

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS, STRATA PLAN NW-90, MONTECITO 2000, PHASE II, HELD ON WEDNESDAY, FEBRUARY 27, 2008, AT 7:00 PM IN THE CABANA, CORONADO DRIVE, BURNABY, BC**

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**CALL TO ORDER:**

The meeting was called to order by the Strata Council President, Mr. Monte Chan, at 7:07 pm.

**CALLING OF THE ROLL AND CERTIFICATION OF PROXIES:**

Mr. Allan Grandy, Strata Manager, advised that subsequent to the calling of the roll and certification of proxies it had been determined that there were 70 eligible voting members. Quorum consisted of 1/3 of those eligible to vote, or 24 voting members. There were currently 19 owners present in person, 14 represented by proxy, for a total of 33 voting members. The meeting was therefore quorated and competent to proceed with the business at hand.

**FILING OF PROOF OF NOTICE OF MEETING:**

The Strata Manager read into the record the notice which was distributed to all registered strata lot owners in accordance with the requirements of the Strata Property Act and the Bylaws of the Strata Corporation, stating the date, time, place and purpose of the meeting.

**MINUTES OF THE MEETING OF JANUARY 23, 2007:**

It was

**MOVED & SECONDED:**

That the minutes of the meeting of January 23, 2007 be adopted as distributed.

*MOTION CARRIED UNANIMOUSLY*

**BUSINESS ARISING FROM THE MINUTES:**

There was no business arising from the minutes.

**STRATA COUNCIL REPORT:**

The President advised that he was pleased to see the good turnout at the Annual General Meeting. Mr. Chan noted that the ownership must think about the complex as a whole as opposed to issues affecting individuals. It was noted that the Strata Council had to make a number of difficult financial decisions during the past year, in particular in regards to the rapidly escalating costs of re-roofing. The President indicated that all owners should think about what can be done to lower the operating costs. Mr. Chan pointed out that owners must be vigilant, and as an example noted the theft of piping from the Phillips Avenue building underground parking area on two occasions.

The President noted that some repairs could be avoided, such as the costs to remove gravel put down the courtyard drains. Deficiencies with balconies could be reported earlier by the owners as opposed to waiting until substantial damage has occurred. This could help the Corporation save money by lowering the costs of repairs. Mr. Chan advised that he walked the property regularly with his dog, and thanked members of Council for their efforts over the past year.

**GOVERNANCE:**

**Bylaw Amendment - Use of Herbicides (¾ Resolution)**

It was

**DRAFT  
FOR DISCUSSION**



MOVED AND SECONDED:

That:

**WHEREAS** the Strata Council recommends that the ownership consider a bylaw amendment to establish herbicide and pesticide free landscape maintenance requirements; and

**WHEREAS** the Strata Property Act establishes the manner by which a Strata Corporation may amend its bylaws;

**BE IT THEREFORE RESOLVED THAT** The Owners, Strata Plan NW 90, do hereby approve of the amending of the bylaws as registered in the Land Title Office to include:

Bylaw 8 (9)

"Effective April 1, 2008, the use of herbicides and pesticides shall be banned with respect to their inclusion as part of the landscape maintenance practices at NW 90."

**BE IT FURTHER RESOLVED THAT** the Strata Council is hereby authorized to execute the required documentation to register this bylaw amendment in the Land Title Office.

During discussion of the proposed resolution it was noted that a change of wording would be required. After some discussion it was

MOVED AND SECONDED:

That the proposed bylaw be amended to insert the words "environmentally harmful" after the words "the use of".

The amended bylaw would read: "Effective April 1, 2008, the use of environmentally harmful herbicides and pesticides shall be banned with respect to their inclusion as part of the landscape maintenance practices at NW 90."

Question was called on the amending motion and it was

**CARRIED UNANIMOUSLY**

Question was then called on the main motion as amended and it was

**CARRIED UNANIMOUSLY**

Bylaw Amendment - Indemnity Agreement Schedule (¾ Resolution)

The Strata Manager introduced the proposed ¾ resolution calling for the amendment of the Indemnity Agreement summary forming part of the bylaws of the Strata Corporation, to include the Indemnity Agreements approved by the Strata Council during the past year. It was then

MOVED AND SECONDED:

That:

**WHEREAS** the Bylaws of the Strata Corporation provide for the manner and conditions whereby owners may alter common property or the strata lot; and

DRAFT  
FOR DISCUSSION



**WHEREAS** said bylaws require that the owners accept responsibility for the expenses incurred in the maintenance of the common property and/or the strata lot, in accordance with Section 72 (3) of the Strata Property Act, and bylaw 6 (3) of the Strata Corporation; and

**WHEREAS** The Owners and Strata Council have executed the Indemnity Agreement related to said alterations;

**BE IT THEREFORE RESOLVED THAT** The Owners, Strata Plan NW 90, hereby ratify the approval of said alterations to the strata lot and/or common property by the owners of strata lots 26, 39, 40, 42, 62 and 71; and

**BE IT FURTHER RESOLVED THAT** bylaw 6 (3) of the Strata Corporation's bylaws be amended to reflect the execution of an Indemnity Agreement related to modifications to the strata lot and/or common property as between the owners of strata lots 26, 39, 40, 42, 62 and 71 and the Strata Corporation.

Question was called and the motion was

*CARRIED UNANIMOUSLY*

**FINANCE REPORT:**

The Strata Manager introduced the proposed operating budget and capital plan for the 2008 fiscal year. It was noted that a significant change has been made in the capital plan to reflect the significant increases in pricing, in particular for re-roofing work.

A review was made of the capital planning history, and it was generally noted that the impact of the recent rapidly escalating costs for items such as re-roofing could not reasonably be projected.

A lengthy discussion ensued pertaining to security services. It was noted that two operating budget drafts had been provided for the ownership's consideration: one which included funding for security services, and one which did not.

During the discussion of security related matters it was noted that there is no benefit to the Strata Corporation through lower insurance costs to have security services at night.

It was noted that security does not stop vandalism, but rather the purpose is to observe and report problems to hopefully reduce the impact of vandalism.

An owner noted that she walked her dog early each morning and sees the guard each morning.

It was suggested by an owner that security provides both seen and unseen benefits.

It was pointed out that problems experienced as a result of vandalism, thefts and the like do not only happen during the time when the security personnel are present. In fact, there has been a trend for more daylight problems to be experienced than late evening or early morning problems.

It was noted by an owner that the security personnel respond to problems if the guard is on duty that day.



An owner suggested that for the proposed fiscal year the cost of providing security would be approximately 50 cents per day per unit.

Discussion continued, with comments being made regarding improved safety for individuals walking about the property as a result of the presence of security staff, and the ability of the security staff to help deal with, for example, noise problems, avoiding owner-to-owner interactions.

Discussion on the proposed operating budget continued, during which it was noted that all owners should be familiar with and observe the advertised regulations for refuse disposal, as penalties may be levied against the Strata Corporation should improper items be placed into refuse containers. It was agreed that Council would be requested to order another set of recycling toters for the north end of the Phillips Avenue building. All owners are reminded that residents must properly sort items for placement in the appropriate recycling toter.

It was then

**MOVED AND SECONDED:**

That:

**WHEREAS** The Strata Property Act sets out the required information to be submitted with the proposed budget; and

**WHEREAS** The Strata Property Act requires the Strata Corporation to report on the contingency reserve funds, operating expenses and unapproved expenses; and

**WHEREAS** The Strata Property Act establishes the approval process for the various components of the budget for the coming fiscal year;

**BE IT THEREFORE RESOLVED THAT:**

- ⇒ The Owners, Strata Plan NW 90, hereby authorize a 2008 reserve contribution in the amount of \$151,256.00 including the capital levy of \$106,000.00 to enhance funding of the contingency reserve fund. (refer to Section 93 of the Strata Property Act)
- ⇒ The Owners, Strata Plan NW 90, hereby authorize a transfer from reserves in the 2008 fiscal year in the amount of \$149,900.00 to fund repairs as outlined in the Capital Plan for 2008. (refer to Section 96 of the Strata Property Act)
- ⇒ The Owners, Strata Plan NW 90, hereby authorize operating expenses in the amount of \$301,794.00 (exclusive of the reserves and capital expenses). (refer to Section 103 (1) of the Strata Property Act)
- ⇒ The Owners, Strata Plan NW 90, approve a capital levy in the amount of \$106,000.00 to provide additional reserve funding in accordance with the Capital Plan. Each owner's share of the special levy as at February 27, 2008 shall be payable in 12 equal monthly installments of \$117.78 commencing April 1, 2008, and ending March 1, 2009. (refer to Section 94 (1) of the Strata Property Act)

Question was called and the motion to approve the budget including security services was



*DEFEATED (22 in favour; 11 opposed)*

It was noted that as a  $\frac{3}{4}$  resolution, three times as many votes in favour must be cast as votes in opposition for passage.

It was then

**MOVED AND SECONDED:**

That:

**WHEREAS** The Strata Property Act sets out the required information to be submitted with the proposed budget; and

**WHEREAS** The Strata Property Act requires the Strata Corporation to report on the contingency reserve funds, operating expenses and unapproved expenses; and

**WHEREAS** The Strata Property Act establishes the approval process for the various components of the budget for the coming fiscal year;

**BE IT THEREFORE RESOLVED THAT:**

- ⇒ The Owners, Strata Plan NW 90, hereby authorize a 2008 reserve contribution in the amount of \$151,256.00 including the capital levy of \$92,000.00 to bolster the funding of the contingency reserve fund. (refer to Section 93 of the Strata Property Act)
- ⇒ The Owners, Strata Plan NW 90, hereby authorize a transfer from reserves in the 2008 fiscal year in the amount of \$149,900.00 to fund repairs as outlined in the Capital Plan for 2008. (refer to Section 96 of the Strata Property Act)
- ⇒ The Owners, Strata Plan NW 90, hereby authorize operating expenses in the amount of \$287,749.00 (exclusive of the reserves and capital expenses). (refer to Section 103 (1) of the Strata Property Act)
- ⇒ The Owners, Strata Plan NW 90, approve a capital levy in the amount of \$92,000.00 to provide additional reserve funding in accordance with the Capital Plan. Each owner's share of the capital levy as at February 27, 2008, shall be paid in 12 equal installments of \$102.22 commencing on April 1, 2008 and ending March 1, 2009. (refer to Section 94 (1) of the Strata Property Act)

Question was called and the motion to approve the budget without security services was

*DEFEATED (12 votes in favour, 21 opposed)*

It was then

**MOVED AND SECONDED:**

That the ballots be destroyed.

**MOTION CARRIED**



The Strata Manager noted that it would be necessary for the Strata Council to meet to review the presentation of the operating budget at a subsequent Special General Meeting. It was then

**MOVED AND SECONDED:**

That Council be requested to hold the Special General Meeting within 45 days.

**MOTION CARRIED**

**INSURANCE POLICY RATIFICATION:**

The Strata Manager then introduced the  $\frac{3}{4}$  resolution to ratify the insurance policy, and noted the importance of individual owners maintaining their own personal homeowner insurance policies. Homeowner policies should provide protection to the homeowner against the charging back of insurance deductibles or costs by the Strata Corporation for losses or problems that originate from within a strata lot as a result of the actions or hands of the owner, tenant or guest of the strata lot.

Owners were further reminded that a somewhat frequent source of leakage has been failures of washing machine hoses. Washing machine water supply taps should be turned off when the washing machines are not in use, and the hoses should be checked periodically for signs of bulging or cracking, and replaced at the first sign of such deterioration. If possible, braided stainless steel type washing machine hoses (and toilet tank filler tubes) should be used.

The Strata Manager reminded all owners that the Strata Corporation does not insure their personal belongings, betterments or improvements, as this is the responsibility of the strata lot owner/occupier.

It was then

**MOVED AND SECONDED:**

That:

**WHEREAS** the Strata Corporation currently insures considerable assets over which it has an insurable interest but no beneficial ownership; and

**WHEREAS** the Strata Corporation is required in its mandate to deal with matters affecting not only the common property, common facilities and common assets, but also those fixtures built or installed by the owner/developer as part of the original construction; and

**WHEREAS** the Strata Council is recommending that the Strata Corporation approve the property insurance policy and related risks in accordance with the Certificate of Insurance attached to the notice of meeting, which sets out the current level of insurance coverage;

**BE IT THEREFORE RESOLVED THAT** The Owners, Strata Plan NW 90, hereby approve the insurance policy and the terms as set out in the Insurance Certificate dated December 31, 2007, setting out the coverages for the benefit of The Owners, Strata Plan NW 90, in accordance with Section 149 of the Strata Property Act and related regulations.

Question was called and the motion was

**CARRIED UNANIMOUSLY**



**ELECTION OF THE 2008 STRATA COUNCIL:**

It was noted that at this time the current Strata Council retires and it is the owners' responsibility to elect a minimum of three to a maximum of seven owners to represent them as the Strata Council until the next Annual General Meeting. The following owners were duly nominated:

⇒ Joanne Little	7341
⇒ Tara Sutherland	7366
⇒ Yvette Helliwell	7398
⇒ Monte Chan	7309
⇒ Chris Albright	7307
⇒ Patti Jukes	7330
⇒ Ray Zimmerman	7370

There being no further nominations, it was

**MOVED & SECONDED:**

That nominations be closed.

**MOTION CARRIED UNANIMOUSLY**

The above-noted owners were declared elected to the 2008 Strata Council by acclamation.

Appreciation was extended to the outgoing Strata Council for their efforts on behalf of all owners. Special thanks was extended to Max Jacobsen, who had served on the Strata Council and as Treasurer for many years. Mr. Jacobsen did not stand for re-election to the Council.

**OTHER BUSINESS:**

**Dog Droppings**

Discussion was held regarding the increasing problem of dog droppings being found on the common areas. All residents are requested to keep an eye out for violators of the pet bylaws, and report violators accordingly. It was agreed that a notice would be forwarded to all residents concerning this matter.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:02 pm.

**STRATACO MANAGEMENT LTD.**

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