

**MINUTES OF THE ANNUAL GENERAL MEETING
OF THE OWNERS, STRATA PLAN LMS 280 CHATEAU COMOX
HELD ON WEDNESDAY AUGUST 19, 2015 AT 7:00 PM
WITHIN THE MEETING ROOM AT 1272 COMOX STREET, VANCOUVER, BC**

1. CALL TO ORDER

The Strata Council President, Mr. Kevin Wice, called the meeting to order at 7:03 P.M.

Mr. Wice 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.

After further review, the Chair of the meeting had to be confirmed as the President and the Vice President respectively declined to act as Chair and noted they wished to stay at an arms length during the meeting, due to some anticipated sensitive and spirited subject matter.

After a vote of the Owners, Mr. Kevin D. Green was confirmed to be the Chairperson for the meeting, in accordance with the Bylaws of the Strata Corporation.

After agreement of the Owners Ms. Lisa Frey, a Lawyer representing unit #802 was acknowledged as in attendance and allowed to be present at the meeting and speak to agenda item #10.

After further review the Chair of the meeting 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 14 eligible voters in attendance and 4 represented by proxy for a total of 18. 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 July 27, 2015 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 18 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

4. MINUTES OF THE SPECIAL GENERAL MEETING HELD ON MAY 5, 2015

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 May 5, 2015 as previously circulated.

There being no discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 18 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

**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 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 \$7,000,000.00 and annual premium was \$12,455.00.

Owners are reminded to ensure they have personal insurance to cover any and all deductibles or amounts up to any deductible of the Strata Corporation's insurance policy – noting that the water damage deductible is now \$10,000.00. Deductibles are charged back to Owners when the loss originates from within an Owner's unit.

There being no additional discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 18 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

6. PRESIDENT'S REPORT

Mr. Kevin Wice then addressed the general ownership on behalf of the Strata Council and provided a detailed written President's Report – this report is included with these Annual General Meeting Minutes

Mr. Wice concluded by encouraging all residents to take an active interest in the well-being of the community and in helping maintain 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 for the 2015 /2016 fiscal year as presented.

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

Discussion

The floor was then opened up for discussion on the Operating Budget and owners then briefly queried the Strata Council on items relating to the proposed strata fees, insurance monies, the Contingency Reserve Fund and other financial items.

There being no additional discussion, question was called on the motion to approve the operating budget as noted above and the Chair then declared the **MOTION CARRIED** with the result being 18 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

It was also agreed to expense the operating budget, actual year to date deficit, from the Contingency Reserve Fund, as needed, and as able, to bring the Strata Corporation to a zero balance, year to date cash position.

It was further agreed to permit the Property Manager to borrow funds from the Contingency Reserve Fund throughout the current fiscal year at his discretion, as needed, with no additional Council approval, to pay

08/20/15 Prepared By: Southview Property Management Inc.,
#110 - 7580 River Road, Richmond, BC V6X 1X6 Phone: 604-270-8811 Fax: 604-270-0881
E Mail: kevingreen@telus.net Property Manager: Kevin D. Green

day to day expenses in accordance with the Strata Property Act, with the intention of paying the funds back within the current fiscal year.

It was also agreed to zero off any money that was due to the Contingency Reserve Fund from any and all past years that may be needed.

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" $\frac{3}{4}$ VOTE – BYLAW ADDITION

After a brief review regarding Agenda procedures it was then Moved and Seconded to adopt Resolution "A" $\frac{3}{4}$ Bylaw Addition as follows:

LMS 280
Chateau Comox

RESOLUTION "A" $\frac{3}{4}$ VOTE

Bylaw 6.1 (E)

Be it resolved that the Strata Corporation of LMS 280 "Chateau Comox" do hereby amend the current Bylaws of the Strata Corporation as enclosed.

(Add the following Bylaw)

6.1 (E)

Any permitted rentals in accordance with all Bylaws within section 6 must be for a minimum period of not less than one (1) year. Short term/periods/boarding houses etc. or executive accommodation style rentals are not permitted.

Discussion

The floor was then opened up for discussion and the owners then briefly reviewed the resolution regarding items relating to possible "Air B n B" rentals, the specific wording of the resolution, the intent of the Bylaw change, security, Owners residing in their units but renting out rooms and other clarification matters.

It was agreed that more detail and more specific/exact wording was needed for this Bylaw change.

As there was no additional discussion, question was called on the original resolution as noted above, and the Chair then declared the **MOTION DEFEATED** with the result being 7 IN FAVOUR, 11 OPPOSED, 0 ABSTAINED.

9. CONSIDERATION OF RESOLUTION "B" $\frac{3}{4}$ VOTE – HOT WATER TANK REPLACEMENT

After a brief review regarding Agenda procedures it was then Moved and Seconded to adopt Resolution "B" $\frac{3}{4}$ Hot Water Tank Replacement as follows:

Please keep these minutes as a permanent record of the Strata Corporation's business. Replacement of Minutes, Rules and Regulations or Bylaws will be at the expense of the Owner.

3.

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LMS 280
Chateau Comox

RESOLUTION "B" – ¾ VOTE – HOT WATER TANK REPLACEMENT

Be it resolved that Strata Corporation LMS 280 Chateau Comox be authorized to expend a sum of money not exceeding \$25,000.00 for the purpose of replacing the Hot Water Tanks. This expenditure will be funded by a special levy assessed to the owners in proportion to the unit entitlement of their respective strata lots, (schedule attached).

This special levy is due and payable in full immediately upon passage of this Resolution by the owners of record on the date of passage. With reference to Section 109 of the Strata Property Act; in the event of a sale of a strata lot, the entire special levy is to be paid in full by the seller.

Any payment not received on the first of the month in which it is due, shall be assessed a fine of \$100.00 until paid in full.

Pursuant to Section 108.5 and 108.6 of the Strata Property Act, if any owner is entitled to receive a refund of over \$100.00 from any unused portion of this special levy, a refund will be issued to the current owner(s) at the time of the refund. In the event of a sale, strata lot owners are responsible to make their own private arrangements with the purchaser with regards to the disposition of any refund.

The Strata Corporation may, under Section 116 (1) of the Strata Property Act, register a Certificate of Lien against the owner's strata lot for any unpaid special levy.

Discussion

The floor was then opened up for discussion and the owners then reviewed the resolution regarding payment options, holding off until a tank failed, on demand hot water systems, warranty, monitoring the equipment presently, using the Contingency Reserve Fund instead of a Special Levy and several other related issues.

As there was no additional discussion, question was called on the original resolution as noted above, and the Chair then declared the **MOTION CARRIED** with the result being 16 IN FAVOUR, 2 OPPOSED, 0 ABSTAINED.

Council was directed by the Ownership to allow a payment plan for Owners as may be requested for financial convenience purposes only – the specifics are to be confirmed by the Council.

Owners are also advised that the fee schedule for this approved Special Levy is included with these Annual General Meeting Minutes.

10. CONSIDERATION OF RESOLUTION "C" ¾ VOTE – ROOF TOP DECK

After a brief review regarding Agenda procedures it was then **Moved and Seconded** to adopt Resolution "C" ¾ Roof Top Deck as follows:

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LMS 280
Chateau Comox

RESOLUTION "C" ¾ VOTE

Roof Top Deck

Be it resolved that the Strata Corporation of LMS 280 “Chateau Comox” do hereby decide via a ¾ vote the current situation in regards to access to the roof top deck.

The Corporation agrees that the Roof Top Deck is permanently locked for public usage.

Failing approval of this Resolution, the Roof Top Deck shall be available to all Residents of the Building in accordance with the Rules of the Strata Corporation.

Discussion

The floor was then opened up for discussion, and as noted above the Owners of unit #802, and also Ms. Lisa Frey were given time as the discussion commenced to provide their points of view, legal interpretation and suggestions on this resolution itself and how to proceed.

The Owners then also reviewed/discussed the resolution in detail regarding the fact that the roof top deck was believed by most to have always been open and accessible, (controlled by Council) liability matters, a similar resolution vote that had taken place in 2005, noise concerns, enforcement of Bylaws and Rules, keys to the roof, drafting of the resolution being negative vs. positive, possible barriers on the roof for the units on the 8th floor, privacy concerns, skylight issues regarding privacy and many other points both in favour and opposed to the resolution.

With some direction from the chair, it was then **Moved and Seconded** to table this resolution for consideration at a future General Meeting.

With no additional discussion required, question was called on the motion to table, as noted above, and the Chair then declared the **MOTION DEFEATED** with the result being 5 IN FAVOUR, 13 OPPOSED, 0 ABSTAINED.

To the original resolution, as there was no additional discussion, question was called on the original resolution as noted above, and the Chair then declared the **MOTION DEFEATED** with the result being 12 IN FAVOUR, 6 OPPOSED, 0 ABSTAINED.

11. RATIFICATION OF RULES

It was then **Moved and Seconded** to adopt the following rules as proposed by the Strata Council:

LMS-280 Chateau Comox
Proposed Rules for Access and Use of the Roof-top Deck

Rules

1. Access to the roof deck is restricted to residents and guests only.
2. Access to the roof-top is restricted to the hours of:
 - a. until 9 pm weekdays
 - b. until 10 pm weekends and statutory holidays
 - c. until 11 pm on Fireworks nights
3. All furniture, food, trash and other personal items must be removed from rooftop deck immediately after use.
4. Residents and guests must stay within designated roof deck area.
5. No music or excessive partying is permitted.
6. The behavior of guests is the responsibility of the resident.
7. No more than 12 people on the rooftop at any one time.
8. Owners failing to comply with rules will lose the privilege for roof-deck access.
9. No cooking is permitted on the roof deck.
10. No smoking or candles on the roof deck.
11. While accessing the roof deck, owners and guests must respect the privacy of 8th floor residents.

Discussion

The floor was then opened up for discussion and the owners then briefly reviewed the resolution regarding enforcement, validity of the rules, approval and possible amendments at a later date.

As there was no additional discussion, question was called on the original resolution as noted above, and the Chair then declared the MOTION CARRIED with the result being 15 IN FAVOUR, 0 OPPOSED, 3 ABSTAINED.

LMS-280 Chateau Comox
Proposed rules for Storage Lockers

Rules

1. Owners may rent their lockers, but only to other Owners.
2. No perishable foods can be stored in lockers.
3. No combustibles can be stored in lockers.
4. No explosives or firearms can be stored in lockers.
5. Owners may trade lockers if both parties agree. Please inform Council if a trade occurs.
6. Council can enter a locker if there is evidence of infestation or a suspicious odor.
7. All contents of the locker must be contained in the locker space. No protruding items allowed.

8. No valuables should be stored in lockers. All items are stored at owner's risk. Strata will not compensate owners for loss due to break-ins
9. No moth balls permitted.

Discussion

The floor was then opened up for discussion and the owners then briefly reviewed the resolution regarding changing #1 from Owners to Residents (this was friendly, permitted and thus so adjusted).

As there was no additional discussion, question was called on the original resolution as noted above, and the Chair then declared the **MOTION CARRIED** with the result being 18 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

A copy of the storage locker allocation is included with these Annual General Meting Minutes – Owners must supply their own locks.

12. GENERAL DISCUSSION

a). General

Some general items were then discussed by the Council and the general ownership.

The items made reference to access to the roof top deck from one the other floors other than the 8th floor and some other minor matters.

Council and the Property Manager took note of the owner's comments and concerns.

13. 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:

Laurie Ford	Unit #304
Chris Clark	Unit #602
Ian Braidwood	Unit #601
John Rose	Unit #503
Joanne Lord	Unit #203
Kevin Wice	Unit #701
Rusty Kerr	Unit #702
Amber Thomas	Unit #502

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

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There being no discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 18 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

The Property Manager then noted that the above nominations would need to be voted upon as there were more than 7 – following this process and after the ballots were counted:

An appropriate round of applause was then offered to the newly and duly appointed Strata Council Members for the 2015/2016 fiscal year as follows:

Laurie Ford
Ian Braidwood
Joanne Lord
John Rose
Chris Clark
Kevin Wice
Amber Thomas

There being no further discussion it was then **Moved and Seconded** to terminate the meeting at 9:02 P.M.

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.

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

Kevin Wice	Vice President
Chris Clark	President
Ian Braidwood	Secretary
Laurie Ford	Treasurer

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

10. ADJOURNMENT

There being no further business it was then **Moved and Seconded** to adjourn the meeting at 9:08 P.M.

The next meeting of the Strata Council was tentatively scheduled for October 19, 2015.

****Kevin Wice #701 acted as a scrutizer for all votes and counts throughout the meeting (confirmed and acknowledged by the Owners for each vote) and he advised each time all counts were correct****

Minutes/280AGMAug15

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8.

**LMS 280 Chateau Comox
President's Report for Fiscal Year 2014/2015**

Hard to believe another year has flown by already here at Chateau Comox. I would like to start off by taking this opportunity to welcome to our community, the new owners of 802, Ross and Fulong and the new owners of 403, Derek Tsang.

In all the years, I have been in this building, I have never seen such a "coming together" of all the owners, committed to making Chateau Comox a better place to live. A number of owners have donated their hard sweat and labour, to really make a difference, accomplishing tasks that otherwise would have had to have been contracted out. The pride we all together take in making Chateau Comox a better community has never been more evident than in this past year.

Everyone knows a building like this does not run itself, and I want to personally thank the people that served on our Strata Council this past year.

Joanne Lord, Laurie Ford, Ian Braidwood, John Rose and Chris Clark your commitment is truly very much appreciated. And Kevin Green, I would like to extend my personal thanks for your guidance, support and professionalism in dealing with council matters.

I would like to acknowledge, Chris Clark, and his team of helpers, Joanne, Louise, Rusty, John, that have poured in countless hours in fixing, painting and Chris for your leadership in getting the Locker project completed. Those lockers, will make a big difference to every owner, both with respect to property appreciation and ease of living.

I could go on and on, thanking people, like Pat and John for the traditional Halloween & Christmas decorations or to Josie for help in watering the gardens, but suffice to say I am sure to miss someone. So let me again, say thanks to everyone's contribution, big or small, in making Chateau Comox a great place to live.

We did manage to accomplish a number of special projects this past fiscal year:

- We finalized and circulated the depreciation report to all the owners
- We raised the front concrete pad to the front stairs, to prevent people from tripping on the stairs
- We replaced the garage door opener, and replaced all the fobs to the building
- We re-keyed the building to make it more secure
- Repaired and replaced the mailboxes damage during a break in
- Strengthened some of the garage door entries , making the building more secure
- Repaired the water ingress in the Exercise Room
- Implemented an Organic Waste program
- Replaced the block heater in the backup generator

- Major tree pruning was also done this year
- Pressure washed the entire front entry way to keep it looking clean.
- Renovated the Common Meeting Room
- Replaced the fire panel and all the various detectors that were required for this project
- Begun the project of replacing our Fresh Air exchange system up on the roof
- Various cleaning and small painting projects to keep the place looking well
- Completed the Storage Locker Project

So as you can see it has been a busy year, with a lot accomplished. Again thanks to everyone involved.

It should be noted that we have struck two major items off the Depreciation report this past year, having replaced the Fire Panel and the Air Exchange System. And in the coming year, we should have replaced the hot water heating system.

So in closing, I have enjoyed serving as your Council President. As some of you know I am a very busy guy, so I cannot thank enough those who sat on council, without their dedication and help, along with the thousands of emails, things would not have gotten done.

Respectfully submitted
Kevin Wice
Council President

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3. All furniture, food, trash and other personal items must be removed from rooftop deck immediately after use.
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**The Owners, Strata Plan LMS 280
'CHATEAU COMOX'**

Approved Budget

July 1, 2015 - June 30, 2016

	Approved Budget 2014-15	Approved Budget 2015-16
INCOME		
Monthly Assessments	\$117,915.00	\$117,915.00
Miscellaneous Income	0.00	252.00
Interest Income	120.00	168.00
Gas Stove Income	<u>265.00</u>	<u>265.00</u>
TOTAL INCOME	<u>118,300.00</u>	<u>118,600.00</u>
EXPENSES		
GENERAL		
Electricity	11,100.00	11,100.00
Gas	9,000.00	9,000.00
Insurance	13,000.00	13,000.00
Management fees	10,600.00	10,600.00
Sundry	<u>1,500.00</u>	<u>1,500.00</u>
	45,200.00	45,200.00
BUILDING		
Janitorial	9,200.00	10,200.00
Elevator	6,800.00	7,200.00
Enterphone	450.00	450.00
Repair & Maintenance	20,000.00	20,000.00
Depreciation Report	0.00	0.00
Fire Protection	6,500.00	4,500.00
Scavenging	5,000.00	5,100.00
Water & Sewer	4,300.00	5,100.00
Window Cleaning	<u>2,000.00</u>	<u>2,000.00</u>
	54,250.00	54,550.00
GROUNDS		
Landscaping	3,100.00	3,100.00
Total Expenses	102,550.00	102,850.00
Contingency Reserve	<u>15,750.00</u>	<u>15,750.00</u>
TOTAL EXPENSES	<u>\$118,300.00</u>	<u>\$118,600.00</u>

STRATA CORPORATION LMS280

S/L	UNIT #	Unit Entitlement	Approved Monthly Fee July/2015 - June/2016	Special Levy Hot Water Tank Replacement \$25,000
1	201	67	333.86	849.39
2	202	75	373.71	950.81
3	203	79	393.64	1001.52
4	204	70	348.80	887.42
5	301	67	333.86	849.39
6	302	75	373.71	950.81
7	303	79	393.64	1001.52
8	304	70	348.80	887.42
9	401	67	333.86	849.39
10	402	75	373.71	950.81
11	403	79	393.64	1001.52
12	404	70	348.80	887.42
13	501	142	707.57	1800.2
14	502	79	393.64	1001.52
15	503	70	348.80	887.42
16	601	142	707.57	1800.2
17	602	149	742.44	1888.95
18	701	134	667.70	1698.78
19	702	141	702.58	1787.53
20	801	117	583.00	1483.27
21	802	125	622.86	1584.71
		1,972	9,826.19	25,000.00
			117,914.28	