not pay for small windows as each owner must pay \$200 towards any window that is replaced.

The replacement cost of the small windows is usually under \$200. The leak in 701 will be inspected as a window in this unit may be causing the leak into the suite. The strata council thanked Rusty Ker for obtaining a quotation from Action Glass in the amount of \$3,824.18 including labour, material and taxes.

The resolution contained in the Notice of Meeting as follows was brought forward for consideration at this time.

*"Be it resolved, by a resolution passed by a ¾ vote of The Owners, Strata Plan LMS 280 approve an expenditure not to exceed \$12,000 for purpose of replacing approximately six (6) windows. The sum of \$12,000 is to be charged against the owners as a special levy in proportion to the unit entitlement of their respective strata lot.*

*The special levy of \$12,000 shall be assessed on Saturday, January 15, 2005 and any owner who sells transfers his/her title to the unit or re-mortgages shall pay the full amount outstanding. As a matter of financial convenience only, the owners may pay their special levy over a period of three (3) months, such payments to be equally divided and commencing on February 1, 2005 Any instalment not made on the first day of each month shall be assessed a fine of \$25.00."*

It was moved, seconded and **carried** to amend the resolution by reducing the \$12,000 for replacement of windows to \$4,000. With 17 in favour, 1 opposed, the resolution was declared **carried** as it received more than  $\frac{3}{4}$  of the vote's cast, in favour.

The vote on the resolution as amended was called and with 18 in favour, 0 opposed, the resolution as amended was declared **carried** as it received more than  $\frac{3}{4}$  of the vote's cast, in favour.

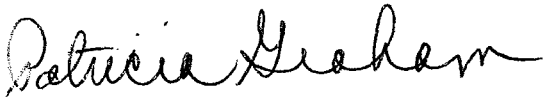
**Your special levy amounts are attached to the minutes. Please note, the special levy will NOT be added to your Pre Authorized Payment.**

**New Business:** A Special General Meeting will be held on **Tuesday, February 22, 2005** to consider a resolution to repair the lobby, install scuppers and extend the drainpipes.

## TERMINATION:

There being no further business, the meeting terminated at 11.45 a.m.

The next council meeting will be held on **Tuesday, February 22, 2005 at 6:00 pm at in the Meeting Room at 1272 Comox Street, Vancouver, BC.**



Patricia Graham  
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Strata Plan LMS-280  
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## NOTICE

Clients using the Telus Anonymous Call Blocking feature must deactivate this service (\*87) to receive return phone calls from Assertive Property Management after regular business hours.

Do you have questions on your account? All questions regarding your account should be directed to our accounting department at (604) 253-5223.

Please keep a copy of these minutes. There is a charge to replace them.

# LMS-280 Chateau Comox

## Final Levy for Windows Replacement (February 1, 2005 to April 30, 2005)

Suite #	Strata Lot #	Unit Entitlement	Total levy	Three (3) Monthly Payment
201	1	67	135.90	45.30
202	2	75	152.13	50.71
203	3	79	160.23	53.41
204	4	70	141.99	47.33
301	5	67	135.90	45.30
302	6	75	152.13	50.71
303	7	79	160.23	53.41
304	8	70	141.99	47.33
401	9	67	135.90	45.30
402	10	75	152.13	50.71
403	11	79	160.23	53.41
404	12	70	141.99	47.33
501	13	142	288.03	96.01
502	14	79	160.23	53.41
503	15	70	141.99	47.33
601	16	142	288.03	96.01
602	17	149	302.22	100.74
701	18	134	271.80	90.60
702	19	141	285.99	95.33
801	20	117	237.33	79.11
802	21	125	253.56	84.52
Monthly Total		1,972		1,333.31
				X 3
Totals		1,972	3,999.93	3,999.93
Total Levy (Payable over 3 months)				4,000.00