

09/01/10 Prepared By: Southview Property Management Inc.,
#110 – 7580 River Road, Richmond, BC V6X 1X6 Phone: 604-270-8811 Fax: 604-270-0881
E Mail: southview@telus.net
Property Manager: Kevin D. Green

**MINUTES OF THE ANNUAL GENERAL MEETING
OF THE OWNERS, STRATA PLAN LMS-280 CHATEAU COMOX
HELD ON TUESDAY AUGUST 31, 2010
AT 7:00 PM WITHIN THE MEETING ROOM AT 1272 COMOX STREET, VANCOUVER, BC**

1. CALL TO ORDER

The meeting was called to order by the Strata Council President and Chair of the Annual General Meeting, Mr. Terry Ireland at 7:05 pm.

Mr. Ireland then welcomed everyone present to the Annual General Meeting, introduced the current Strata Council Members and further introduced the Property Manager representing Southview Property Management Inc. Mr. Kevin D. Green.

Mr. Green then provided the general ownership with some information regarding Agenda procedures and protocol and also the ballots, which had been handed out during registration.

After further review the Property Manager and Chair of the meeting as requested by the Strata council proceeded with the regular business at hand.

2. CALLING OF THE ROLL AND CERTIFICATION OF PROXIES

The attendance register confirmed at the time of commencement of the meeting there were (12) eligible voters in attendance and (2) represented by proxy for a total of (14). The quorum requirements had been achieved and the meeting proceeded.

**3. PROOF OF NOTICE OF MEETING OR WAIVER OF NOTICE AND
ACKNOWLEDGEMENT OF RECEIPT OF FINANCIAL STATEMENTS**

It was then **Moved and Seconded** that the Notice dated August 9, 2010 complied with all appropriate notice requirements in accordance with the Bylaws of the Strata Corporation and the Strata Property Act and also that the financial statements had been duly received.

There being no discussion, the question was called and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

4. MINUTES OF THE SPECIAL GENERAL MEETING HELD ON April 6, 2009

There being no errors or omissions it was then **Moved and Seconded** to approve the Minutes of the Special General Meeting of the general ownership held on April 6, 2009 as previously circulated.

There being no discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

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**5. ACKNOWLEDGEMENT OF RECEIPT OF CERTIFICATE
OF INSURANCE COVERAGE**

It was **Moved and Seconded** that the notice of insurance coverage had been duly served in accordance with the Bylaws of the Strata Corporation and the Strata Property Act.

The Property Manager then provided a brief information to the general ownership on insurance, both for the common property and personal owner's content insurance. It was confirmed that the Corporation's insured value was \$5,439,000.00, and annual premium was \$5,629.00.

There being no additional discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

6. PRESIDENT'S REPORT

Mr. Terry Ireland then addressed the general ownership and provided a detailed verbal and written Report, as contained in the agenda previously provided. The report is also included with the minutes of the Annual General Meeting

Mr. Ireland first thanked all of his Co-Council Members and further thanked the many volunteers within the Strata Corporation for their service to the general ownership and service to the Corporation over the past fiscal year.

Mr. Ireland concluded his report and noting that he had enjoyed working with the current Strata Council members. He encouraged the incoming Strata Council to take a vested interest in the everyday dealings of the Strata Corporation and maximize all residents' investments at LMS-280 Chateau Comox.

7. APPROVAL OF THE PROPOSED ANNUAL OPERATING BUDGET

It was **Moved and Seconded** to adopt the proposed annual Operating Budget including carrying over the 2010 operating surplus into general revenues for the 2011 fiscal year as presented.

The Strata Council then addressed the general ownership with respect to the proposed annual Operating Budget.

Owners were advised on: the processes used in the preparation of the operating budget; general revenue items including the proposed increase in strata fees and the past year's operating surplus; general expense items, specifically the impact of the HST tax, mandatory expenditures, discretionary expenditures and new maintenance activities; the Contingency Reserve Fund contributions; and, many other matters of a financial nature (e.g., special project expenditures).

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Discussion

The floor was then opened up for discussion on the Operating Budget and owners then briefly queried the Strata Council additionally on PST rebates, engineer's costs, the CRF fund minimal balance, special projects and other financial items.

There being no additional discussion, question was called on the motion to approve the operating budget and use of the operating surplus, as noted above, and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

The Property Manager and Council President additionally provided information to the general ownership regarding the change in strata fees and retroactive increase with respect to preauthorized payment information and post-dated cheques accordingly.

IF YOU ARE NOT ON THE AUTOMATIC WITHDRAWAL PLAN, PLEASE SEND TWELVE (12) POST-DATED CHEQUES PAYABLE TO "STRATA PLAN LMS-280". THE OCTOBER CHEQUE SHOULD ALSO INCLUDE THE JULY, AUGUST AND SEPTEMBER ADJUSTMENT AMOUNT TO COVER THE RETROACTIVE INCREASE (BACK TO JULY – THE START OF THE NEW FISCAL YEAR).

Those owners using the preauthorized payment plan will see an additional withdrawal in September for the retroactive increase amount.

If you have any questions regarding your account, please contact the Accounting Department at Southview Property Management Inc. 604-270-8811.

8. CONSIDERATION OF RESOLUTION "A" ¾ VOTE – ENVELOPE PROJECT DEFICIT

After a brief review regarding Agenda procedures it was then **Moved and Seconded** to adopt Resolution "A" ¾ Vote FISCAL YEAR END as follows:

ENVELOPE PROJECT DEFICIENCY

Be it resolved that the Strata Corporation of LMS-280 Chateau Comox do hereby Extinguish the Envelope Project Deficiency balance of an amount of \$7,724.02 by funding it from the Contingency Reserve Fund.

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Discussion

The floor was then opened up for discussion on the resolution, and the Council then gave a detailed report on why this resolution was needed.

There being no additional discussion required, question was called on the original resolution as noted above, and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

9. CONSIDERATION OF RESOLUTION “B” $\frac{3}{4}$ VOTE – BYLAWS

After a brief review regarding Agenda procedures it was then **Moved and Seconded** to adopt Resolution “B” $\frac{3}{4}$ Vote BYLAWS as follows:

Be it resolved that the Strata Corporation of LMS-280 Chateau Comox” do hereby amend the following Bylaws of the Strata Corporation as enclosed:

PROPOSED BYLAW CHANGES (underlined or strikethrough)

Add a fee to move out of Chateau Comox and specifically include rental tenants moving in and out of Chateau Comox. The fee is to deal with possible additional garbage collections and minor damages. Material damages will continue to be charged to the owner as provided under the Bylaws.

7.3 The strata corporation will collect a non-refundable moving fee of \$100 from the owner of the unit whenever an owner or their resident or their tenant moves to take possession of their unit or vacates their unit.

Remove reference to the \$100 key deposit being used to deal with minor damage to Chateau Comox as the move in/out fee (Bylaw 7.3) is to be used for minor damage. This removes a possible double-dip on the part of the strata corporation.

7.4 The elevator lock off key and padding (if available) will be provided to the mover by the property manager or delegate upon receipt of \$100.00 cash which is refundable within 3 working days upon return of the key and provided no damage to the common property is

evident.

Clarify the usage of the visitor parking space to be for only casual use by imposing a maximum usage time within a fixed calendar period. This better codifies the spirit of the Bylaw to have the visitor parking space available for the enjoyment and use of all residents.

10.2 An owner, tenant, occupant or guest may park on common property to the west of the

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garbage room and exit door on a first come basis for a maximum aggregate of 12 hours in any three consecutive calendar day period and provided a notice indicating suite visited is displayed and may not park on any other common property. The strata corporation may remove any unauthorized or improperly identified vehicle at the risk and expense of the automobile's owner.

Discussion

The floor was then opened up for discussion and several owners then questioned and commented on the resolution, with reference made to move in/out fees, parking, and some other minor points on the proposed bylaw changes.

Owners will be sent a complete set of the Bylaws and Rules that incorporate all revisions since the last full publication and the approved Bylaws and Rules from this AGM.

There being no additional discussion, question was called on the original resolutions as noted above, and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

10. GENERAL DISCUSSION

A) Crossover floors

The Council and the general ownership then entered into a lengthy discussion in respect to the recently completed Fire Inspection Deficiency project, and in respect to the project, the requirement to select applicable cross-over floors.

Several owners then addressed the Council and made submissions in respect to how many crossover floors are required, which floors, why the crossover floor(s) were required, building and floor security, resident safety, building access and many other topics and issues.

Further discussions took place in respect to the Fire Inspection Deficiency special project budget surplus, and what could and/or should be done with it.

After a further review it was then **Moved and Seconded** that the 6th floor be the floor selected as the crossover floor, and be unlocked accordingly, and that the surplus funds of an estimated amount of \$4,000.00 from the Fire Inspection Deficiency project be used to increase security on the 6th floor, and the Council be authorised to spend up to that amount, at their discretion, to increase the security on that floor.

After further review, question was called on the resolution as noted above, and the Chair then declared the

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MOTION CARRIED with the result being 13 IN FAVOUR, 1 OPPOSED, 0 ABSTAINED.

B) Corporation Rule Amendments

The owners then discussed several proposed rules changes, as suggested and put forward by the Council.

The proposed changes were as follows:

PROPOSED RULE CHANGES (underlined or strikethrough)

Add *Sunday specifically to the excluded times for construction noise and explicitly state the meaning of being 'excluded'.*

12.7 The Owner is to notify their contractor(s) of allowed days and hours of work as per the Strata Bylaws. Residents will be held responsible if the Bylaws are violated.

Construction noise is restricted to:

Weekdays and Saturdays from 8:30 a.m. to 6:00 p.m.

Sundays and Statutory holidays excluded – that is, no construction noise is permitted.

Add a requirement to obtain Council approval to use the visitor parking spot for a contractor for a period greater than that specified in Bylaw 10.2.

12.11 Use of the visitor parking stall for contractor parking in excess of the time allowed under Bylaw 10.2 must be requested in advance from Council. Parking however, remains on a first come basis. If a contractor uses the visitor parking stall in back of the building the owner's suite number must be displayed on the vehicle dashboard.

Remove reference to a "representative" collecting the non-refundable fee as the fee should only be collected by the Property Manager either through conveyance or through fees added to an owner's account who is re-renting a unit and referencing the associated Bylaw.

13.1 All moves, whether by the owner or tenant, must be arranged through the Property

Manager or representative who is responsible for collection from the owner of the non-refundable moving fees as determined in Bylaw 7.3 prior to the actual move.

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Remove condition of return of refundable \$100 being linked to damage and rule/bylaw infractions as any damage or infractions would be covered under separate bylaws (see Rule 13.5). The intent of the \$100 is to ensure the special keys and padding is returned.

13.4 The elevator lock off and padding will be provided by the Property Manager or his/her delegate upon receipt of \$100 cash which is refundable within three working days upon return of the elevator key and provided no damage to the property is evident and no infractions of the guidelines/bylaws have occurred.

Require clarification of which owner – see bolded text (moving out or the one moving in?)

13.5 The person(s) moving in or out of the strata lot shall take all necessary care to prevent damage to the common areas of the building and grounds. Should damage occur and repairs are undertaken by the Strata Corporation, **the current owner of the strata lot in question** will be required to bear all costs.

Not sure how this rule is used or what it accomplishes.

13.10 Damages or deficiencies in the common area are to be listed on a separate form by the Property Manager and the Owner/Tenant.

Add a rule to require movers to release the elevator periodically during a move out or move in.

13.11 Owners' or their tenants' movers are to release the elevator when not in use so as to provide elevator access to other residents from time to time during the moving period.

Add a rule to have rental unit owners or their representatives responsible for move in/out activities.

13.12 Owners of rental units or their designated representative are responsible for following all the Bylaws and Rules with respect to Moves and to personally attend to the activities associated with the move out and move in. For greater clarity:

- (a) advance posting, in the elevator or notice board, of the 'move out and in' notice that specifies the dates and times of the move so that other residents are aware of the unavailability of the elevator as described in Rule 13.2,
- (b) contacting the Property Manager or a member of the strata council to arrange to pickup and return the elevator and front entrance keys as described in Rule 13.4,
- (c) attending the front entrance or arranging for the tenants to have someone present

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at the front entrance to provide security during the move as described in Rule 13.6,

- (d) ensuring the common areas of the property are cleaned up after the move as described in Rule 13.8.

Add a rule explaining how janitorial services are provided and how to request janitorial services for common property areas.

- 14.1 Janitorial services of the common property are provided by a resident owner. Should an Owner or resident require or identify the need for special janitorial services on common property or have questions regarding the janitorial services, in all cases they are to contact the Property Manager who coordinates and reviews the janitorial services on a regular basis.
- 14.2 If the janitorial service is requested by an Owner or resident for limited common property or strata lot property the Owner or resident will be charged the prevailing hourly janitorial fee by the strata corporation. The availability of the janitorial service is not guaranteed and will be provided on a ‘best efforts’ basis only.

Add a rule to manage residents’ use of the lobby Notice Board.

- 15.1 Residents may use the lobby notice board to communicate items of interest to other residents. To ensure the orderly use of the limited notice board space, the following protocol will be used:
 - (a) strata council notices take priority over resident notices,
 - (b) all notices are to include the date the notice was posted to the notice board,
 - (c) resident notices shall be posted for no more than two weeks from the date of the notice,
 - (d) in the event the notice board becomes cluttered the strata council at its discretion will remove notices,
 - (e) no notice shall be posted that contravenes any other bylaw or rule or is offensive,
 - (f) political party material is prohibited,
 - (g) any notice in contravention of this Rule will be removed immediately.

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Add a rule to maintain an owners and residents contact list that includes day, night and emergency contact information and enable use of electronic mail to distribute Strata Corporation materials to owners by collecting owner email addresses.

- 16.1 The owners and tenants are required to provide the property manager with the names of each resident and a daytime and nighttime telephone number.
- 16.2 The owners and tenants are required to provide the property manager with a contact name and telephone number that can be used in an emergency.
- 16.3 In order to provide timely and a cost effective means of distributing documents from the property manager and the strata council, owners are requested to provide their electronic email address to the property manager. Only one email address per strata lot will be accepted.
- 16.4 The contact names, telephone numbers and owner email addresses are to be provided to the property manager within 30 days of taking possession of a strata lot either through the purchase or rental of the strata lot.
- 16.5 The use of the email address and contact information is governed by the following rules:
 - (a) the property manager will maintain the owners' contact list noting those owners that have not provided an email address and emergency contacts, the (“**Contact List**”),
 - (b) the Contact List will be made available only to members of the strata council and the property manager,
 - (c) an updated Contact List is provided to the strata council by the property manager whenever information on the list is changed,
 - (d) where practical, the property manager will electronically distribute strata corporation materials in portable document format (“**PDF**”) format to owners that have provided an email address,
 - (e) for owners that have not provided email addresses the property manager will distribute strata corporation materials by Canada Post.

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The owners then briefly discussed the proposed rule changes, of which were all addressed and answered by the Council. Of particular note is the emergency contact information and the move to email for distribution of strata corporation materials as described in Rules 16.2, 16.3, 16.4 and 16.5. A form is attached to these minutes to collect owner contact information. All owners are requested to complete the form and return it to the Property Manager or a council member (see item #11 below for council member names). Those owners providing an email address they will begin to receive strata corporation information only via their email address (that is, no Canada Post mailed copy). Those owners not providing an email address will continue to receive strata corporation materials through Canada Post.

There being no additional discussion required, question was called and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

11. ELECTION OF COUNCIL

Additional positive comments were then offered for the outgoing Strata Council for a job well done and for the many volunteer hours put in on behalf of the general ownership for the Strata Corporation.

The Property Manager noted that at this time all current Council Members must resign and it was the obligation of the ownership present to elect a new Strata Council which must consist of a minimum of three (3) maximum of seven (7) Members.

The roles, responsibilities and duties of a Strata Council Member for the residential positions were then explained by the Property Manager along with the nomination procedure.

At the end of this process the following owners were then nominated to the Strata Council as follows:

Terry Ireland	Unit #202
Ian Braidwood	Unit #601
Joanne Lord	Unit #203
John Rose	Unit #503
Zeljko Karlica	Unit #502

Bruce Macdonald from unit #201 was also nominated to the Council, but declined with thanks.

There being no further nominations, it was then **Moved and Seconded** to close nominations.

There being no discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 14 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

The Property Manager then noted that the above nominations to the Strata Council were declared elected to the Strata Council by acclamation.

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An appropriate round of applause was then offered to the newly and duly appointed Strata Council Members for the 2010 / 2011 fiscal year as follows:

Terry Ireland
Ian Braidwood
Joanne Lord
John Rose
Zeljko Karlica

There being no further discussion it was then **Moved and Seconded** to terminate the meeting at 8:25 pm.

The Chair then declared the **MOTION CARRIED** and the meeting officially terminated and concluded.

A brief meeting was then held with the newly elected Strata Council Members and the Property Manager to discuss a few issues with respect to the Strata Corporation, elect Council Officers and review a few minor items.

With respect to Council Officers, the roles, responsibilities and duties of a Strata Council Member Officer along with the Officer positions was then reviewed in detail and explained by the Property Manager accordingly.

At the end of this process the following Strata Council Members were then declared elected by acclamation to the enclosed Officer positions:

Terry Ireland	President
Joanne Lord	Vice-President
Ian Braidwood	Secretary/Treasurer

Appropriate congratulations were then offered for the newly appointed Strata Council Officers.

16. ADJOURNMENT

There being no further business it was then **Moved and Seconded** to adjourn the meeting at 8:35 pm. The next meeting of the Strata Council was tentatively scheduled for October 12, 2010.

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President's Report for fiscal 2009/10

A combination of unexpected expenses and a fire inspection deficiency made the year a challenging one for your Council. In spite of these issues, there were a number of significant accomplishments, namely:

1. At the last AGM the owners committed to a more aggressive approach to increasing the Contingency Reserve Fund. This action, over time, will enable the owners to deal with unexpected expenses and special projects with fewer special levies. This year, Council continues with this strategy, albeit moderately reduced.
2. A key management program was put in place to better ensure control over access to areas of the building that need to be restricted to authorized personnel only, for example the boiler and electrical room. After one year of the new program, Council is recommending to the next Council to further limit distribution of these types of keys.
3. The fire inspector noted a City of Vancouver Bylaw cross-over floor deficiency at Chateau Comox. The process to resolve this issue has been difficult for both the owners and Council. Council is pleased with the work performed by Omicron to construct the additional security enclosures on the east and west exits.
4. A new Garden Committee was formed to implement improvements to the gardens and manage the new gardener.
5. Council commenced work on a new envelope inspection program as required by the warranty.
6. Two of the alley gates were replaced with new, stronger and more secure gates.
7. The Council proposed changes to the strata corporation's bylaws and rules to improve and clarify the operation of the corporation.

While it has been a challenging year, I would like to express my thanks to Council for their energy and support. A special thanks to Pat Francis and Joanne Lord who have made themselves available to contractors during the day. Without their willingness to be on-site getting maintenance and repair work done on the property would be much more difficult – all owners and residents should not underestimate the value of this contribution.

Respectfully submitted,

Terry Ireland