

**COUNCIL MEETING MINUTES**

**THE OBSERVATORY – LMS 2093**

**Tuesday, June 9, 2009**

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2009/2010**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Vacant

**TREASURER**

Amanda Lowden - #402

**MAINTENANCE**

Stephen Kanthers - #1803  
Tibor Putics - #407

**PARKING**

Patricia Cabanos - #905

**AT LARGE**

Francis Tsui - #2201

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
Direct Phone: (604) 592-3542  
E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**

13520 78TH AVENUE  
SURREY, B.C. V3W 8J6  
(604) 591-6060

**24-HOUR EMERGENCY:**

Phone: (604) 591-6060

**ATTENDANCE:**

Al Waldorff  
Stephen Kanthers  
Francis Tsui  
Patricia Cabanos

**REGRETS:**

Tomas Vasquez  
Amanda Lowden  
Tibor Putics

Susan MacGregor, Baywest Management Corporation  
Sheryl MacDonald, Baywest Management Corporation

It was noted the Resident Manager is away on holidays this week and is therefore absent from the meeting.

**(1) CALL TO ORDER**

The meeting was called to order at 6:35 p.m. A quorum was established.

Prior to proceeding with the meeting, the Strata Manager read aloud a letter of resignation from Vice President, Tomas Vasquez. Mr. Vasquez reported his resignation due to personal reasons and thanked the Owners for serving on Council over the past three years. The Strata Council thanks Mr. Vasquez for his dedication and long hours of service to the building.

Given there is now a vacancy on Strata Council, should anyone be interested in sitting on Council, please contact the Strata Manager to submit your name.

**(2) APPROVAL OF THE AGENDA**

After the addition of two items, it was **MOVED/SECONDED** to adopt the Agenda as amended. **CARRIED**

**(3) ADOPTION OF PREVIOUS MINUTES**

The Strata Manager reported an error in the May 12, 2009 Strata Meeting Minutes as follows:

*Business Arising From Previous Minutes, Section 4.3 – Contingency Reserve Fund Study*

*"Council reviewed the Contingency Reserve Fund Study report and the Post Tensioning report prepared by Halsall Consultants in addition to meeting with them on one occasion for discussion purposes."*

As there was no Post Tensioning Report only a proposal to review the Post Tensioning, which the Strata Council decided against pursuing at the time, the Minutes should have read as follows:

*"Council reviewed the Contingency Reserve Fund Study report and a proposal to review Post Tensioning in the building prepared by Halsall Consultants in addition to meeting with them on one occasion for discussion purposes."*

Based on the above amendment, and as there were no other errors or omissions were reported, it was MOVED/SECONDED to adopt the Minutes of the May 12, 2009 Strata Council Meeting as amended.

CARRIED

#### (4) BUSINESS ARISING FROM PREVIOUS MINUTES

##### 4.1 BUILDING EXTERIOR MAINTENANCE

Stephen Kanters advised the exterior building maintenance project is now 75% complete and stucco repairs are in progress. Mr. Kanters advised the project should be fully complete within two to three weeks time. Council is very pleased with the work completed to-date and the service provided by the employees of Remdal. A couple of small change orders related to the project such as painting of the 19<sup>th</sup> and 20<sup>th</sup> floor window frames on the south side for approximately \$650. Discussion ensued with respect to a few other minor changes to the proposed work; Mr. Kanters will discuss pricing with Remdal Painting.

**OWNERS ARE ASKED TO REVIEW THEIR WINDOWS FOR PAINT DRIPS AS A RESULT OF THE EXTERIOR BUILDING MAINTENANCE PROJECT. PLEASE EMAIL THE RESIDENT MANAGER AT [theobservatory@shaw.ca](mailto:theobservatory@shaw.ca) TO REPORT ANY PROBLEMS SO THEY CAN BE DEALT WITH AS A DEFICIENCY WITH REMDAL PAINTING.**

Mr. Kanters advised while inspecting the building and work completed by Remdal Painting, he noticed two unit Owners had drilled into the side of the building; one to attach a satellite dish and two to attach a drain pipe to direct water away from their balcony. Repairs to these two areas have been made and the Owners have been instructed to not repeat the work.

**Owners are advised penetration of the building exterior is a violation of the Strata Corporation Bylaws. Fines will be levied for failure to abide by the Bylaws. In addition, repairs will be made at the cost of the Owner and potentially costs to have an engineer review the repairs to ensure the building envelope integrity is intact may be charged back to the unit Owner.**

Council reviewed an invoice from Remdal Painting in the amount of \$23,050.91, which represents 50% of the contract price less the 10% hold back. In addition, Mr. Kanters recommended Council approve the third invoice to be received shortly from Remdal Painting representing 75% completion of the project. It was then MOVED/SECONDED to approve payment of the 50% completion and 75% completion invoices from Remdal Painting as the project is now 75% complete.

CARRIED

The Strata Manager advised telephone calls were made to those Owners in arrears who have provided Baywest Management with contact information. Four Owners still remain in arrears and Council directed the Strata Manager to pursue a Title/Mortgage Search on one unit to determine if there is a way of locating the absentee Owner. One Owner has set up a payment plan, and Council will continue to follow up with the other two Owners via telephone messaging.

##### 4.2 C HYDRO REBATE PROGRAM

When Van Rook Electric accepted the project of updating the Visitor Parking and Parkade lighting, he was unaware the Strata Corporation was hoping to take advantage of the BC Hydro Rebate Program and as such did not take out a permit for the work. BC Hydro requires a copy of the permit and inspection in order to qualify for the rebate. Van Rook Electric will arrange for the permit and inspection for a cost of approximately \$450. The benefit back to the Owners from the Rebate Program is approximately \$3,500. It was MOVED/SECONDED to direct the Strata Manager to instruct Van Rook

Electric to proceed with the permit and inspection process for a cost of approximately \$450 in order that the Strata Corporation can qualify for the BC Hydro Rebate Program. CARRIED

#### **4.3 FIRE PANEL REPAIR**

The Strata Manager confirmed G.E. Security completed the repair installation to the fire panel, however reported some minor deficiencies to the Resident Manager. A report regarding these deficiencies has not yet been received by the Strata Manager or the Resident Manager. Council directed the Strata Manager to follow up with G.E. Security on the report.

#### **4.4 PARKADE CLEANING**

Atlas Power Group completed cleaning of the underground parkade and Visitors Parking areas on May 22, 2009 as planned.

#### **4.5 SMALL CLAIMS ACTION**

The Strata Manager confirmed payment of the \$714.56 was forwarded to Unit #1303 as per Strata Council's direction in order to comply with the Offer to Settle and as such the Small Claims Action relating to unit #1303 is now closed.

#### **4.6 SURREY FIRE – ORDER TO COMPLY**

Council reviewed a second quotation from Elite Fire Protection for a "defend in place" plan as per the requirements of the Surrey Fire Department Order. After a brief discussion, and given the cost was an order despite unbudgeted, it was MOVED/SECONDED to approve the expenditure of \$2,300 plus GST as per the proposal prepared by Elite Fire Protection to supply and install a "defend in place" fire plan. CARRIED

#### **4.7 SECURITY DOOR REPLACEMENT**

Stephen Kanters advised the doors were on order and will be painted and installed once received.

#### **4.8 GLOBALIVE WIRELESS**

Further to the last meeting wherein Council directed the Strata Manager to Counter Offer \$50,000 to Globalive, Globalive countered back to the Strata Corporation with \$20,000 with a 2% increases per year for a 10 year term. In addition, a signing bonus of \$2,000 and a one time payment of \$1,500 for a legal review. The Strata Council via email communication directed the Strata Manager to advise Globalive they stood firm at their request for \$50,000 per year, which Globalive advised they could not offer such compensation and therefore would look elsewhere. The Strata Manager recommended Council re-consider the latest proposal as it would provide \$200,000 compensation over the ten year period to The Observatory, which would address many future maintenance issues as Globalive was also opening communication with the Owners of the Scotia Tower. Negotiations were re-opened with Globalive and Francis Tsui was directed by Council continue with the process. Mr. Tsui advised Globalive was requested to provide Council with recent comparable leases in order ensure The Observatory is receiving fair and competitive compensation for the roof top space before any final decisions were made. Mr. Tsui advised Globalive has not responded in over a week and will report any updates to Council once communication is re-established.

#### **4.9 SECURITY BREACH**

On May 19<sup>th</sup>, the Owners of The Observatory were subject to another break-in to the underground parkade and building lockers. The police were contacted and the Resident Manager is working closely with them in an effort to provide video evidence and information. There have been no additional breaches of security since then.

**Owners are encouraged to report any suspicious activity or people to the police. Owners are encouraged to not approach these individuals given they could be armed and dangerous. If your vehicle has been vandalized, please contact ICBC or your own insurance company; the Strata Corporation's insurance policy does not respond to owner's personal property or contents. Please also ensure nothing of any value is left in your vehicle, which may entice the vandals.**

#### **4.10 COMMON AREA SMOKE ALARM REPLACEMENT**

Given the additional costs incurred by the Owners at The Observatory, it was agreed to address the quotation for common area smoke alarm replacement in the next fiscal year.

#### **4.11 SECURITY FOBS**

Due to the number of break-ins, it was the decision of Council to conduct a long outstanding audit of the security fobs for the building. As some may remember, there are also slide cards and the Resident Manager under the direction of Council is in the process of deactivating any unidentified building fobs. If you experience a problem using your fob, please contact the Resident Manager in order that he may record your fob information and re-activate it.

In addition, Council will be delivering to all units, a Security Fob Form for the Owners and Tenants to complete. It is imperative the Strata Council have knowledge of all fobs and who they are registered to in order to ensure the security of the building is intact. Please be advised there is no cost to Owners/Tenants for this process to be completed. Please complete the Form and drop it off in the Strata Corporation Mailbox no later than July 10<sup>th</sup> in order that the audit maybe completed.

### **(5) FINANCIAL REPORT**

#### **5.1 FINANCIAL STATEMENTS**

Due to the absence of the Strata Council Treasurer, it was agreed to table approval of the Financial Statements until the next meeting.

#### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$13,971.28, of which approximately \$3,300 is related to the outstanding Special Levy. As well, \$5,456.75 is an insurance deductible and plumbing invoice charge back to one unit Owner. Council directed the Strata Manager to continue with the collection process.

**Owners are reminded the special levy was due February 28, 2009. Fines in accordance with the strata corporation bylaws will be levied against owners' accounts that are still in arrears. If you pay your strata fees by auto-debit, you may provide the accountant or the strata manager written authorization via email to debit your account for the special levy.**

**Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.**

#### **Financial Status As at April 30, 2009:**

Bank	\$47,284.89
Petty Cash	500.00
Accounts Receivable	(1,210.99)
A/R Special Assessment Ext Bldg Mtnc	12,784.62
Pre-paid Insurance	11,887.50

Contractor Holdback	521.11
Contingency Reserve Fund	71,800.76
Contingency Reserve Fund Study	1,730.40
Building Exterior Reserve	97,323.75
CRF Short Term Securities	48,498.82
Security Camera Reserve	2,065.25
Parking Lights Reserve	182.67
Window Repair Fund	50,227.12
Caretaker's Suite	<u>111,999.79</u>

**Total Assets** **\$455,595.69**

## **(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report for May 2009 is attached to these Meeting Minutes.

### **6.1 RELIEF CARETAKER POSITION**

Council confirmed Owner and past Council Member Patrick Muir is competently handling the administrative duties related to the Relief Caretaker position. In addition, Owner and Council Member Patricia Cabanos has been ensuring the building is kept clean on the weekends and reminded Council she only agreed to assist on a temporary basis. Council appreciates and thanks Ms. Cabanos for her efforts. Council discussed the need to address the weekend cleaning responsibilities and with the input of Ms. Cabanos agreed to review the Resident Manager duties and consider an outside cleaning company should an Owner not wish to assume the job.

### **6.2 HOT WATER BOOSTER PUMP REPLACEMENT**

The domestic hot water recirculation pump failed and required immediate replacement as some Owners were experiencing a lack of hot water. Council via email communication approved the replacement of the pump, which was ordered and installed by Honeywell Limited. Unfortunately, some Owners were without hot water for several days. As a matter of formality, it was MOVED/SECONDED to approve the quotation from Honeywell Limited in the amount of \$4,980 to supply and install a five horsepower hot water booster pump.

CARRIED

### **6.3 GOOD BYE GRAFFITI**

Council reviewed a quotation from Good Bye Graffiti to remove a section of graffiti from near the Generator Room for a cost of \$355.95. It was agreed to have Mr. Kanters speak to Remdal Painting who are currently on-site if they can paint this area for less.

### **6.4 UPGRADES TO RESIDENT MANAGER SUITE**

Council reviewed a quotation from Parker Home Maintenance for a cost of \$1,945 plus GST to supply and install laminate flooring in the living room, hallway and den of the Resident Manager's suite. A few years ago, the flooring was damaged due to water ingress and was never replaced. Discussion ensued with respect to whether the flooring actually required replacement. It was agreed Council would contact the Resident Manager to review the area of flooring damaged before making a decision. The Strata Manager advised a quotation for painting is in progress.

## **(7) COMMITTEE REPORTS**

### **7.1 MAINTENANCE (S. Kanters)**

There was nothing further to report other than reported elsewhere in these Minutes.

## **7.2 FITNESS EQUIPMENT/AMENITIES ROOM (F. Tsui / A. Lowden)**

Mr. Tsui confirmed purchase of the ping pong table is complete in use. As well, costs were researched related to replacement of the treadmill ranging from \$1,000 and up. After a brief discussion, it was agreed the Strata Council will approve the purchase of one only non-commercial grade treadmill on an annual basis, if needed. Owners are advised the new treadmill will not carry more than a one year warranty and will be budgeted annually. It was then MOVED/SECONDED to approve the expenditure of approximately \$1,000 plus GST and delivery charges to purchase a non-commercial grade treadmill for use in the Fitness Room

CARRIED

## **(8) CORRESPONDENCE**

Correspondence was received from unit 1601, 1604 and unit 707 regarding concerns such as request for fine reversal, non-payment of the special levy and the vandalism due to the past security breaches.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

The Strata Manager advised that subsequent to the last Council Meeting and at their direction, correspondence had been sent to units 1303, 707, 801, 1201, and Claims Pro.

## **(9) NEW BUSINESS**

### **9.1 DRAIN CLEANING**

Council reviewed a quotation from McRaes for drain cleaning for a cost of approximately \$1,200 to clean out all the storm drains. Given the time of year, it was agreed to address this item of maintenance closer to the fall when the rains are prevalent.

### **9.2 WHALLEY OPEN LOOP DISTRIBUTION OPERATING ORDER**

Council reviewed an Operating Order from the British Columbia Transmission Corporation setting out the procedures in order for work to be completed on the power station equipment between Station Tower, Cornerstone and The Observatory. It was noted the Operating Order is a renewal document and would expire on March 16, 2013. It was then MOVED/SECONDED to direct the Strata Manager to execute and return the Operating Order to BCTC as presented on behalf of the Strata Corporation.

CARRIED

### **9.3 WINDOW WASHING**

Stephen Kanters requested Council to consider having Remdal quote on cleaning of the windows given they can then review windows for paint drips, etc. and clean them off at the same time as cleaning the windows. Council agreed and directed Mr. Kanters to obtain a quotation from Remdal. The Strata Manager will forward Council for the next meeting a copy of the quotation from IBM for this year's cleaning to ensure competitive pricing.

### **9.4 WINDOW REPAIRS**

Stephen Kanters reported three windows (1005, 605, 707) have been replaced during the Exterior Building Maintenance project, which were not related to damages caused by the Contractors but noted cracks, etc. and it was the decision of Council to replace these windows while the swing stage was already set up saved substantially.

### **9.5 WINDOW REPLACEMENT PROJECT**

Now that the Exterior Building Maintenance project is nearing completion, Council will be looking towards the failed sealed window unit replacement project.

## **9.6 THYSSENKRUPP ELEVATOR**

Council was advised ThyssenKrupp Elevator have advised they will be foregoing their annual Rate Charge increase for the year 2009.

## **9.7 HOME RENOVATION TAX CREDIT (HRTC) ACCOUNTING**

Council received a letter from the President of Baywest advising the Council should they wish Baywest Management to maintain all invoices paid out for work completed this year, which falls within the spectrum of the HRTC they would provide every Owner with a receipt at the end of the year for tax purposes and could do so for a nominal charge of \$10 per unit. Council agreed to discuss this in more detail at the next meeting.

## **9.8 CHANGE OF STRATA MANAGER**

Susan MacGregor advised Council she would be stepping down as Strata Manager for The Observatory as a result of a portfolio change, and Sheryl MacDonald will be taking over the day-to-day management of the Observatory, effective June 16, 2009. Sheryl can be reached by phone at (604) 592-5667 or by email at [smacdonald@baywest.ca](mailto:smacdonald@baywest.ca). Her fax number is (604) 592-3672.

Council thanked Ms. MacGregor for her work with The Observatory over the past year and a half, and welcomed Sheryl MacDonald as the new Strata Manager.

## **(10) TERMINATION**

There being no further business, the meeting was adjourned at 8:45 p.m. The next meeting is scheduled for Tuesday, July 14, 2009 within the Activity Room.

Susan MacGregor  
Strata Manager

**Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.**





**Monthly Managers Report  
The Observatory - LMS 2093  
May 2009**

- Imperial Security on site throughout the week-end to patrol the building and grounds due to the recent break-ins we were experiencing.(May 1-3)
- Imperial Pools on site to address and repair two small items that were required by the health board to comply with their new regulations. (May 4)
- Vanrook electrical on site to install the lighting upgrades to the exterior of the building outside of the visitor parkade and center island. (May 11).
- Thyssen Krupp on site to do the tri-annual elevator safety inspection (3-year) as required by the safety branch. (May 11-12)
- Creative doors on site to address noisy gates and lubricate as required.(May 12)
- RM conducted an onsite walk around with the Police (Crime prevention Programs) to determine a course of action involving the police, the city (bylaw enforcement, and the owner of the western vacant property to reduce access and make that property less attractive to the homeless and thieves. The Strata Council, Resident manager, and the Caretakers of the adjacent property are working diligently to try to resolve the issues we have been facing for several years. (May 14)
- GE Edwards on site to replace faulty power supply in main fire panel, tech found a few other non-related issues and will be forwarding council a comprehensive report.(May 14)
- The painters accidentally broke an irrigation pipe in the back yard causing flooding to the back yard and into visitor parking. There does not appear to be any water damage to the building as RM was called and shut down system before further problems arose.(May 18)
- There was another break and enter into the parkade and storage lockers on P2 and P3, several vehicles were also vandalized in the process. RM and Council working closely with the police to try to resolve this issue and prevent further attempts. (May 19)
- Honeywell on site to install new boiler controller to resolve issues with old faulty controller previously installed by KPH. (May 19)
- Hot water re-circ booster pump / electric motor outboard bearing failure, Honeywell tech was on site, motor ordered and will be installed tomorrow. (May19) Pump replaced May 20/09
- Smart House CCTV Tech on site to quote on and determine proper placement of additional security cameras in the parkade and P2-3 lobbies. (May 20)
- RM contacted City of Surrey Public Works Dept. to send a vacuum truck crew to unplug our storm drains in the driveway. (May 20)Notified that it is on our property and is our problem. Will have to call a vacuum truck service to address problem.
- Pumphouse Fitness on site to conduct the annual maintenance to the gym equipment which includes replacing the cables on the universal gym. (May 20)

- RM cleaned out & washed south and east stairways, which were full of leaves, pine needles and debris from winter, all burned out stairway & exit lights have been replaced. (May25)
- Finning Canada on site to replace emergency generator batteries and conduct a thorough inspection and run tests of all related components. (May26)
- New Hot water re-circ pump in place, tested and is in proper working order, hot water service has been restored to the building. (May26)

**COUNCIL MEETING MINUTES**

**THE OBSERVATORY – LMS 2093**

**Tuesday, May 12, 2009**

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
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**STRATA COUNCIL  
2009/2010**

**PRESIDENT**

Al Waldorff - #1705

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**ACCOUNTANT**

Malou Cruz

Direct Phone: (604) 592-3542

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**BAYWEST MANAGEMENT**

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**Phone: (604) 591-6060**

**ATTENDANCE:**

Al Waldorff

Tomas Vasquez

Amanda Lowden

Stephen Kanters

Francis Tsui

**REGRETS:**

Tibor Putics

Patricia Cabanos

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**(1) CALL TO ORDER**

The meeting was called to order at 6:35 p.m. A quorum was established.

**(2) APPROVAL OF THE AGENDA**

After the addition of a few items, it was MOVED/SECONDED to adopt the Agenda as amended. **CARRIED**

**(3) ADOPTION OF PREVIOUS MINUTES**

As there were no reported errors or omissions, it was MOVED/SECONDED to adopt the Minutes of the April 14, 2009 Strata Council Meeting as prepared by Baywest. **CARRIED**

**(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 BUILDING EXTERIOR MAINTENANCE**

The Strata Manager confirmed Demand Letters were sent to the six Owners who were in arrears as of the April 14<sup>th</sup> meeting. As of this meeting, the six Owners remain in arrears. Council requested the Strata Manager to phone each Owner to remind them of their responsibility and continue with the fining process. The Strata Manager advised phone calls are not considered normal practice; however given there are only six Owners in arrears, she would make the phone calls. Discussion ensued with respect to filing a lien against those in arrears of the special levy and it was agreed the Strata Manager would send an A/R report on or about the 3<sup>rd</sup> of June to Council who would then make a decision.

Stephen Kanters advised the south side of the building is complete and the west side will be completed shortly. The Contractor will move to the east side of the building next and notices will be posted to inform the Owners. Mr. Kanters advised he has reviewed all of the inspection reports to date and confirms the project is going as planned and confirms there have been no additional costs or extras incurred to date.

Council reviewed an invoice from Remdal Painting in the amount of \$23,050.91, which represents 25% of the contract price less the 10% hold back. It was then MOVED/SECONDED to approve payment of the invoice for \$23,050.91 as the project is now 25% complete. CARRIED

#### **4.2 BC HYDRO REBATE PROGRAM**

It was reported Van Rook Electric has now completed all requirements to be considered one of BC Hydro's preferred contractors with respect to the hydro incentive program. The Strata Manager is awaiting receipt of the Contractor's ID number in order to complete the application process.

#### **4.3 CONTINGENCY RESERVE FUND STUDY**

Council reviewed the Contingency Reserve Fund Study report and the Post Tensioning report prepared by Halsall Consultants in addition to meeting with them on one occasion for discussion purposes. The detailed reports were comprehensive and outlined the various components and costs required for future replacement. Some of the deficiencies noted in the report are now being addressed as part of the Exterior Building Maintenance work as well with the proposed window replacement project to be addressed after the exterior building work is complete. The Strata Council directed the Strata Manager to advise Halsall Consultants no further meetings are required at this time and that they would take the information under advisement to be used for future maintenance planning and Contingency Reserve planning. Owners are advised these reports are available should they wish to order them from Baywest Management; please contact the Forms Department at 604-591-6060.

#### **4.4 INSURANCE CLAIM – AUGUST 22, 2008**

The Strata Manager confirmed the invoice for Keith Plumbing and Heating has been paid and the insurance claim is now complete with the exception of the elevator cables, which the insurance company representatives continue to investigate. Owners are advised it has been confirmed the elevators are operating properly and are considered safe for use. The concern relates to the possibility the elevator cables may deteriorate earlier than usual due to the water damage; however this has not been substantiated by experts as of yet.

#### **4.5 THYSSENKRUPP ELEVATOR SAFETY LICENSING RENEWAL**

The Resident Manager confirmed ThyssenKrupp was on site May 11<sup>th</sup> and 12<sup>th</sup> performing the safety tests for the elevators as required by the BC Safety Authority. Prior to the meeting and via email communication, the Strata Manager provided Council with a revised quotation for the safety testing. Originally, the quotation was for \$595 per elevator and after some negotiation, ThyssenKrupp agreed to a reduced cost of \$298 per elevator. Based on this information, it was MOVED/SECONDED via email communication to approve the revised quotation for testing of the elevators at The Observatory, which is completed every three years. CARRIED

#### **4.6 SMALL CLAIMS ACTION**

Further to the counter offer sent to Mr. Popov to share the cost of the invoice on a 50% basis, the Council received email communication from Mr. Popov denying his willingness to accept the offer.

As a decision on whether to settle or to proceed with the Small Claims Action had to be made by May 2, 2009, the Strata Council felt they had no other option but to settle with Mr Popov to avoid the costly action of Small Claims Court. The decision to settle does not in anyway change the Strata Councils decision of responsibility of the shower diverter cartridge responsibility; Mr. Popov did pay for this portion of the settlement. The decision was solely based on cost and time as it was estimated the cost to follow through with court action could cost upwards of \$15,000 and with the amount in question being less than \$1,000 the Strata Council was unable to justify the expense.

Via email communication, it was MOVED/SECONDED to direct the Strata Manager to forward written communication to the Owner of unit #1303 advising him the Strata Corporation accepts his offer to settle with him being responsible for \$125 of the total claim provided he file the Offer to Settle with the Surrey Provincial Court prior to May 2, 2009 incorporating LMS 2093 and Baywest Management. The Strata Corporation's share of the settlement is \$714.56.

CARRIED

#### **4.7 DRYER VENT CLEANING**

Dryer vent cleaning was completed without any complications. Air Vac Services replaced approximately eight screens.

#### **4.8 FIRE PANEL REPAIR**

As of the meeting date, G.E. Electric had not received the part to repair the fire panel.

*Subsequent to the meeting, G.E. Electric reported receipt of the part and access for installation will be scheduled with the Resident Manager.*

#### **4.9 PARKADE CLEANING**

Atlas Power Group is scheduled for May 22<sup>nd</sup>. Notices have been posted and parking arrangements have been made. It is important Owners ensure their vehicles are moved as requested for the day.

#### **4.10 SURREY FIRE – ORDER TO COMPLY**

Council reviewed a quotation from Active Fire & Safety to complete a "Defend In Place" fire plan for The Observatory for a cost of \$3,000 plus GST. The Surrey Fire Department had provided the Strata Corporation with an order to complete this work. Given the expense, it was agreed a second quotation would be required to ensure competitive pricing. The Strata Manager will arrange for this.

#### **4.11 SECURITY DOOR REPLACEMENT**

Council reviewed a quotation from Westland Developments to replace the three security doors for a cost of \$2,400, which includes painting of the doors. The quotation from Action Glass, which did not include painting of the doors, was for \$3,700. It was MOVED/ SECONDED to accept the quotation from Westland Developments for replacement of the three security doors for a cost of \$2,400 plus GST.\

CARRIED

#### **4.12 GLOBALIVE WIRELESS**

Council received a proposal and met with a representative from Globalive Wireless, a communications company, who were interested in leasing space on the roof top of The Observatory. Globalive offered the Strata Corporation a 10 year lease for \$17,500 per year and in return requested two subsequent terms of 10 years each. After much discussion, Council directed the Strata Manager to counter offer Globalive at \$50,000 per year based on i) the building is strategically located; ii) it is one of the only roof tops around that can support their needs, iii) the long term financial benefits for Globalive far outweigh the benefits offered to the Strata Corporation, iv) the value of \$17,500 may be understated within five to ten years. The Strata Manager will communicate Council's decision to Globalive.

#### **4.13 WATER DAMAGE - #1803**

Pro-Carpet Care has advised the drying process is complete and final repairs are minimal. Two of the units had upgraded flooring, which becomes their insurance company's responsibility to repair. Based on the minimal amount of damage, the Strata Council is confident an insurance claim will not be filed.

## **(5) FINANCIAL REPORT**

### **5.1 FINANCIAL STATEMENTS**

Due to the meeting falling prior to the 15<sup>th</sup> of the month, the Financial Statements for April 2009 were not completed by Baywest Management. Once complete, they will be forwarded to Council. Discussion ensued with respect to changing the date of the meetings to ensure meetings are held after the 15<sup>th</sup> of the month, which is how long Baywest requires to finalize monthly financial statements.

### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$14,340.42, of which approximately \$9,000 relates to the special levy, which was due on February 28<sup>th</sup>. Further to the April Meeting Minutes, Council directed the Strata Manager to continue with the collection and fining process.

***OWNERS ARE REMINDED THE SPECIAL LEVY WAS DUE FEBRUARY 28, 2009.***

***FINES IN ACCORDANCE WITH THE STRATA CORPORATION BYLAWS WILL BE LEVIED AGAINST OWNERS ACCOUNTS WHO ARE STILL IN ARREARS.***

***IF YOU PAY YOUR STRATA FEES BY AUTO-DEBIT, YOU MAY PROVIDE THE ACCOUNTANT OR THE STRATA MANAGER WRITTEN AUTHORIZATION VIA EMAIL TO DEBIT YOUR ACCOUNT FOR THE SPECIAL LEVY.***

**Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.**

#### **Financial Status As at March 31, 2009:**

Bank	\$39,429.58
Petty Cash	500.00
Accounts Receivable	9,373.71
A/R Other	1,009.58
Accrual Revenue	0.00
A/R Special Assessment Deficit Recovery	23,368.71
Pre-paid Insurance	14,265.00
Contractor Holdback	521.11
Contingency Reserve Fund	66,991.78
Contingency Reserve Fund Study	1,729.44
Building Exterior Reserve	86,691.27
CRF Short Term Securities	48,498.82
Security Camera Reserve	2,064.10
Parking Lights Reserve	182.57
Window Repair Fund	50,199.27
Caretaker's Suite	<u>111,999.79</u>
<b>Total Assets</b>	<b>\$455,824.73</b>

## **(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report for April 2009 is attached to these Meeting Minutes. Additional items discussed included the following:

- Individuals continue to target the building with graffiti, which is now evident inside the wall by the generator. The Resident Manager was directed to obtain a quotation for graffiti removal.
- It was also noted homeless people are now sleeping in this area and have had to be removed.
- The neighbouring property Owner has agreed to assist with the security problem by attending to some fence repairs and will investigate other options to stop the homeless from defacing and damaging the building.
- The Resident Manager has requested Council consider addressing the long over due upgrades to his suite. Several years ago, water damaged the flooring, which has never been replaced, and the walls are in need of painting; Council agreed to obtain a quotation for this work.

Council thanked Dave Fox for his report.

### **6.1 RELIEF CARETAKER POSITION**

Council has met with Patrick Muir who has agreed to take on the administrative role of the weekend relief Caretaker position. Mr. Muir has agreed to man the phone and to attend to the move in/out process. Patricia Cabanos agreed to take on the cleaning role on a temporary basis until such time as someone can be retained on a more permanent basis. The notice for the cleaning responsibilities will be posted by the Resident Manager as directed by the Strata Council.

## **(7) COMMITTEE REPORTS**

### **7.1 MAINTENANCE (S. Kanters)**

There was nothing further to report other than reported elsewhere in these Minutes.

### **7.2 FITNESS EQUIPEMENT/AMENITIES ROOM (F. Tsui / A. Lowden)**

Mr. Tsui reported on the Fitness Equipment and Amenities Room Committee report noting eight Owners were in attendance and the following are their recommendations to the Strata Council:

- ✓ Increase ventilation in the fitness room. The Strata Council directed the Resident Manager to have Honeywell review and make recommendations.
- ✓ Replacement or repairing of the treadmill. It was reported the cost to repair is approximately the same as replacing the treadmill with a non-commercial grade. Council directed the Committee to obtain pricing for a non-commercial grade treadmill.
- ✓ Review bylaw relating to pets and children in the fitness facility. It is a health concern to have pets in the fitness facility and a potential safety concern to have children in the fitness facility. Currently, children must be a certain age to use the Amenities Room unless accompanied by an adult and it is agreed this should be the same for the fitness facility. Council will review the Bylaws related to both issues.
- ✓ Request the Strata Corporation purchase a ping pong table for the Amenities Room. Council reviewed the pricing provided and after some discussion, it was MOVED/SECONDED to approve the expenditure of \$249 plus GST, plus delivery charges to purchase a ping pong table for the Amenities Room. CARRIED
- ✓ Request to address non-residing individuals who pass through the property without permission posing a security concern. The Strata Council agreed to review lighting and security in this area.

The Strata Council thanked the Committee representatives for the Committee's report.

## **(8) CORRESPONDENCE**

Correspondence was received from unit 707, and Orkin Pest Control, Keith Plumbing and Heating and Pemberton Leasing regarding items such as request for fine reversal, pest control services, request for payment for work done in a suite, and final buy out of the enterphone system.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

The Strata Manager advised that subsequent to the last Council Meeting and at their direction, correspondence had been sent to units 2004, 1102, 1303, 1103, 602, 1007, 1102, 1205, 1805 and 2202.

## **(9) NEW BUSINESS**

### **9.1 SECURITY BREACHES**

The security of The Observatory was breached on April 24<sup>th</sup>, April 27<sup>th</sup> and again on April 30<sup>th</sup>. Vandals gained access to the building, broke into cars and lockers. The Strata Council is very concerned with respect to the security of the building and took immediate action by retaining the services of a security company and had a guard on site for three nights. In addition, Council approved upgrading the exterior lighting of the building to assist with keeping the perpetrators at bay and authorized Mason Locksmiths to upgrade locks and levers on doors throughout the complex. With the assistance of the newly installed security system, the police were able to apprehend one of the vandals; charges are pending. Via email communication and due to the nature of the situation, it was MOVED/SECONDED to approve the quotation from Van Rook Electric in the amount of \$1,700 plus GST to upgrade the exterior lighting, to approve the work of Mason Locksmith to upgrade door lock security and to approve the expenditure of a security guard for three nights.

CARRIED

Owners are encouraged to report any suspicious activity or people to the police. Owners are encouraged to not approach these individuals given they could be armed and dangerous. The Observatory seems to be targeted building; the police are stepping up their patrols in the area and with the upgrades, it is hoped the security can be restored to the building.

***If your vehicle has been vandalized, please contact ICBC or your own insurance company; the Strata Corporation's insurance policy does not respond to owner's personal property or contents. Please also ensure nothing of any value is left in your vehicle, which may entice the vandals.***

### **9.2 COMMON AREA SMOKE ALARM REPLACEMENT**

Last month, it was necessary to replace five smoke alarms in the lower parking level, which had failed and were causing trouble faults on the fire alarm panel. When Fraser Valley Fire was on site, they reviewed all common area smoke alarms and provided a quotation to replace 75 common area smoke alarms at a replacement value of \$60 each. It was agreed by Council to table a decision on replacement at this time given all the other issues at hand and the cost involved.



### **9.3 GENERATOR BATTERY REPLACEMENT**

Council reviewed a quotation from Finning Canada to replace two batteries for the standby generator for a cost of \$865.39. It was noted the service batteries are past their service life and should the generator be required in an emergency situation, it is a strong probability the generator would not be able to service the building. Based on this information, it was MOVED/SECONDED to approve the quotation from Finning Canada in the amount of \$865.39 to replace the two batteries. CARRIED

The Strata Manager will have Finning contact the Resident Manager to arrange access.

### **9.4 HYTEC WATER BUILDING WATER ANALYSIS**

Council reviewed a proposal from Hytec Water who performed a water analysis of the building's water quality, which in turn can affect the buildings water pipes. Hytec Water installs filtration systems that add minerals to the water to balance the water in order to protect and preserve the life of the buildings pipes. The water report showed high levels of copper deposits in the water supply, which can lead to an increase in pinhole leaks. The costs involved are approximately \$750 per month for the system and chemicals. The Strata Council agreed to table investigation on this project at this time.

### **9.5 SECURITY FOBS**

The Resident Manager advised there have been a growing number of concerns related to the security fobs. The last few new orders of fobs have been defective and in turn causing problems. Smart-Tek offers full credit on the defective fobs. In the meantime, the Resident Manager was directed to arrange for Smart-Tek to attend site to investigate the source of the problem so Owners are not further inconvenienced.

### **9.6 BAYWEST RESPONSE**

A couple of months ago, the Strata Council requested reimbursement of the \$420 lien charge levied against an Owner after the Strata Council agreed to reverse the lien charge from the Owners account. Baywest Management responded to Council noting the Strata Council directed the Strata Manager to place the lien against the Owners account as noted in the September 2008 Minutes, as well, the Management Contract with LMS 2093 provides for such charge; therefore Baywest denied the Strata Council's request to reimburse the Strata Corporation the lien charge. The Strata Council acknowledged the letter and the decision of Baywest.

### **(10) TERMINATION**

There being no further business, the meeting was adjourned at 9:00jUNm. The next meeting is scheduled for Tuesday, June 9, 2009 within the Activity Room.

Susan MacGregor  
Strata Manager

**Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.**



**Monthly Managers Report  
The Observatory - LMS 2093  
April 2009**

- Vehicle violating visitor parking rules was monitored for a few days and subsequently towed at owner's expense. (Apr 1)
- Keith Plumbing Manager on site with Property Manager, Steve K and RM to discuss plumbing flood repairs (Aug 08) and required repairs to replace faulty hot water controller, causing heating and pressure issues. (Apr 6)
- A few suites on the 11<sup>th</sup> floor experiencing hot water mainly coming from the shower diverter, RM contacted KPH to re-adjust PRV's and balance water pressure (Apr 7)
- Imperial Pools on site to replace hot tub heater with new unit, Tub will be open to everyone once the health board approves operation, (Apr 9)
- Fire alarms triggered in P3 at approximately 2:30 am, Fire Dept. responded and checked out parkade & stairwells, no evidence of fire was found. (Apr 14)
- KPH on site to rebuild failed pressure reducing valves which were causing water temp and pressure fluctuations. System was then pressure balanced for optimum performance. (Apr 14-15)
- Remdal on site to start with the building exterior cleaning and painting (Apr 15)
- Fire alarms triggered in P3 at approximately 1:30 pm, Fire Dept. responded and checked out parkade & stairwells, no evidence of fire was found, faulty detectors may be the cause, FVFP to investigate. Technician replaced all 5 units on P3 level (Apr 16)
- Air Vac services are here on site to perform the annual dryer vent cleaning from the exterior of the building on boson's chairs. (Apr 21)
- Walnut Grove Glass here to replace broken sliding door glass on the 8<sup>th</sup> floor. (Apr 21)
- Fraser Valley Health Authority here to inspect and re-certify the hot tub and the sauna, the amenities passed and is now re-open for everyone's enjoyment. (Apr 21)
- Visitor Parking and P2 & P3 were the targets once again of thieves in the early morning hours, there were six vehicles damaged and items stolen. RM is viewing all available video and will be forwarding to the police as evidence. (Apr 24)
- Leak found in suite on 5<sup>th</sup> floor from suite above, Steve K is investigating and conducting necessary repairs. (Apr 27)
- RM repaired magnetic lock on front lobby door, replaced broken split pins, shimmed to proper clearance and used lock-tite to secure fastener. (Apr 28)
- There was another break-in to the parking levels and the storage rooms, council and RM are taking preventive measures to correct security deficiencies to prevent/deter further breaches to our property. (Apr 30) Mason Locksmiths on site to replace broken door mechanisms in stairways and secure P2-P3 storage rooms. (Apr 30)
- Vanrook Electric on site to determine the best lighting advantages for our building and work to follow in the first week of May/09. (Apr 30)



**COUNCIL MEETING MINUTES**

**THE OBSERVATORY – LMS 2093**

*Tuesday, April 14, 2009*

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2009/2010**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**CO-TREASURERS**

Amanda Lowden - #402

**MAINTENANCE**

Stephen Kanters - #1803  
Tibor Putics - #407

**PARKING**

Patricia Cabanos - #905

**AT LARGE**

Francis Tsui - #2201

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
Direct Phone: (604) 592-3542  
E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**  
**13520 78TH AVENUE**  
**SURREY, B.C. V3W 8J6**  
**(604) 591-6060**

**24-HOUR EMERGENCY:**  
**Phone: (604) 591-6060**

**ATTENDANCE:**

Al Waldorff  
Tomas Vasquez  
Amanda Lowden  
Stephen Kanters  
Francis Tsui  
Patricia Cabanos

**REGRETS:**

Tibor Putics

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**(1) CALL TO ORDER**

The meeting was called to order at 6:30 p.m. A quorum was established.

**(2) APPROVAL OF THE AGENDA**

After the addition of a few items, it was MOVED/SECONDED to adopt the Agenda as amended.

**CARRIED**

**(3) ADOPTION OF PREVIOUS MINUTES**

As there were no reported errors or omissions, it was MOVED/SECONDED to adopt the Minutes of the March 10, 2009 Strata Council Meeting as prepared by Baywest.

**CARRIED**

**(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 BUILDING EXTERIOR MAINTENANCE**

Owners are reminded the special levy for the building exterior maintenance work was due on February 28, 2009. The Strata Manager reported approximately \$11,000 of the \$100,000 special levy remains outstanding. It was MOVED/SECONDED to direct the Strata Manager to levy monthly fines in the amount of \$50 per month against any Owners who have not yet paid the special levy.

**CARRIED**

Stephen Kanters advised he attended a site meeting on April 9<sup>th</sup> with the Contractor and the representative for Master Painters to discuss the project. Unfortunately, due to a misunderstanding, work commenced a day ahead of schedule and therefore the Contractor was requested to not continue until April 15<sup>th</sup>. At that time, drops by means of a swing stage will commence down the south side of the building. Owners may wish to close blinds in order to ensure privacy; as well it is important to ensure windows are closed during the cleaning process. Notices will be posted in the elevators and at the bulletin board to keep Owners notified of the progress. It is expected it will take three to four weeks

from start to finish on each side of the building. Remdal Painting will be using a solution of bleach and water along with a light pressure washing to clean the building before the painting process. All calls related to the project should be directed to the Strata Manager who will assist where possible or contact Stephen Kanters of Westland Developments who is overseeing the project should the concern be related to the Contractor and/or the process.

#### **4.2 BC HYDRO REBATE PROGRAM**

It was reported the Contractor is not a BC Hydro approved customer and must complete some paper work prior to being accepted after which the rebate process can continue.

#### **4.3 CONTINGENCY RESERVE FUND STUDY**

Council requested the Strata Manager arrange for a final meeting with Halsall Consultants to review the most recent report.

#### **4.4 LANDSCAPING SERVICES**

The Resident Manager reviewed the proposed monthly landscaping services prepared by Acme Landscaping noting a few omissions, which the Strata Manager received verbal confirmation from the Landscaper would be included. Acme Landscaping also advised they would be on site Thursdays commencing April 9<sup>th</sup> to fertilize the lawns only and then start regular servicing as of April 16<sup>th</sup>. Council directed the Resident Manager to closely oversee the work to be completed over the next few weeks and report back to Council any concerns so they can be addressed in a timely basis. It was noted that due to the late start in April, the fees for April would be pro-rated.

#### **4.5 INSURANCE CLAIM**

Stephen Kanters, Dave Fox and the Strata Manager met with the Manager of Keith Plumbing & Heating to review the work completed, the costs involved and approvals of the additional work. The controller installed by Keith Plumbing & Heating to stage operation of the boilers failed within four months of installation and Council was advised a credit for the controller (\$2,800) could be issued or a new one installed as it was under warranty. Keith Plumbing & Heating left the meeting agreeing he would review some of the travel time hours and the time to install the controller. Keith Plumbing & Heating was advised the Strata Council had a quotation from Honeywell for substantially less money. After the meeting, and via email communication, it was MOVED/SECONDED to accept the quotation from Honeywell to install a new controller in the amount of \$1,700 plus GST and to direct the Strata Manager to follow up with Keith Plumbing and Heating for the credit of \$2,800 and for the additional hours.

CARRIED

Once the Strata Manager receives confirmation of the reduced value of work and a new invoice for the holdback amount, Council agreed they would provide approval for releasing final payment of what has been outstanding for approximately five months.

#### **4.6 THYSSENKRUPP ELEVATOR SAFETY LICENSING RENEWAL**

The Strata Manager advised the contact for ThyssenKrupp has not yet responded and recommended a letter along with back up documentation be forwarded to the Elevator Safety Devices Branch to remove potential liability from the Strata Corporation with respect to the lateness of the safety inspection.

#### **4.7 SMALL CLAIMS ACTION**

On April 2, 2009, Council Members Tomas Vasquez and Stephen Kanters attended Surrey Provincial Court on behalf of Strata Corporation LMS 2093, Susan MacGregor was present on behalf of Baywest Management, and Tony Popov was present as the Claimant. The Pre-Trial Judge advised she had reviewed the documentation provided prior to meeting with everyone and her comments were short and precise. It was her opinion that for a case that involves less than \$1,000, the Court's time and resources

far exceeded this and while she did not belittle the case, she did recommend that the parties settle. As well, she recommended Mr. Popov remove Baywest Management from the claim given they have no involvement with the decision made by the Strata Corporation and should the claim proceed, the cost to keep Baywest involved could exceed several thousands of dollars as they are entitled to charge for their time. Each party was provided an opportunity to speak; however the outcome remained the same. The Judge recommended each party obtain legal counsel and provided the documentation required to proceed to the next stage of the Small Claims Action. A trial date has been set for August 26, 2009; however all parties were provided with an option to settle within 30 days or alternatively they are required to prepare a detailed accounting of their defence for the Claim and provide each party with the information by May 2, 2009.

Immediately after the Pre-Trial Conference, Mr. Popov, Tomas Vasquez, Stephen Kaners and the Strata Manager discussed the Claim and it was agreed Mr. Popov would consider his claim and make an offer to the Strata Corporation with the intent that both parties would agree to settle to avoid any further expenses to the Strata Corporation and himself.

On April 13, 2009, Mr. Popov forwarded to Council an email in an attempt to resolve the conflict and offered to take responsibility of the cost of the shower diverter and the shower head and time to do the installation, which would amount to \$125 of the \$839.56 Claim. Council discussed the offer in detail and it was pointed out the invoice in question was \$639.56. The difference in the Claim is Mr. Popov's filing fees, company search and court service fees, which the Strata Council does not consider their expense. Due to the Small Claims Action by Mr. Popov, the Strata Corporation has also had to incur costs, which they feel should offset Mr. Popov's court costs.

It was then MOVED/SECONDED to direct the Strata Manager to forward a response to Mr. Popov advising the Strata Corporation will agreed to cover 50% of the invoiced amount of \$639.56 in an effort to resolve the conflict. Furthermore, given this situation is different in that the unit was vacant and there is no concrete evidence one way or another to determine what caused the shower diverter to leak, the unit Owners' shower drain was compromised and the water did leak into the unit below causing damage, the Strata Council will continue to hold up the responsibility of shower diverter cartridge replacement and damages as an Owners responsibility, which has been done historically in the building. CARRIED

The Strata Manager will follow up with Mr. Popov via email communication in order to speed along the process and report back to Council Mr. Popov's response.

#### **4.8 DRYER VENT CLEANING**

Dryer vent cleaning is scheduled for April 21<sup>st</sup> to April 23<sup>rd</sup>. Access to units is not required.

#### **4.9 HOT TUB REPAIR**

Prior to the Council Meeting and via email communication, it was MOVED/SECONDED to accept the quotation from Imperial Paddock Pools in the amount of \$2,995 plus GST to supply and install a new heater for the hot tub. CARRIED

Installation of the new heater is complete, however when filling the tub one of the pipes sprung a leak, which has now been repaired. The Resident Manager will be arranging for Fraser Valley Health Authority to certify the hot tub and it is expected it should be open by early next week.

#### **4.10 WINDOW WATER INGRESSION**

The Resident Manager reported XTR Contracting revisited the units where the work was done a few months ago and attended to some additional caulking over the windows. Owners who originally had problems are requested to monitor the area around the windows and once they are sure the problem has been resolved, and then interior repairs will be made.

#### **4.11 FIRE PANEL REPAIR**

Further to the last meeting, wherein it was approved subsequent to the meeting to authorize G.E. Electric to supply and install a faulty power supply, the part was on order for a couple of weeks and only arrived in Vancouver this week; the work will be completed by the end of next week.

#### **4.12 GARBAGE CONTAINER INSTALLATION**

The last meeting, Council approved the installation of a garbage bin from BFI in place of the Resident Manager's trailer; however it was determined the type of items to be dumped in the bin were on the banned list and as such BFI would not commit to a garbage bin. The offered a roll-a-way container, however the smallest size container far exceeds the length of one parking stall and as such BFI is not able to service The Observatory with this request.

Currently, Council Members Al Waldorff and Stephen Kanters have been volunteering their time to remove the items that have been building up by using their personal vehicles; however this is only a temporary measure. Discussion ensued with respect to contacting companies like "Got Junk" charge a minimum of \$250 to haul away. It was then suggested the Resident Manager be requested to re-instate the service of using his trailer and hauling to the landfill but not doing this work during working hours but on his personal time. Council debated whether this comment; most felt removal of the Owners junk to the landfill site is a work related item and should be done during working hours, where as a couple felt it shouldn't take away the time that he needs to be present at the building doing other work. The Resident Manager advised that going on Saturday could take upwards of 2 hours or more, whereas going during the week during the normal working hours the trip normally takes 45 minutes. It was noted the Resident Manager is paid \$75 per trip as insurance on the trailer must be maintained, gas for the vehicle and wear and tear on both not to mention this is not part of the regular duties of the Resident Manager. The disposal costs charged by the landfill site (average of \$21 - \$25 per trip) were paid by the Resident Manager and reimbursed through petty cash. After an in-depth discussion, it was **MOVED/SECONDED** to authorize the Resident Manager to use his vehicle and trailer to dispose of the garbage, accumulated by the Residents of The Observatory, not more than two times per month and that such work be done preferably during his lunch hour or non peak working hours and the Resident Manager will be paid a flat rate of \$100 per trip from which he will cover all expenses related to the disposing of the garbage including the landfill fee. The vote resulted in 5 in favour and 1 against. **MOTION CARRIED**

### **(5) FINANCIAL REPORT**

#### **5.1 FINANCIAL STATEMENTS**

After a review of the Financial Statements and at the recommendation of the Treasurer, it was **MOVED/SECONDED** to approve the March 31, 2009 Financial Statements as prepared by Baywest Management. **CARRIED**

Prior to the meeting, Council received the January 31, 2009 Period Final Financial Statements for their review. Amanda Lowden and Francis Tsui reported the utilities invoices were not accrued monthly throughout the year but done at the year end only, and as such altered the estimated year end by approximately \$17,500 for utilities expenses alone. The Strata Manager advised this is how it has happened over the last several years but the Accountant could be directed to accrue monthly in the future. After which it was **MOVED/SECONDED** to approve the Period Final Financial Statements for January 31, 2009 as prepared by Baywest Management. **CARRIED**

#### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$19,423.04, which approximately \$11,000 of the outstanding relates to the special levy, which was due on February 28<sup>th</sup>. It was **MOVED/SECONDED** to direct the Strata Manager to levy financial penalties against Owners accounts that have not yet paid the special levy and to issue a Demand Letter providing them with 20 days to pay. **CARRIED**



The Strata Manager also reported the \$5,000 insurance deductible due to a water damage insurance claim owing by one of the Owners has now been paid in full.

**OWNERS ARE REMINDED THE SPECIAL LEVY WAS DUE FEBRUARY 28, 2009.**

**FINES IN ACCORDANCE WITH THE STRATA CORPORATION BYLAWS WILL BE LEVIED  
AGAINST OWNERS ACCOUNTS EFFECTIVE IMMEDIATELY AS  
PER STRATA COUNCIL'S DIRECTION.**

**IF YOU PAY YOUR STRATA FEES BY AUTO-DEBIT,  
YOU MAY PROVIDE THE ACCOUNTANT OR THE STRATA MANAGER  
WRITTEN AUTHORIZATION VIA EMAIL TO DEBIT YOUR ACCOUNT FOR THE SPECIAL LEVY.**

**Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.**

**Financial Status As at January 31, 2009:**

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Pre-paid Insurance	14,265.00
Contractor Holdback	521.11
Contingency Reserve Fund	66,991.78
Contingency Reserve Fund Study	1,729.44
Building Exterior Reserve	86,691.27
CRF Short Term Securities	48,498.82
Security Camera Reserve	2,064.10
Parking Lights Reserve	182.57
Window Repair Fund	50,199.27
Caretaker's Suite	111,999.79

**Total Assets** **\$455,824.73**

**(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report for March 2009 is attached to these Meeting Minutes. Additional items discussed included the following:

- Due to a cross connection problem with the pressure valves at the 11<sup>th</sup> floor causing some Owners to have problems with their hot and/or cold water. Keith Plumbing & Heating was requested to attend site and the problem has been repaired. At the suggestion of the Resident Manager, Council directed the Strata Manager to get a quotation for twice annual servicing of the pressure reducing valves to eliminate the cross connection problems in the future.
- It was reported the shower drain in unit #603 was leaking through the ceiling of unit #503. Westland Developments will attend to the repair and given the nature of the leak all costs are that of the upper unit Owner.

- The building has experienced several false fire alarms over the past week or so; Council directed the Strata Manager to arrange for Fraser Valley Fire to attend to investigate as the fire panel showed a trouble on the P3 level. Subsequent to the meeting, it was determined (5) smoke detectors on P3 require replacement, which should resolve the false fire alarms of lately. This work has been done.

***Everyone is reminded to stay in their units should they hear the fire alarm. This is a requirement of the Fire Department. The Firemen will provide instructions to the Residents of the building over the p.a. system. As well, due to liability concerns, the fire alarm will not be turned off until such time as the Fire Department attends. The Strata Council appreciates your understanding on this; however if the alarm is silenced and there really is a fire somewhere in the building, the individual who silences the alarm will be held liable.***

Council thanked Dave Fox for his report.

#### **6.1 RESIDENT MANAGER HOLIDAYS**

The Resident Manager will be on vacation from days end June 12<sup>th</sup> through to the morning of June 22<sup>nd</sup>.

#### **6.2 RELIEF CARETAKER POSITION**

There has been very little interest with respect to the position of the Relief Caretaker position to be done by one person. There has been interest expressed by different parties to separate the responsibilities. Council will be speaking directly to the interested parties regarding the work involved to determine if the job can be shared and discuss remuneration.

#### **(7) COMMITTEE REPORTS**

##### **7.1 MAINTENANCE (S. Kanters)**

There was nothing further to report other than reported elsewhere in these Minutes.

#### **(8) CORRESPONDENCE**

Correspondence was received from units 2004, 1102, 1303 x 2, 1103, 905, 1003 regarding items such as request for rental extension, pet removal rebuttal, water staining on ceiling, and water temperature problem.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

***On a more serious note, one Council member reported an incident wherein an Owner verbally harassed and threatened the Council member fortunately for the Council member there was a witness to the incident. Council members are volunteers and should not be subject to this abuse. The Strata Council takes this situation very seriously and will be sending a letter to the individual with respect to the incident. Furthermore the Council member was recommended to file an incident report with the Surrey Police.***

The Strata Manager advised that subsequent to the last Council Meeting and at their direction, correspondence had been sent to units 801, 802 and Val's Gardening Gals.

## **(9) NEW BUSINESS**

### **9.1 STANDARD OPERATING PROCEDURES**

Council reviewed a Living Document emanating the standard operating procedures for The Observatory. After a few amendments, it was MOVED/SECONDED to amended Living Document of standard operating procedures and acknowledged that the document would be renewed annually after each Annual General Meeting.

CARRIED

### **9.2 HOME RENOVATION TAX CREDIT**

The Strata Manager provided Council with an information document related to the Home Renovation Tax Credit. Discussion ensued with respect to the exterior maintenance project and whether the monies paid by unit Owners could be attributed to the HRTC. More discussion is required.

### **9.3 INSURANCE APPRAISAL PROGRAM RENEWAL**

Council reviewed a quotation from Valuations West Property Appraisal in the amount of \$950 plus GST to renew the three year appraisal program. As appraisals are required annually to ensure the Strata Corporation is insured for the cost replacement new value. It was MOVED/SECONDED to accept the quotation from Valuations West in the amount of \$950 plus GST for a three year appraisal program.

CARRIED

### **9.4 CIRCULAR DRIVEWAY DRAIN REPAIR**

Given the nature of the project, it was agreed the Strata Corporation did not budget for this work and as such, will be investigated further and presented to the Owners at the next Annual General Meeting.

### **9.5 FITNESS EQUIPMENT REPAIR / REPLACEMENT**

Previously it was reported to replace the non-functioning fitness equipment with a commercial grade would cost approximately \$5,000. The Council at the Annual General Meeting discussed co-ordinating a committee of residents to investigate and make recommendations to Council on the options available.

**RESIDENTS ARE INVITED TO VOLUNTEER THEIR TIME TO RESEARCH WHETHER TO REPLACE THE NON-FUNCTIONING FITNESS EQUIPMENT AND WITH WHAT. THOSE INTERESTED, PLEASE CONTACT THE STRATA MANAGER TO EXPRESS YOUR INTEREST.**

### **9.6 REMUNERATION FOR STRATA COUNCIL MEMBERS**

An Owner enquired as to whether Strata Managers are paid for their time as a Council Member. Council Members are paid \$25 per meeting and this in the operating budget annually for about five years now. When remuneration was introduced, it was in an effort to entice Owners to sit on Council as no one was interested in doing so. Your Strata Council Members average 12-15 hours per month, twelve months of the year.

### **9.7 PARKADE CLEANING**

Council reviewed a quotation for pressure washing of the underground parkade and the front entrance circular driveway. After a brief discussion, it was MOVED/SECONDED to accept the quotation from Atlas Power Group in the amount of \$1581.80 to complete the above noted work.

CARRIED

The Resident Manager will arrange for this work to be completed sometime in May, which will allow for sufficient time to arrange for alternate parking for the Owners over the course of the work; notices will be posted.

## **9.8 SECURITY EQUIPMENT LEASE**

The Strata Manager confirmed payment of the security equipment lease is up as of June 2009, however as pointed out by the previous Treasurer, Lillian Kerr, the last payment was made at the time of the first payment therefore, payments will be complete as of May 2009 not including the \$100 buy-out payment.

## **9.9 SURREY FIRE SERVICE ORDER TO COMPLY**

Council reviewed an Order to Comply delivered to the Resident Manager after an impromptu inspection of the premises. The Observatory was written up on four items as follows:

1. Repair defective fire alarm panel (G.E. is in progress of doing this and it should be complete shortly).
2. Provide maintenance records per Fire Safety Plan requirements (the Strata Manager will forward these).
3. Suggest replacement of plastic caps at standpipe system with metal type (the Strata Manager will arrange for a quotation for this work). It was noted this is a suggestion not a requirement.
4. Provide for review by the Fire Department an updated "Defend in Place" Fire Safety Plan. (the Strata Manager has arranged for Active Fire & Safety to prepare a quotation for this and the Resident Manager has provided access for the review – the quote will be available for the next meeting).

## **9.10 SECURITY GATE – OWNER VIOLATIONS**

It is repeatedly noted that some Owners are failing to wait till the security gates close before proceeding in and out of the building. With the new camera system in place, the offenders are clearly noted. Council directed the Strata Manager to send a warning letter to one Owner in particular advising continued violation of the security of the building will result in financial penalties levied.

## **9.11 SECURITY DOORS**

Council reviewed a quotation from Action Glass to supply and install three new fire doors (garbage room, weight room and P3) with new locks, lever handles and trim for a cost of \$3585.79 plus GST. It was noted the quote did not include priming and painting the doors. After much discussion, it was agreed to obtain a competitive quotation from Westland Developments for the same work but including priming and painting of the doors for review at the next meeting.

## **9.12 GLOBALIVE WIRELESS**

Council reviewed an email from a company who is interested in leasing roof top space at The Observatory. As Council agreed this endeavour maybe beneficial to the Owners of The Observatory, they directed the Strata Manager to obtain more information.

## **9.13 WATER LEAK (UNIT #1803)**

The Owner of #1803 advised they pushed their refrigerator back in after cleaning behind it, the cut edge of a zap strap punctured the water supply line causing a minor flood. The Owners of the neighbouring units beside and below were contacted, and Pro-Carpet Care attended to address water removal. Each Owner was requested to contact their insurance company should they have improvements or personal contents affected. At this point, it is not expected the damages will exceed the \$5,000 insurance deductible amount and therefore no claim should be necessary but more information will be available at the next meeting.

## **9.14 HEARING OUTCOME – 2004**

Council receive a written appeal from the Tenant of #2004 with respect to Council's decision to force removal of his dog as it exceeded the weight restriction set out in the Bylaws.

On April 1, 2009 Council met with the Tenant and reviewed the appeal and reversed their decision for the following reason. Council has observed approximately 10 dogs who are residing at The Observatory and who potentially exceed the weight criteria set out in the Strata Corporation Bylaws thereby making it impractical to enforce the pet bylaw. The Strata Council has agreed it would be unfair to expect removal of one dog unless they were to also request that all other dogs exceeding the weight criteria are also removed. Given the above decision, it will be necessary for the Strata Council to propose a Bylaw amendment at the next General Meeting to address the weight criteria. It was further noted, all other Bylaws pertaining to pets must be upheld at all times.

#### **9.15 TELUS SERVICE**

For those Owners who currently have Shaw as their television and internet provider and are considering a change to Telus, it has been reported that once you change your provider for all services to Telus, there may be problems with the enterphone. Telus has been unable to resolve this problem for one Owner and as such they have remained with Shaw. It is Strata Council's recommendation Owners remain with Shaw for their additional services.

#### **(10) TERMINATION**

There being no further business, the meeting was adjourned at 9:42 p.m. The next meeting is scheduled for Tuesday, May 12, 2009 within the Activity Room.

Susan MacGregor  
Strata Manager

**Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.**

**Monthly Managers Report  
The Observatory - LMS 2093  
March 2009**

- Smart-Tek on site to diagnose and repair the fob system, which intermittently has been known to shut down. RM was also shown proper procedure to back up files, which was not included in our original training. ( Mar 2)
- Telus service techs onsite to determine fault with enter phone system temporarily disconnecting subscribers of Telus internet & T.V. when enter phone is dialling. RM has informed council and is awaiting their response. (Mar 2)
- RM has informed-reminded Alarmtron via email & phone of power outage/vault cleaning scheduled for Thursday, March 5<sup>th</sup> 2009. (Mar 2)
- Thyssen Krupp here to replace the PI board on elevator car "A" which indicates which floor you are on, also replaced floor indicator bulb in car "B"
- Houle electric here to perform the tri-annual vault inspection and cleaning (Mar5)
- Fraser Valley Fire Protection here to diagnose problems with the fire panel fault codes. Found some damaged wiring and system restored to normal operation. (Mar9)
- Pro Carpet here to remove black marks in the carpet left by resident and guests who booked the amenities room. The room was left in a very messy state and deposit was not returned as they were charged for the cleaning. (Mar 9)
- Honeywell called in to investigate and rectify the #1 boiler cutting out and not maintaining heat in system, as well as determining why boiler #2 is not firing as a back-up.(Mar12)
- Imperial Paddock Pools tech on site to assess the Hot Tub heater, he determined that it is old and not worth re-building again, quote to follow to replace with new, council will then decide on how they wish to proceed.(Mar12)
- XTR on site to investigate water ingress into 4 suites and to repair from exterior of the building on a boson's chair. Repairs to be completed weather permitting.(Mar12)
- Surrey Fire Dept. on site to conduct an inspection of our fire suppression equipment, alarm panels, and procedures / signage. A newly updated plan is in the works and we will be presented to all residents once in place. (Mar 17)
- RM called the RCMP to respond to a suspicious person standing by the parkade entrance. He asked a resident to let him in and when he refused the man asked him for spare change. This person was well dressed and carrying a brief case, according to the police he matches a description of a thief they are looking for. Please do not let anyone follow you into the building or parkade and report all suspicious activity immediately to the RCMP. **We still have a few residents not waiting for the parkade gates to fully close**, this is an open invitation to thieves. (Mar 18)
- Pipe leaking on the 11<sup>th</sup> floor in the ceiling, had Hymark come to assess and temporarily clamp style repair, they have recommended a section of the piping be replaced as it is the original thin wall copper that was installed when the building was built.(Mar20)

- Two separate break-ins to the visitor parking occurred over the week-end, both times the vehicles passenger side windows were smashed and access was gained on the opposite side of the cameras. RM has taken further security measures to restrict access from south staircase as a possible point of entry (Mar21-22)
- XTR here on sight to conduct boson's chair exterior repairs the four suites' windows that were experiencing water ingress, a full report from XTR is forthcoming and will be presented to council upon completion. (Mar25)
- Elevator car "B" down for mechanical repairs should be repaired and back in service by tomorrow according to TK service tech (Mar30).
- Front door magnetic lock failed, emergency call placed to Action doors to resolve and repair problem, RM monitoring door access until repairs are completed. (Mar31)





**COUNCIL MEETING MINUTES**

**THE OBSERVATORY – LMS 2093**

*Tuesday, March 17, 2009*

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2009/2010**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**CO-TREASURERS**

Amanda Lowden - #402

**MAINTENANCE**

Stephen Kanters - #1803  
Tibor Putics - #407

**PARKING**

Patricia Cabanos - #905

**AT LARGE**

Francis Tsui - #2201

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
Direct Phone: (604) 592-3542  
E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**

13520 78TH AVENUE  
SURREY, B.C. V3W 8J6  
(604) 591-6060

**24-HOUR EMERGENCY:**

Phone: (604) 591-6060

**ATTENDANCE:**

Al Waldorff  
Tomas Vasquez  
Amanda Lowden  
Stephen Kanters  
Francis Tsui  
Patricia Cabanos  
Tibor Putics

**REGRETS:**

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**(1) CALL TO ORDER**

The meeting was called to order at 6:30 p.m. A quorum was established. An election of Council positions was held and resulted as follows:

President	Al Waldorff
Vice President	Tomas Vasquez
Treasurer	Amanda Lowden

Committee Liaisons were established as follows:

Bldgs/Maintenance	Stephen Kanters / Tibor Putics
Parking	Patricia Cabanos

**(2) APPROVAL OF THE AGENDA**

After a review of the Agenda and the addition of a few items, it was MOVED/SECONDED to adopt the Agenda as amended. CARRIED

**(3) ADOPTION OF PREVIOUS MINUTES**

As there were no reported errors or omissions, it was MOVED/SECONDED to adopt the Minutes of the January 13, 2009 Strata Council Meeting as prepared by Baywest. CARRIED

In addition, it was MOVED/SECONDED to adopt the Minutes of the January 19, 2009 as prepared by Strata Council. CARRIED

**(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 BUILDING EXTERIOR MAINTENANCE**

Owners are reminded the special levy for the building exterior maintenance work was due on February 28, 2009. The Strata Manager reported approximately 50% of the Owners have made

payment, however many have not. It is imperative all funds are collected in order to ensure the project can proceed as planned.

Payment can be made at Baywest Management in the form of cheque, money order or cash. As well, if you pay your strata fees by auto debit, Owners may provide Baywest with written permission via email to deduct the amount from your account. Please email the Accountant or the Strata Manager.

Also, a special note of thanks was extended to Stephen Kanters by Tomas Vasquez for his direct involvement with the Building Exterior Maintenance project; Stephen was instrumental in putting together the revised scope of work, working with Master Painters Association and negotiating the cost of the project down to an amount that was acceptable to the Owners.

#### **4.2 BC HYDRO REBATE PROGRAM**

The Strata Manager advised the application for a rebate for the costs expended with the lighting upgrade.

#### **4.3 CONTINGENCY RESERVE FUND STUDY**

A revised report from Halsall was provided to Council for their review and consideration. Council has agreed to meet during the week of March 16<sup>th</sup> to review and discuss the report, after which Council will meet with Halsall Consultants.

#### **4.4 WATER DAMAGE - #1204**

Council reviewed a letter from the unit Owner offering a settlement towards the \$5,000 insurance deductible owing as a result of a water damage claim. After a detailed discussion and given the Owners input at the Annual General Meeting with respect to the Mediation Settlement with unit #1303, it was MOVED/SECONDED to not accept the settlement of \$3,500 towards the \$5,000 owing. CARRIED

The Strata Council believes if they settle with this Owner, they will be setting a precedent for all future potential claims. The Owners at the AGM felt the Owner of #1303 should be responsible for the costs related to the water damage caused as of the failed shower diverter and as such, the Strata Council will follow the mandate of the Ownership. The Strata Manager reported the Owners Mortgage Company has contacted Baywest with respect to the outstanding and advised they will make payment.

#### **4.5 LANDSCAPING SERVICES**

The Strata Manager advised she would follow up with Acme Landscaping for a copy of scheduled maintenance for the year. Council reviewed an invoice from ACME Landscaping for clean up of the common area in the amount of \$1,250. As this is not part of the contract, it was MOVED/SECONDED to approve the invoice and direct Baywest to make payment. CARRIED

#### **4.6 INSURANCE CLAIM**

Council confirmed receipt of the time sheets from Keith Plumbing and Heating regarding the work completed during the water damage, which occurred on August 22, 2008. Council previously approved 50% of the invoiced amount. The Strata Manager recommended a site meeting be held to review all of the work completed. Stephen Kanters agreed to schedule time for this meeting; the Strata Manager and the Resident Manager will also attend.

#### **4.7 THYSSENKRUPP ELEVATOR SAFETY LICENSING RENEWAL**

The Strata Manager advised a new contact with ThyssenKrupp has been made and he will review the work that was completed to determine what additional work is required to renew the licensing of the elevators.

#### **4.8 HOULE ELECTRIC CONTRACT**

Houle Electric completed the required work on March 5, 2009. Owners are thanked for their patience during the power shut down.

#### **4.9 ANNUAL GENERAL MEETING**

Further to the Annual General Meeting, and the approved Bylaws, Council directed the Strata Manager to arrange for the approved Bylaws to be copied for distribution to the Owners.

#### **4.10 REQUEST FOR HEARINGS**

Further to a meeting held on February 10, 2009 to address concerns put forth by two Owners who requested the opportunity for a hearing, Council reported the below:

- Council addressed a complaint from an Owner regarding a Tenant's dog. After much consideration, it was the decision of Council to request that a pet be removed from the premises as it does not fall within the guidelines of the Strata Corporation Bylaws. A letter was sent to the unit Owner's representative and the Tenant advising of Council's decision. At the March 10<sup>th</sup> Meeting, Council reviewed a letter from the Tenant requesting an appeal to their decision. Council directed the Strata Manager to send a letter reiterating the Bylaws.
- Council addressed a complaint from an Owner with respect to fines levied and a lien filed against their strata lot without proper notification of the arrears. After some consideration, it was the decision of Council to reverse the lien charges and some of the fines as they feel they felt the Owner may not have had proper notification of the arrears. As well, they requested Baywest refund the Strata Corporation the \$420 charged to file the lien less \$100 for the required administration costs. The Strata Manager advised the General Manager of Baywest would respond to Council's request regarding the refund; however in the Strata Manager's opinion Council was provided all the information relating to the unit Owner in arrears and it was Council's decision to levy the lien; not Baywest.

#### **4.11 SMALL CLAIMS ACTION (#1303)**

On February 27, 2009, Council Members Tomas Vasquez and Stephen Kanters attended Surrey Provincial Court on behalf of Strata Corporation LMS 2093 and Berit Hansen and Susan MacGregor were present on behalf of Baywest Management. A Mediator was assigned to the case that asked specific questions, allowed each party to present their case and offered an opportunity for settlement. The Strata Council advised Mr. Popov and the Mediator, the Owners of LMS 2093, at the Annual General Meeting on February 24<sup>th</sup> unanimously agreed an Owner must be held responsible for repairs when a shower diverter cartridge fails. Baywest Management stated they were unsure as to why they were named in the suit and suggested they be dropped from the suit as they have nothing to do with the repairs and will not agree to compensate the Strata Corporation or the Owner for the repairs. Mr. Popov argued the Strata Corporation should take responsibility for at least a portion of the repairs as the failure was likely due to the water main fluctuation the building experienced. The Mediator was advised the fluctuation took place on August 22<sup>nd</sup> and the leak in Mr. Popov's unit was noticed in October; therefore the Strata Corporation Representatives do not believe the two were linked. As there was no settlement forthcoming from Mr. Popov or the Strata Corporation Representatives, the Mediator advised the next step would be a Pre-Trial Conference and a date would be scheduled by the Courts with notification being sent to all parties involved. Ms. Hansen, General Manager of Baywest Management advised Strata Corporation Representation should the claim proceed to Pre-Trial Conference, Baywest would be charging for their time and involvement as allowed by the Management Agreement with LMS 2093.

*Subsequent to the meeting, Council and Baywest Management received written notification of Notice of Pre-Trial Conference for April 2<sup>nd</sup>.*

## **(5) FINANCIAL REPORT**

### **5.1 FINANCIAL STATEMENTS**

After a review of the Financial Statements and at the recommendation of the Treasurer, it was MOVED/SECONDED to approve the January 31<sup>st</sup> and February 28<sup>th</sup>, 2009 Financial Statements as prepared by Baywest Management. CARRIED

The Strata Manager advised Council the Strata Property Act provides for 60 days from the fiscal year-end that being, January 31<sup>st</sup>, 2009 to provide the Period Final Financial Statements.

### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$13,271.86, which does not include the December 9, 2008 special levy charges but does include a charge of \$5,000 related to one unit for an insurance claim. The Strata Manager reported payment of approximately \$6,500 is forthcoming in the next couple of days, which was confirmed through a telephone conversation.

***OWNERS ARE REMINDED THE SPECIAL LEVY WAS DUE FEBRUARY 28, 2009.***

***PLEASE MAKE IMMEDIATE PAYMENT TO AVOID ANY FINANCIAL PENALTIES.***

***IF YOU PAY YOUR STRATA FEES BY AUTO-DEBIT,  
YOU MAY PROVIDE THE ACCOUNTANT OR THE STRATA MANAGER  
WITH WRITTEN AUTHORIZATION TO DEBIT YOUR ACCOUNT FOR THE SPECIAL LEVY.***

**Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.**

### **Financial Status As at January 31, 2009:**

Bank	\$47,333.21
Petty Cash	500.00
Accounts Receivable	10,607.09
Accrual Revenue	95.94
A/R Special Assessment Deficit Recovery	89,026.56
Pre-paid Insurance	19,020.00
Contractor Holdback	521.11
Contingency Reserve Fund	57,350.69
Contingency Reserve Fund Study	7,063.47
CRF Short Term Securities	48,498.82
Security Camera Reserve	2,060.07
Parking Lights Reserve	7,016.64
Window Repair Fund	50,118.91
Caretaker's Suite	111,999.79
<b>Total Assets</b>	<b>\$472,194.12</b>

### **5.3 ALLEGATION OF UNAPPROVED EXPENDITURES**

Further to the report made by the Strata Manager at the Annual General Meeting that an Owner verbally advised of a situation wherein a Council Member made accusations against another Council member regarding unapproved purchases, the Strata Manager advised this Owner was not willing to put the

words to paper. Mr. Tsui stated the situation was likely a misunderstanding and with the new Asset and Supplies Registry in place as well as the Inventory Registry, the Strata Council and Resident Manager will work together to ensure spending is controlled.

#### **(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report is attached to these Meeting Minutes. Additional items discussed included the following:

- Fire panel constantly having intermittent trouble signals; Contractor has attended but no resolve as of yet. See New Business 9 (k) for more information.

Council thanked Dave Fox for his report.

#### **6.1 RESIDENT MANAGER CONTRACT**

Owners received the Minutes of January 19<sup>th</sup> prepared by Council regarding the Resident Manager Contract.

#### **6.2 RELIEF CARETAKER POSITION**

Doreen Roseberry has provided Council with her written letter of resignation as the Relief Caretaker to be effective March 31, 2009 as she is moving to Kamloops. The Strata Council is appreciative of Ms. Roseberry's past service and wishes her all the best in her new home.

Council discussed temporary coverage, as well as two applications received for the position. It was agreed the duties for the position would need to be reviewed prior to hiring a new Relief Caretaker. A Committee of Council Members was created and they will report back to Council at the next meeting.

#### **(7) COMMITTEE REPORTS**

##### **7.1 MAINTENANCE (S. Kanters)**

There was nothing further to report other than reported elsewhere in these Minutes,

##### **7.2 SOCIAL**

It was agreed any social events would be reported as they are planned but there would not be a monthly Social Report.

#### **(8) CORRESPONDENCE**

Correspondence was received from units 801, 802, 2004 and Val's Gardening Gals regarding items such as pet concerns, failed sealed window, shattered patio door, request to install laminate flooring and recommendations for improved gardens.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

The Strata Manager advised that subsequent to the last Council Meeting and at their direction, correspondence had been sent to units 1606, 2004, 807, 403, 601, City of Surrey and Keith Plumbing and Heating.

#### **(9) NEW BUSINESS**

##### **9.1 STANDARD OPERATING PROCEDURES**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

## **9.2 HOME RENOVATION TAX CREDIT**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

## **9.3 INSURANCE APPRAISAL PROGRAM RENEWAL**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

## **9.4 GARBAGE CONTAINER INSTALLATION**

Council reviewed a quotation from BFI, the waste removal company to install a 2 yard garbage container to be services 1 time a month for a cost of \$38.00; the cost for extra pick ups within the monthly period would be an additional \$20 per pick up. Council discussed the cost after which it was MOVED/SECONDED to proceed with installation of the garbage container. CARRIED

Owners are advised the container will replace the Resident Manager's trailer and are reminded only approved items are to be dumped in the container. Home renovation materials are not allowed; the new security system will ensure any Owner in violation of this Bylaw will be determined and fines/costs will be charged back.

## **9.5 WINDOW CLEANING**

Council agreed to hold off with window cleaning until after the exterior building project work is complete and after the window replacement project is further investigated.

## **9.6 DRYER VENT CLEANING**

Council reviewed a quotation from Air Vac Services for cleaning of the dryer vents from the exterior of the building for a cost of \$3000. It was MOVED/SECONDED to approve the quotation from Air Vac Services and direct the Strata Manager to schedule the work for mid-April. CARRIED

***Dryer vent cleaning is scheduled for April 21<sup>st</sup> to April 23<sup>rd</sup>. Access to units is not required. Notices will be posted prior to the work commencing.***

## **9.7 CIRCULAR DRIVEWAY DRAIN REPAIR**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

## **9.8 FITNESS EQUIPMENT REPAIR / REPLACEMENT**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

## **9.9 HOT TUB REPAIR**

It was recommended a quotation is obtained in order to proceed with repairs to the hot tub. The Resident Manager will contact Imperial Paddock Pools for a quotation.

#### **9.10 WINDOW WATER INGRESSION (Units 1906, 1105, 1005, 1702)**

The Resident Manager reviewed with Council the water ingress problems noted in four units and confirmed XTR Contracting would be on site later this week to complete drops down the side of the building to review the caulking around the windows in an effort to determine the source of the problem.

#### **9.11 FIRE PANEL FAULT**

Council reviewed a letter from Fraser Valley Fire advising there is an intermittent fault coming in on the fire panel and due to it coming and going so quickly, they are unable to ascertain the exact cause. The believe part of the problem is the panel, which would be very expensive. The Resident Manager recommended G.E. Security be contacted to investigate given the equipment. He noted Fraser Valley Fire is a very competent company; however the equipment is proprietary to G.E. Security. The Strata Manager will contact G.E. Security on the next business day.

*Subsequent to the meeting, it was determined by G.E. Security the power supply was faulty and required replacement. Council reviewed a quotation for \$3,248 to replace. Given the need to replace the power supply immediately and not wait till the next Strata Council Meeting, it was MOVED/SECONDED via email communication to accept the quotation from G.E. Security to replace the power supply as soon as possible.*  
**CARRIED**

#### **9.12 RENUMERATION FOR STRATA COUNCIL MEMBERS**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

#### **9.13 PARKADE CLEANING**

In order to not exceed the two hour meeting schedule, it was agreed to table this item until the next meeting.

#### **(10) TERMINATION**

There being no further business, the meeting was adjourned at 9:47 p.m. The next meeting is scheduled for Tuesday, April 14, 2009 within the Activity Room.

Susan MacGregor  
Strata Manager

<b>Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.</b>
--

**Monthly Managers Report  
The Observatory - LMS 2093  
January 2009**

- RM cleared driveway and sidewalks with new snow thrower to assist residents in accessing the main street and reduce flooding out front.(Jan5)
- Technician from Smart House CCTV conducted a complete audit of security system and necessary upgrades with RM. (Jan6)
- Vanrook Electrical on site to begin retrofit of parkade fluorescent lighting over to energy saving ballasts and bulbs. (Jan7)
- Smithrite on site to conduct regular preventive maintenance service on trash compactor, RM has requested that the hydraulic oil & filter change be performed in the next few weeks as per our annual service contract. (Jan 8)
- Honeywell technician here today to replace broken fan belt on P2 level exhaust fan and straighten out mess screen that was pushed in by homeless/thieves trying to gain access to the parkade. (Jan8)
- The building suffered flooding on the 12<sup>th</sup> floor due to a removed diverter cartridge and subsequent integral bypassing. Several suites have been affected as a result. **Please contact the RM before attempting any plumbing or electrical work in the building.**(Jan8)
- Finning Canada on site to conduct the annual load bank and emergency generator readiness testing. (Jan14)
- Fraser Valley Fire Protection had their technician here to investigate problems with the fire panel, further ongoing diagnosis is required at this point to locate and resolve problem, GE has been contacted as well.(Jan14)
- Smithrite service tech on site to perform complete hydraulic oil and filter change to the garbage compactor as per annual schedule. (Jan21)
- Hot tub and Sauna have both been temporarily closed due to equipment failures caused by advanced age.(Jan22)
- Main lobby doors' door closer has failed and RM to investigate and start necessary repairs Monday Jan 26/09 (Jan 24)
- Action Glass on site on Tuesday to replace main Lobby door closer, repair hinges and re-set door height.( Jan 27)
- Houle Electric here to check electrical vault to determine requirements for tri-annual cleaning and maintenance.(Jan 28)
- SCM Adjusters and First on Site here to inspect suites affected by the flood on Jan 8/2008.(Jan 29)



**Monthly Managers Report  
The Observatory - LMS 2093  
February 2009**

- Action Glass measured and quoted on three doors for replacement, (P3 storage, Garbage, and Weight/Sauna rooms) as they have become de-laminated and do not close properly. (Feb 2)
- Giant Smarthouse CCTV tech here to start with the replacement of the security cameras / equipment upgrade as per SGM approval (Feb 3)
- Another break-in last night from Visitor parking to P1, as a result a resident's car was vandalized and items left inside were stolen. Wires were cut on the P3 Level fire phone in an attempt to disable our security system. **Please ensure that you wait for each gate to close completely behind you, before proceeding when entering or exiting the parkade. Report all suspicious persons and behaviour immediately to the Police by calling 911** (Feb 3)
- Honeywell tech here to conduct routine maintenance to the air make up unit, and to install heavier gauge screens on the exterior of the exhaust fans on the west wall where the homeless and the undesirables have been trying to gain access to the parkade and damaging the fans, motors, belts in the process. (Feb 3)
- RM repaired the fence on the west property line, looks like someone tried to climb over it and broke the top bar mount. (Feb 3)
- Acme Lawn & Garden here to clean up property for the new summer season, including tree & bush trimming. (Feb 9-10 & 13<sup>th</sup> & Feb 17-18<sup>th</sup>)
- Creative Door on site to replace broken hinge on interior gate, a solenoid on the external gate, as well as preventive maintenance to both doors. (Feb 10)
- Alarmtron on site to replace the batteries in the fire alarm panel downstairs. (Feb 13)
- RM installed a secondary locking device and fortified existing doors on the generator room to help prevent un-authorized access. (Feb 16)
- Entry-phone system has been experiencing random faults; RM contacted Smart-Tek and was given complete instruction on re-booting system completely at panel and in phone room. System appears to be working normally again, also cleaned off the awful looking plastic on the panel (Feb 16)
- RM had to repair East gate latch to back yard and installed a secondary lock & chain. (Feb 16)
- RM completed summer storage maintenance on snow thrower, including fuel stabilizer (Feb 16)
- RM removed the ugly plastic film from the entry phone panel (Feb 17)
- Thyssen Krupp here to perform regular monthly elevator service, RM has requested a quote to replace the de-laminating door panels (Feb 23)
- Steve Kanters completed ceiling repairs in the Lobby and Floor # 2, finalizing the work for the new security cameras. (Feb 23)
- Janicorp here to re-wax and seal lobby floors, main, P2, & P3 (Feb 27)



**ANNUAL GENERAL MEETING MINUTES**

**Monday, February 23, 2009**

**THE OBSERVATORY - LMS 2093**

**LOCATION:**

7:00 p.m. - Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2009/2010**

**PRESIDENT**

Al Waldorff - #1705

**MEMBERS AT LARGE**

Tomas Vasquez - #1304

Francis Tsui - #2201

Stephen Kanters - #1803

Amanda Lowden - #402

Patricia Cabanos - #905

Tibor Putics - #407

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor

Direct Phone: (604) 501-8772

Fax: (604) 592-3668

E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz

Direct Phone: (604)-592-3542

E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**

13520 78TH AVENUE

SURREY, B.C. V3W 8J6

Phone: (604) 591-6060

**ATTENDANCE:**

27 Owners registered and represented in person

24 Owners registered and represented by proxy

Dave Fox, Resident Manager

Susan MacGregor, Baywest Management Corporation

**(1) CALL TO ORDER**

The President called the meeting to order at 7:00 p.m.

**(2) INTRODUCTIONS**

The Owners were welcomed to the Annual General Meeting. Council members and the Strata Manager from Baywest Management Corporation were introduced.

**(3) CALLING THE ROLL/CERTIFICATION OF PROXIES**

The Strata Manager called the roll in accordance with the requirements of the Strata Property Act, Section 56, certified all proxies. Also required by the Act, [section 48 (2)], is that a quorum, which consists of one-third of the Owners in good standing, be present either in person or by proxy, in order for the meeting to proceed. It was noted that although there are 127 units in the building, the Strata Corporation's suite would be exempted from the count and would not be included in the voting. Of the 126 Owners, 125 were eligible to vote of which 51 Owners were represented; 27 in person and 24 via proxy. As the quorum requirement of 41 had been met the meeting was deemed competent to proceed with the business at hand.

In order for the budget to be adopted for the purpose of this evening's meeting, it would require a simple majority vote of 27. A  $\frac{3}{4}$  Vote Resolution would require 39 to pass.

**(4) ELECTING THE CHAIR OF THE MEETING**

The President, Al Waldorff advised those present, if there were no objections from the floor, the Strata Council requests the Strata Manager facilitate the meeting. As there were no objections from the floor, the meeting proceeded.

**(5) PROOF OF NOTICE**

Section 45(1) of the Strata Property Act states the Strata Corporation must give at least 14 days' notice of an Annual

General Meeting, specifying the place, date, time and nature of the business. Section 61 (3) states a notice given by post is deemed to have been given 4 days after it has been mailed. The notices of this evening's meeting were mailed to each Owner's last-known address on February 2, 2009, which is in accordance with the timeframe set out in the Act. Notices contained the Agenda, the proposed 2009/2010 budget and corresponding fee schedules, the Budget Summary as of December 31, 2008, a copy of the insurance summary, several  $\frac{3}{4}$  Vote Resolutions and a proxy voting form. It was then MOVED – 504 that the proof of notice be accepted. SECONDED – 402.

The motion was

CARRIED

All requirements had been met and the meeting was therefore deemed competent to proceed.

**(6) ADOPTION OF THE AGENDA**

It was MOVED – 1503 to adopt the Agenda as presented. SECONDED – 403. The motion was

CARRIED

**(7) ADOPTION OF PREVIOUS MINUTES**

Owners were advised it was necessary to approve the Annual General Meeting Minutes of February 12, 2008 and the Special General Meeting Minutes of December 9, 2008 of which copies have been distributed to the Owners.

As there were no noted errors or omissions, it was MOVED – 1005 the Minutes of February 12, 2008 are adopted as presented and distributed. SECONDED – 402. The motion was

CARRIED

As there were no noted errors or omissions, it was then MOVED – 1803 the Minutes of December 9, 2008 are adopted as presented and distributed. SECONDED – 403. The motion was

CARRIED

**(8) INSURANCE REVIEW**

The Observatory is currently insured with Coastal Insurance Services Inc. in the amount of \$27,294,000. The annual insurance premium is \$28,530 and renews on October 1<sup>st</sup> each year. Owners were advised the increase in premium was due to the increase in property value of almost \$3,000,000 over the course of the year. The deductibles on the insurance policy are as follows:

All Perils - \$1,000; Earthquake – 10%; Water Damage & Sewer back up - \$5,000; Flood - \$10,000; Pollution - \$10,000 and Glass - \$100.

Owners were advised the Strata Corporation insures the buildings inside and out as they were originally constructed to like kind and quality. Owners are responsible to insure the personal items they bring into the strata lot, all personal effects and any betterment or improvements that may have been made to the strata lot over time. It is also recommended to have insurance coverage for the Strata Corporation's insurance deductible.

**(9) COUNCIL PRESIDENT REPORT**

See attached report.

*At this time, two more Owners joined the meeting bringing the total representation to 50.*

**(10)  $\frac{3}{4}$  VOTE RESOLUTIONS**

**10.1  $\frac{3}{4}$  VOTE RESOLUTION "A" – BYLAW ADDITION**

Be it resolved as a  $\frac{3}{4}$  Vote of the Owners of Strata Plan LMS 2093, THE OBSERVATORY, that the Strata Corporation's Bylaws, specifically Division 1, Bylaw 21 be amended by adding sections (3) and (4) as follows:

## **21. Spending Restrictions**

- (3) The Strata Corporation may acquire personal property for the use of the strata corporation.**
- (4) Despite subsection (3), the strata corporation must obtain prior approval by a resolution passed by a  $\frac{3}{4}$  vote at an annual or special general meeting of an acquisition or disposal of personal property if the personal property has a market value of more than \$2,500.**

Having read the Resolution aloud, it was MOVED – 1003 to adopt  $\frac{3}{4}$  Vote Resolution "A" as presented. SECONDED – 1005.

The Owners were advised the purpose of the resolution is to allow the Strata Council the opportunity to make decisions related to purchasing of personal assets such as the snow blower for the benefit of the building. The Strata Property Act sets out an allowable limit of \$1,000 unless otherwise approved by the Owners. The Strata Council felt the limitation of \$1,000 was too low and the limitation of \$2,500 would better serve the Ownership so the Council would not have to go back to the Owners with a  $\frac{3}{4}$  vote resolution should the occasion arise again. It was noted there is nothing at this point the Strata Council is considering purchasing but if the need arises in the future; it would eliminate the need for a Special General Meeting.

As there was no further discussion, a vote was called by a show of voting cards on  $\frac{3}{4}$  Vote Resolution "A". There were 50 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

## **10.2 $\frac{3}{4}$ VOTE RESOLUTION "B" – BYLAW ADDITION**

Be it resolved as a  $\frac{3}{4}$  Vote of the Owners of Strata Plan LMS 2093, THE OBSERVATORY, that the Strata Corporation's Bylaws, specifically Division 1, specifically Bylaw #8 be amended as follows:

### **Division 1 – Duties of Owners, Tenants, Occupants and Visitors**

#### **8. Renovations**

- (1) Owners are required to provide council with a copy of the Contractors insurance coverage (minimum of \$2,000,000 liability) along with the security deposit.**
- (2) All renovations, once approved must be completed within three weeks of commencement of the renovations unless written permission from Council to extend is obtained.**
- (3) Any renovation, alteration or installation work which may disturb other residents must be done during weekdays, Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m., Saturdays between the hours of 10:00 a.m. and 5:00 p.m., and are not permitted on statutory holidays.**
  - (a) Trade and delivery vehicles are not allowed to be parked in the Visitor's Parking area, or in the driveways.**
  - (b) Work is not allowed to be carried out in the common area, only the suite.**
  - (c) No debris is to be left in any common or limited common area, including elevator. All "mess" is to be cleaned up immediately.**
  - (d) All construction material is to be removed from the building completely at owner's expense, not placed in the garbage room or in any of the garbage containers (garbage compactor or recycling bins).**

- (e) Seven (7) days notice to Resident Manager is required before any water shut-off can be undertaken. Whenever possible, it is requested that the plumber for the building be used.
- (f) The prior permission of council is required before undertaking any alterations to common floors, ceilings, walls, electrical or plumbing systems. Appropriate studies to be carried out before final approval can be given. All reviews of such application will only be considered at regular council meetings (no rush application allowed).
- (g) Fines can be imposed at the discretion of council should any of the bylaws or rules not be adhered to.

Having read the Resolution aloud, it was MOVED – 1502 to adopt ¾ Vote Resolution “B” as presented. SECONDED – 1004.

The Owners were advised the purpose of the resolution is a matter of housekeeping. The same resolution was reviewed and approved by the Ownership at the February 2008 Annual General Meeting, however some of the working was incorrectly filed at Land Titles and therefore this Bylaw is again brought before the Owners to approve so it can correctly be filed at Land Titles. It was noted the wording not properly filed was the dates and times allowed during the moving process.

As there were no questions, a vote was called by a show of voting cards on ¾ Vote Resolution “B”. There were 50 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

#### **(11) MAJORITY VOTE RESOLUTION**

##### **11.1 MAJORITY VOTE RESOLUTION “A” – AMENDMENT OF RULES**

## **THE OBSERVATORY – LMS 2093 RULES**

(Revised Sept 9, 2008)

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Rules are put in place to govern the use, safety and condition of the common property and common assets and the safety of the complex, for the benefit of all residents.

Failure to observe these Rules may result in a fine of up to \$50 as per the Bylaws. Repeat offences will result in doubling of fines until a settlement is reached.

It is suggested and recommended that you familiarize yourself with the Bylaws and Rules of the Strata Corporation.

### **SECTION I – SECURITY**

1. When entering the building, do not hold the door open for a person behind you, unless you know that person to be a resident. Tell anyone unfamiliar to you that they must use a key fob or the Enterphone to gain entry. **BE FIRM.**
2. Do not admit canvassers, solicitors or advertisers, or unidentified persons into the building for any reason or excuse.
3. Be certain you know who is calling on your Enterphone before buzzing them in. Use your TV Channel 116 to check the person if you are in any doubt. If using digital cable, please use Channel 399.

4. When entering or exiting the parkade, drivers must stop and wait for the security gates to close behind them before proceeding. Do not allow another vehicle to follow you in or out.

## SECTION II – SAFETY

5. Drivers must observe the posted speed limit of 10km/hr (dead slow) in the Parkade.
6. Use of rollerblades and skateboards is prohibited in all common areas, parking areas and driveways.
7. Residents shall not keep or store highly combustible products such as gasoline anywhere on the premises.
8. Fire alarms are to be activated ONLY in the case of fire or other emergency. The cost of the Fire Department or Police response to a false alarm will be assessed to the perpetrator of the false alarm.
9. No live Christmas trees are permitted anywhere on the premises due to Fire Department regulations and Insurance Company stipulations.
10. Christmas and seasonal lights are ONLY permitted between December 1 and January 31 and must only be attached to the balcony metal railing without drilling any holes.

## SECTION III – USE OF PREMISES

11. SMOKING is prohibited in all common areas, including, the lobbies, hallways, elevators, stairwells, parking areas, storage areas, activity room, spa, sauna and exercise room .Throwing of cigarette butts or litter from balconies is strictly forbidden. (Please respect your neighbours).
12. There are strict regulations regarding PETS living or visiting The Observatory in accordance with the Strata Corporation's Bylaws. Please ensure you have properly registered your pet with the manager in case of emergency.

### **Vehicle Parking**

13. Washing of cars is not permitted on Strata property.
14. Mechanical work of any kind on any vehicle is not permitted in the Visitor Parking area or in residents' assigned stalls.

### **RESIDENT Parking Area**

15. Residents must park in their assigned stalls.
16. Residents who wish to park an unlicensed vehicle in their assigned parking space must provide the Council with a copy of Storage Insurance including Third Party Liability to \$1 Million. Vehicles must be in full working order at all times, and storage certificate visible in window.
17. Residents requiring parking stalls at the Resident Parking Area may apply to the strata corporation for the lease of a strata-parking stall for a monthly fee of \$45. Availability is on first come first serve basis as per the Waiting List administered by the Council. The lease is executed between the unit owner and the strata corporation.

### **VISITOR Parking Area**

18. Resident and Unlicensed Vehicles are prohibited from parking in the Visitor Parking Area.
19. Non-Residents are not permitted to use any Visitor Parking Stalls as a daily or regular parking lot for convenience. Non-residents regularly leaving the Observatory with their vehicles parked at visitor parking area are deemed to be in breach of this rule. Vehicles will be towed without notice as per #23.

20. **Display Permit / Pass** - All vehicles in the Visitor Parking area must display on the dash or rear-view mirror in plain view, a Visitor's Parking Permit or valid Long Term Permit.
21. **A Long Term Permit** for \$20 valid for 2 weeks parking can be issued to visitors requiring temporary longer-term parking at the visitors parking area. The Permit is renewable but subject to availability and/or Council's approval.
22. **Overnight Parking Rule** – Guest vehicles parking at the Visitor Parking area for more than three consecutive nights are required to apply for a Long Term Permit.
23. Vehicles in breach of any vehicle parking rules will be towed by the towing contractor without notice and at the Owner's expense. Owners in breach of the parking rules will also be subject to fines as per the Strata By-Laws.
24. The resident providing the Visitor Parking Permit shall be responsible for any mess (leaking fluids or litter) left by the visitor's vehicle.

#### **Recreational Facilities**

25. The recreational facilities are for the exclusive use of residents and their invited guests. They should be used only in the manner for which they are intended and designed.
26. Children under the age of 14 must be supervised by an adult resident at all times when in the recreation areas.
27. The Strata Corporation is not responsible for loss of personal property or for injury or death resulting from the use of the spa facilities or exercise equipment.
28. No boisterous activity, loud music, or rough play is permitted.
29. No food or drinks are permitted in the recreation areas (hot tub, sauna or weight room).
30. No glassware, glass bottles or other breakable items are permitted in the recreation areas.
31. The Activity Room is for the exclusive use of residents and their invited guests. It may not be used for any commercial function except when it is deemed to be beneficial to all residents by the Strata Council or management.
32. The Activity Room may be booked for private functions between the hours of 8:00 a.m. and 10:30 p.m. The event must be terminated by 10:30 p.m. and the Activity room vacated by 11:00 p.m.
33. A damage deposit of \$50.00 is required at the time of booking and will be returned if there is no damage to the Activity Room or it's contents, and no violation of posted Activity room Rules.
34. A checklist is to be completed with the Resident Manager before and after the event.
35. The resident booking the Activity Room is totally responsible for enforcing the NO SMOKING and other Rules.
36. All individuals must take a shower before entering the spa and sauna.
37. Swimwear must be worn in the spa, sauna and steam room. Cut-offs and shirts are not permitted.
38. Any person having an apparent skin disease, sore, inflamed eye, cough, cold, nasal or ear discharge, or any communicable disease is excluded from the spa, sauna and steam room and exercise room.
39. Windows in the spa area are not to be opened.

#### **Garbage**

40. All garbage must be securely contained and placed in the compactor in the garbage room on the main floor. Do not place any GARBAGE in the RECYCLING or managers' trailer.
41. Large cardboard cartons must be broken down, flattened, and placed in the recycling room bin (BFI) near the managers' trailer.
42. All recyclable items are to be placed in the designated bins in the Garbage Room.

#### **Balconies**



43. Balconies must not be used for storage, with the exception of patio furniture.
44. Washing of balconies only to be done on rainy days to avoid making a mess to your neighbours below. All standing water must be mopped up and not drained from scrubber. Please consider your neighbours below.
45. No hibachis or briquette barbecues are permitted. (LPG-propane BBQ's permitted)
46. No hooks or fasteners are to be mounted to balcony ceilings.
47. Flower pots and planters must be inside the balcony – not on top of or outside the railing. Plant risers must be used to create airflow between the planter and the balcony floor.
48. No signs, clothing, personal effects or other items may be hung on the interior or exterior of balconies.

#### **Bicycles**

49. Bicycles are permitted in the strata lot owners' underground parking stalls.
50. Bicycles must be stored in your storage locker, your personal parking stall or residence.

#### **General**

51. Personal items such as mops, brooms, shoes, etc. may not be left outside the apartment in the hallway, stairways and vehicle stalls. They are to be kept inside the apartment or stored in the lockers.
52. Doormats are not permitted in the hallway outside the apartment door.
53. Personal items or maintenance supplies may not be stored in vehicle stalls, all garbage in stalls must be removed by the owner.
54. All stairways are to be kept clear and free of debris or personal items at all times.
55. Report any and all suspicious activities directly to the RCMP (911) or Resident Manager without delay.
56. Immediately report any loss of fobs or personal effects to the resident manager to assist with recovery and cancellation of building access.
57. Forwarding or acceptance of all mail to be conducted only by Canada Post and its employees.

The Strata Corporation is not responsible for loss of personal property or for injury resulting from failure to observe and acknowledge the above rules.

**Strata Council - LMS 2093  
"The Observatory"  
(Revised Sept 09, 2008)**

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*\*(1) The strata corporation may make rules governing the use, safety and conditions of the common property and common assets"*

*\*\* (6) A rule ceases to have effect at the first annual general meeting held after it is made, unless the rule is ratified by a resolution passed by a majority vote.*

*\*\*\* (7) Once a rule has been ratified under subsection (6), it is effective until it is repealed, replaced or altered, without the need for further ratification.*

Given the length of the Majority Vote Resolution "A", it was agreed by those present it was not necessary to read aloud the resolution. It was then MOVED – 607 to adopt Majority Vote Resolution "A" as presented. SECONDED – 1005.

The Owners were advised in accordance with the Strata Property Act, Section 125 (6), a Rule ceases to have effect at the first Annual General Meeting held after it is made, unless the Rule is ratified by a Resolution passed by a majority vote. It was reported the above Rules were approved at the September 9, 2008 Strata Council meeting and distributed with the Minutes of the Meeting. The Owners were advised only 51% of those presented in person and proxy were required to approve the Majority Vote Resolution.

As there were no questions, a vote was called by a show of voting cards on Majority Vote Resolution "A". There were 50 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

## **(12) CONSIDERATION OF THE PROPOSED 2009/2010 OPERATING BUDGET**

The proposed operating budget for the period of February 1, 2009 to January 31, 2010 in the amount of \$436,000 was presented. It was MOVED – 1106 the proposed 2009/2010 budget be put on the floor for consideration. SECONDED – 1502.

Owners were advised the Strata Council worked hard to ensure the proposed budget did not implement an increase in strata fees given the special assessment passed at the December 9, 2008 Special General Meeting. The floor was then open to questions with respect to the proposed budget. Questions arose related to the following:

- Fitness equipment is not working; will it be repaired or replaced. Owners were advised the budget allows for various repairs and maintenance but does not include sufficient funds for replacement.
- Circular driveway at front entrance; the drain is dropped and it can damage a vehicle when entering the complex and needs to be repaired. Owners were advised the budget does not allow for this repair given the cost will be substantial. It was noted several years ago, this was investigated and found to be expensive and as the drain is on Strata Corporation property, it will be the responsibility of the Strata to repair and not the City. The Strata Manager advised this item will be placed on the Agenda for the newly elected Council to discuss.
- Dryer vent cleaning; will it be done. Owners were advised dryer vent cleaning was not done this past fiscal year but quotes have already been obtained to proceed with the work for this coming year.
- Window cleaning; how many times a year is it supposed to be done. Owners were advised the budget reflects two cleanings; one was done last year, and depending on when the window replacement project takes place will determine when and how often this coming year. The Council did not want to spend funds needlessly.
- Window repairs; one Owner advised her window was re-caulked last year but is again leaking. The Resident Manager advised there were two units who had repairs completed by XTR Contracting but hasn't been able to confirm if this work is warranted. The Owner was advised this would be addressed by the newly elected Council and action would be taken to stop the water ingress.

After a few unrelated questions, there was a call for the vote by a show of voting cards. Owners were advised the budget required a simple majority of Owners to pass. There were 50 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

### **STRATA FEES:**

With the approval of this evening's budget, the Owners were advised the Strata Fees remain the same. Attached to the Minutes is a copy of the approved budget and the fee schedule.

There are 2 methods for paying Strata Fees:

1. Pre-Authorized Chequing (PAC) – The PAC program is set up for monthly Strata Fees to be withdrawn automatically from the Owner's bank account. Owners, who are not on this program and would like to be, please contact the Accountant and the appropriate forms will be sent to you.
2. Post-Dated Cheques – If Owners prefer post-dated cheques, they must be dated February 1, 2009 to January 1, 2010, made payable to Strata Plan LMS 2093 and forwarded to Baywest Management.

Owners are reminded Strata Fees are due and payable on the first day of each and every month and that a \$50 late payment penalty can and will be applied to outstanding amounts after the 10<sup>th</sup> day of each month.

***At this time, one more Owner joined the meeting bringing the total representation to 51.***

### **(13) GENERAL DISCUSSION**

#### **13.1 SMALL CLAIMS COURT ACTION**

Owners were reminded the Strata Council and Baywest Management received Notice of Small Claims Action filed by the Owner of #1303 and decided to respond/reply to the action. Owners were advised the Owner of #1303 retained the services of Kantex Developments to replace the shower diverter cartridge, repair the shower drain and to repair the ceiling in the unit below as a result of the water leak for a cost of less than \$700. The Owner then wrote to the Strata Council requesting the Strata Corporation reimburse him the costs as it was his opinion the leak below occurred when the building's main water pressure fluctuated, which caused his cartridge to fail. The Strata Council denied the request for reimbursement given the water pressure fluctuation occurred on August 22, 2008 and the water leak problems in unit #1303 occurred in October; it was the Council's opinion the two were unrelated and as such Owners have always taken responsibility for repairs related to shower diverter cartridges.

The Strata Council asked the Owners present if they had their support to continue with the Claim. After much discussion, the overall consensus of those Owners present was to support the Strata Council with their decision to continue with the Small Claims Action and to hold the Owner of #1303 responsible for the costs associated with repairs to his unit and the unit below as a result of the shower diverter cartridge.

#### **13.2 SPECIAL LEVY DUE**

Owners are reminded the special levy approved at the December 9, 2008 Special General Meeting to raise funds to maintain the exterior of the building is due on February 28, 2009.

#### **13.3 RELIEF CARETAKER**

It was reported the Relief Caretaker, Doreen Roseberry has submitted her letter of resignation effective the end of March 31, 2009. The Council will be reviewing the duties involved and looking to replace Ms. Roseberry as soon as possible.

#### **13.4 HOT TUB**

It was noted the hot tub is once again non-operational. It was reported the hot tub pump and motor is old and each of the mechanical components are failing one by one. It was agreed it would be necessary to obtain a quotation to replace the mechanical system of the hot tub in its entirety instead of continuing to replace each component and having the hot tub down on a regular basis.

#### **13.5 RENTALS**

An Owner enquired as to the number of rentals and what was allowed. It was reported approximately 38 units are rented and only original Owners are grandfathered, which provides them with rental status.

### **13.6 UNDERGROUND PARKADE**

Several Owners have reported some Owners are driving carelessly in the underground parkade by driving in the center of the roadway, which is dangerous to everyone else. It was reported Owners are still not waiting for the Visitor parking gate to close before proceeding and recent reports of theft in the Owners parkade. Discussion ensued to the new security system and how the cameras are now set to record and allow Council to determine who the offenders are. Owners agreed a warning letter should be sent to offenders and then fines levied to deter poor driving habits, which affect the safety of all residents.

### **13.7 TAX RENOVATION CREDIT**

An Owner enquired as to whether the recent government tax renovation credit applied to the Owners of Observatory with respect to the exterior building maintenance project and how tax receipts could be obtained. Owners were advised this would be investigated and reported in the Minutes in the very near future.

### **14) COUNCIL ELECTIONS**

The Strata Manager advised Owners the current Council is now deemed to have retired at the end of this meeting and a new Council would be elected consisting of between 3 and 7 members. The Management Contract allows for nine Council Meetings a year plus the Annual General Meeting. Meetings are typically not held in August and December.

The Strata Manager advised Owners she had a verbal conversation with an Owner who stated a Council Member had approached them and implied another Strata Council Member was authorizing purchases without the knowledge of Strata Council. The Strata Manager advised Owners this information is unfounded and should have no bearing on an Owners decision to elect those that are nominated. A few Owners expressed their concern with the statement made by the Strata Manager. Again, the Strata Manager advised the information was verbal and is unfounded; however the matter would be investigated by the new Council. It was reported all invoices are approved by the Treasurer only and not the Resident Manager or Baywest Management.

The Strata Manager then asked for nominations or volunteers from the floor and outgoing Council members were also asked if they would consider returning to Council. The following nominations and volunteers were received:

Al Waldorff	(1705)	Lillian Kerr	(1003)	Tomas Vasquez	(1304)
Stephen Kanters	(1803)	Patrick Muir	(907)	Patricia Cabanos	(905)
Tibor Putics	(407)	Francis Tsui	(2201)	Amanda Lowden	(402)

At this time, Francis Tsui asked Owners to consider not electing those individuals who have served on Council for the past several years and to consider electing others who have not served on Council and could offer a new outlook and have an opportunity to contribute to the building. The Strata Manager advised Owners while new members to Council offer a new outlook on the running of the building, it was vitally important to maintain some consistency on Council.

The Strata Manager called to the floor on 3 successive occasions for any further nominations and/or volunteers. The nominations were then declared closed and there being a total of 9 Owners standing for election; the election was held by secret ballot.

At this time, an Owner expressed her gratitude to the outgoing Council for all their hard work and dedication over the past year.

As well, Francis Tsui expressed his appreciation for the efforts of Patricia Cabanos (#905) and Tibor Putics (#407) for their time and effort over the past many months working as part of the Building Envelope Committee.

The following nominees were elected as members of the Residential Council:

Al Waldorff	(1705)	Tomas Vasquez	(1304)	Patricia Cabanos	(#905)
Stephen Kanters	(1803)	Francis Tsui	(2201)	Amanda Lowden	(402)
Tibor Putics	(407)				

The Strata Manager thanked Sharron Fox for acting as a scrutinizer and the new Council members were requested to remain behind to confirm their attendance to the first meeting of Council and to elect a President to facilitate any business prior to the next meeting.

**(15) TERMINATION**

There being no further business, the meeting was adjourned at 8:35 p.m.

Susan MacGregor  
Strata Manager

***After the Annual General Meeting, it was agreed Al Waldorff would temporarily hold the position of Council President to facilitate any necessary communications on behalf of Council and until such time as the Council meets for their first Strata Council Meeting on March 10, 2009 wherein an election of Council positions will be held.***

**Please be advised you should retain copies of Council and General Meeting Minutes for a period of 2 years.**

## Presidents Report

I Al Waldorff, Council President welcome all of our owner's of "The Observatory" LMS 2093 to our 2009 Annual General Meeting.

I am pleased to say that this past year has been very exciting for all of us. This council has worked diligently to accomplished several projects including upgrades to Elevator, video surveillance system, parkade lighting, and landscaping improvements to name a few. In addition we are all looking forward to the building exterior project in the spring, which I am confident will collectively enhance the value of our homes and also maintain the integrity of our building.

As we the elected council members end our term for 2008/09, I must thank everyone for their hard work and dedication over the past year.

In conclusion, I would also express my sincere thank you to all of the owners for their continued support of the strata council. I am wishing everyone all the best in our future endeavors for continued successess.

Thank you,

Al Waldorff

**STRATA PLAN LMS 2093 - THE OBSERVATORY**  
**APPROVED BUDGET - FEBRUARY 1, 2009 - JANUARY 31, 2010**

Account	Account Name	31-Dec-08 Year To Date Actual	31-Jan-09 Estimated Year End	2008/2009 Annual Budget	2009/2010 Approved Budget
<b>RECEIPTS / REVENUE</b>					
R1 5310-0000	Rental Income	7,100.00	7,700.00	7,700.00	7,200.00
R2 5316-0000	Roof Rental Income	17,000.00	18,000.00	18,000.00	18,000.00
R3 5500-0000	Owners' Contributions	371,385.52	405,147.84	405,150.00	405,150.00
R4 5510-0000	Bylaw Penalties	200.00	200.00	0.00	0.00
R5 5600-0000	Interest Income	911.83	994.72	750.00	750.00
R6 5610-0000	Keys/Remotes	1,590.00	1,590.00	1,000.00	1,100.00
R7 5630-0000	Late Payment Penalty	4,700.00	4,700.00	0.00	0.00
R8 5655-0000	Move In/Out Fee	2,200.00	2,200.00	3,000.00	1,800.00
R9 5680-0000	Other Income	342.08	342.08	0.00	0.00
R10 5690-0000	Parking Income	1,695.00	1,849.09	2,100.00	2,000.00
<b>TOTAL RECEIPTS / REVENUE</b>		<b>\$ 407,124.43</b>	<b>\$ 442,723.73</b>	<b>\$ 437,700.00</b>	<b>\$ 436,000.00</b>
<b>EXPENSES &amp; RESERVES</b>					
<b>ADMINISTRATIVE EXPENSES</b>					
A1 6052-0000	Statutory Review of Books	420.00	420.00	424.00	424.00
A2 6053-0000	Additional Services	977.55	1,082.55	0.00	1,000.00
A3 6070-0000	Bank Charges	171.00	189.50	200.00	222.70
A4 6100-0000	Social Activities	0.00	0.00	1,000.00	1,000.00
A5 6115-0000	Council Administration	900.00	1,575.00	1,600.00	1,750.00
A6 6150-0000	Insurance Deductibles / Claims	1,000.00	6,000.00	0.00	0.00
A7 6170-0000	Insurance Premium	25,039.18	27,420.00	29,000.00	30,000.00
A8 6173-0000	Insurance Appraisal	0.00	0.00	0.00	1,000.00
A9 6190-0000	Legal Fees	(189.89)	50.00	2,000.00	1,000.00
A10 6200-0000	Strata Fees	2,857.03	3,116.76	3,116.80	3,116.80
A11 6210-0000	Management Fees	25,185.59	27,475.19	27,475.20	28,003.50
A12 6212-0000	Meeting	0.00	0.00	500.00	0.00
A13 6270-0000	Telephone	1,255.38	1,369.51	2,400.00	1,500.00
A14 6290-0000	Postage/Copies/Office Exp.	6,712.45	7,322.67	6,000.00	6,000.00
<b>TOTAL ADMINISTRATIVE EXPENSES</b>		<b>\$ 64,328.29</b>	<b>\$ 76,021.18</b>	<b>\$ 73,716.00</b>	<b>\$ 75,017.00</b>
<b>EMPLOYEE EXPENSES</b>					
E1 6460-0000	Wages Caretaker	40,919.32	44,535.00	40,000.00	45,000.00
E2 6490-0000	Workers' Compensation	301.69	301.69	300.00	300.00
<b>TOTAL EMPLOYEE EXPENSES</b>		<b>\$ 41,221.01</b>	<b>\$ 44,836.69</b>	<b>\$ 40,300.00</b>	<b>\$ 45,300.00</b>
<b>UTILITIES</b>					
U1 6520-0000	Electricity	25,779.62	32,000.00	31,000.00	33,000.00
U2 6530-0000	Gas	62,754.56	70,000.00	73,334.00	72,000.00
U3 6540-0000	Water & Sewer	11,841.62	20,000.00	22,000.00	22,000.00
<b>TOTAL UTILITIES</b>		<b>\$ 100,375.80</b>	<b>\$ 122,000.00</b>	<b>\$ 126,334.00</b>	<b>\$ 127,000.00</b>
<b>CONTRACT / BLDG EXPENSES</b>					
C1 7010-0000	Alarm Monitoring	1,134.00	1,134.00	1,200.00	1,200.00
C2 7065-0000	Building Envelope Maint.	4,540.40	7,000.00	20,000.00	10,000.00
C3 7075-0000	Caretaker- Contract	5,123.00	5,588.73	5,000.00	5,500.00
C4 7090-0000	Carpet Cleaning	1,312.50	1,312.50	2,000.00	2,633.00
C5 7110-0000	Elevator & License	8,512.90	11,123.00	11,750.00	13,000.00
C6 7130-0000	Emergency Generator	3,072.12	3,072.12	1,000.00	2,000.00
C7 7190-0000	Fire Protection	5,670.40	7,800.00	6,000.00	7,000.00
C8 7230-0000	Garbage Collection	8,022.46	9,400.00	8,000.00	10,000.00
C9 7310-0000	Janitorial	1,732.50	1,964.00	2,500.00	2,500.00

**STRATA PLAN LMS 2093 - THE OBSERVATORY**  
**APPROVED BUDGET - FEBRUARY 1, 2009 - JANUARY 31, 2010**

	Account	Account Name	31-Dec-08 Year To Date Actual	31-Jan-09 Estimated Year End	2008/2009 Annual Budget	2009/2010 Approved Budget
C10	7510-0000	Painting Contract	1,600.00	1,600.00	2,500.00	2,500.00
C11	7570-0000	Pest Control	937.12	1,225.36	1,100.00	1,250.00
C12	7630-0000	Repairs Interior	5,413.88	7,000.00	5,500.00	7,500.00
C13	7690-0000	Repairs & Maintenance	6,730.72	10,000.00	13,000.00	13,000.00
C14	7730-0000	Security	3,268.06	3,237.80	1,000.00	1,500.00
C15	7730-3000	Security - Equipment Lease	9,794.40	10,684.80	10,800.00	3,000.00
C16	7750-0000	Supplies	3,509.90	4,000.00	3,000.00	4,000.00
C17	7810-0000	Window Cleaning	2,520.00	2,520.00	5,200.00	5,200.00
<b>TOTAL CONTRACT / BLDG EXPENSES</b>			<b>\$ 72,894.36</b>	<b>\$ 88,662.31</b>	<b>\$ 99,550.00</b>	<b>\$ 91,783.00</b>
<b>REPAIRS &amp; MAINTENANCE EXPENSES</b>						
M1	8026-0000	Boiler & Mechanical	4,893.67	6,500.00	7,500.00	7,500.00
M2	8031-0000	Dryer Vent Cleaning	381.25	381.25	6,000.00	5,000.00
M3	8050-0000	Electrical	1,009.58	4,500.00	5,100.00	4,500.00
M4	8129-0000	Building Improvements	3,759.49	3,800.00	2,000.00	5,000.00
M5	8170-0000	Locks/Keys	484.69	1,200.00	300.00	1,000.00
M6	8220-0000	Plumbing	6,065.81	10,000.00	10,000.00	10,000.00
M7	8230-0000	Roof Repairs	0.00	0.00	3,000.00	3,000.00
M8	8233-0000	Security Gate	4,559.63	4,559.63	3,000.00	3,000.00
<b>TOTAL REPAIRS &amp; MAINTENANCE EXPENSES</b>			<b>\$ 21,154.12</b>	<b>\$ 30,940.88</b>	<b>\$ 36,900.00</b>	<b>\$ 39,000.00</b>
<b>RECREATION FACILITIES EXPENSES</b>						
R1	8512-0000	Fitness Equipment Repairs	856.76	856.76	2,000.00	2,000.00
R2	8590-0000	Pool / Spa Maintenance	1,848.40	2,400.00	2,000.00	2,000.00
<b>TOTAL RECREATION FACILITIES EXPENSES</b>			<b>\$ 2,705.16</b>	<b>\$ 3,256.76</b>	<b>\$ 4,000.00</b>	<b>\$ 4,000.00</b>
<b>GROUND EXPENSES</b>						
G1	8740-0000	Landscaping	9,052.10	9,875.02	12,000.00	10,000.00
G2	8770-0000	Snow Removal	1,825.28	2,000.00	1,000.00	1,000.00
<b>TOTAL GROUND EXPENSES</b>			<b>\$ 10,877.38</b>	<b>\$ 11,875.02</b>	<b>\$ 13,000.00</b>	<b>\$ 11,000.00</b>
<b>FINANCIAL EXPENSES</b>						
F1	8810-0000	Mortgage Principal	11,584.32	12,637.44	12,900.00	12,900.00
F2	8860-0000	Taxes	1,113.38	1,113.38	1,000.00	1,300.00
<b>TOTAL FINANCIAL EXPENSES</b>			<b>\$ 12,697.70</b>	<b>\$ 13,750.82</b>	<b>\$ 13,900.00</b>	<b>\$ 14,200.00</b>
<b>TOTAL OPERATING EXPENSES</b>			<b>\$ 326,253.82</b>	<b>\$ 391,343.65</b>	<b>\$ 407,700.00</b>	<b>\$ 407,300.00</b>
<b>RESERVE FUNDS</b>						
ZZ	9010-0000	Contingency Reserve Fund	27,500.00	30,000.00	30,000.00	28,700.00
<b>TOTAL RESERVE FUNDS</b>			<b>\$ 27,500.00</b>	<b>\$ 30,000.00</b>	<b>\$ 30,000.00</b>	<b>\$ 28,700.00</b>
<b>TOTAL EXPENSES &amp; RESERVES</b>			<b>\$ 353,753.82</b>	<b>\$ 421,343.65</b>	<b>\$ 437,700.00</b>	<b>\$ 436,000.00</b>
<b>SURPLUS / (DEFICIT)</b>			<b>\$ 53,370.61</b>	<b>\$ 21,380.08</b>	<b>-</b>	<b>-</b>



**LMS2093 - THE OBSERVATORY**  
**APPROVED STRATA FEE SCHEDULE 2009/2010**

Unit#	SL#	U/E	Operating	CRF	Strata Fee
101	1	901	243.06	16.67	259.73
201	3	633	170.77	11.71	182.48
202	4	1,155	311.58	21.37	332.95
207	2	828	223.37	15.32	238.69
301	10	700	188.85	12.95	201.80
302	11	1,150	310.25	21.27	331.52
303	5	1,147	309.43	21.22	330.65
304	6	533	143.80	9.86	153.66
305	7	831	224.19	15.37	239.56
306	8	673	181.56	12.45	194.01
307	9	840	226.61	15.54	242.15
401	17	699	188.58	12.93	201.51
402	18	1,150	310.25	21.27	331.52
403	12	1,147	309.43	21.22	330.65
404	13	535	144.33	9.90	154.23
405	14	865	233.35	16.00	249.35
406	15	673	181.56	12.45	194.01
407	16	876	236.33	16.20	252.53
501	24	698	188.30	12.91	201.21
502	25	1,150	310.25	21.27	331.52
503	19	1,147	309.43	21.22	330.65
504	20	535	144.33	9.90	154.23
505	21	865	233.35	16.00	249.35
506	22	675	182.09	12.49	194.58
507	23	877	236.59	16.22	252.81
601	31	698	188.30	12.91	201.21
602	32	1,150	310.25	21.27	331.52
603	26	1,147	309.43	21.22	330.65
604	27	535	144.33	9.90	154.23
605	28	871	234.97	16.11	251.08
606	29	671	181.03	12.41	193.44
607	30	877	236.59	16.22	252.81
701	38	698	188.30	12.91	201.21
702	39	1,150	310.25	21.27	331.52
703	33	1,147	309.43	21.22	330.65
704	34	535	144.33	9.90	154.23
705	35	866	233.63	16.02	249.65
706	36	675	182.09	12.49	194.58
707	37	878	236.87	16.24	253.11
801	45	698	188.30	12.91	201.21
802	46	1,150	310.25	21.27	331.52
803	40	1,147	309.43	21.22	330.65
804	41	535	144.33	9.90	154.23
805	42	866	233.63	16.02	249.65
806	43	675	182.09	12.49	194.58
807	44	877	236.59	16.22	252.81
901	52	698	188.30	12.91	201.21
902	53	1,150	310.25	21.27	331.52
903	47	1,147	309.43	21.22	330.65
904	48	535	144.33	9.90	154.23
905	49	866	233.63	16.02	249.65
906	50	675	182.09	12.49	194.58
907	51	877	236.59	16.22	252.81
1001	59	698	188.30	12.91	201.21

**LMS2093 - THE OBSERVATORY**  
**APPROVED STRATA FEE SCHEDULE 2009/2010**

Unit#	SL#	U/E	Operating	CRF	Strata Fee
1002	60	1,150	310.25	21.27	331.52
1003	54	1,147	309.43	21.22	330.65
1004	55	535	144.33	9.90	154.23
1005	56	866	233.63	16.02	249.65
1006	57	674	181.82	12.47	194.29
1007	58	878	236.87	16.24	253.11
1101	66	699	188.58	12.93	201.51
1102	67	1,150	310.25	21.27	331.52
1103	61	1,149	309.97	21.25	331.22
1104	62	534	144.06	9.88	153.94
1105	63	866	233.63	16.02	249.65
1106	64	673	181.56	12.45	194.01
1107	65	875	236.05	16.19	252.24
1201	72	896	241.72	16.57	258.29
1202	73	1,149	309.97	21.25	331.22
1203	68	1,147	309.43	21.22	330.65
1204	69	534	144.06	9.88	153.94
1205	70	1,090	294.06	20.16	314.22
1206	71	942	254.12	17.43	271.55
1301	78	896	241.72	16.57	258.29
1302	79	1,149	309.97	21.25	331.22
1303	74	1,147	309.43	21.22	330.65
1304	75	534	144.06	9.88	153.94
1305	76	1,090	294.06	20.16	314.22
1306	77	942	254.12	17.43	271.55
1401	84	896	241.72	16.57	258.29
1402	85	1,149	309.97	21.25	331.22
1403	80	1,147	309.43	21.22	330.65
1404	81	534	144.06	9.88	153.94
1405	82	1,090	294.06	20.16	314.22
1406	83	942	254.12	17.43	271.55
1501	90	897	241.99	16.59	258.58
1502	91	1,149	309.97	21.25	331.22
1503	86	1,147	309.43	21.22	330.65
1504	87	534	144.06	9.88	153.94
1505	88	1,090	294.06	20.16	314.22
1506	89	941	253.86	17.41	271.27
1601	96	896	241.72	16.57	258.29
1602	97	1,149	309.97	21.25	331.22
1603	92	1,147	309.43	21.22	330.65
1604	93	535	144.33	9.90	154.23
1605	94	1,090	294.06	20.16	314.22
1606	95	942	254.12	17.43	271.55
1701	102	897	241.99	16.59	258.58
1702	103	1,149	309.97	21.25	331.22
1703	98	1,147	309.43	21.22	330.65
1704	99	535	144.33	9.90	154.23
1705	100	1,090	294.06	20.16	314.22
1706	101	942	254.12	17.43	271.55
1801	108	896	241.72	16.57	258.29
1802	109	1,149	309.97	21.25	331.22
1803	104	1,147	309.43	21.22	330.65
1804	105	535	144.33	9.90	154.23
1805	106	1,090	294.06	20.16	314.22

**LMS2093 - THE OBSERVATORY**  
**APPROVED STRATA FEE SCHEDULE 2009/2010**

Unit#	SL#	U/E	Operating	CRF	Strata Fee
1806	107	942	254.12	17.43	271.55
1901	114	896	241.72	16.57	258.29
1902	115	1,149	309.97	21.25	331.22
1903	110	1,147	309.43	21.22	330.65
1904	111	535	144.33	9.90	154.23
1905	112	1,090	294.06	20.16	314.22
1906	113	942	254.12	17.43	271.55
2001	120	897	241.99	16.59	258.58
2002	121	1,149	309.97	21.25	331.22
2003	116	1,147	309.43	21.22	330.65
2004	117	535	144.33	9.90	154.23
2005	118	1,090	294.06	20.16	314.22
2006	119	941	253.86	17.41	271.27
2101	122	1,355	365.54	25.07	390.61
2102	123	1,399	377.42	25.88	403.30
2103	124	1,404	378.77	25.97	404.74
2201	125	1,354	365.27	25.05	390.32
2202	126	1,399	377.42	25.88	403.30
2203	127	1,409	380.11	26.06	406.17
		117,119	31,595.82	2,166.50	33,762.32



## **LMS 2093 Council Meeting**

**January 19, 2009**

**In Attendance:** *Al Waldorf, Tomas Vasquez, Lillian Kerr, Francis Tsui, and Patrick Muir*

**Absent:** *Steve Kanters*

Council at this time is satisfied with Resident Manager's Employment Contract as originally signed July 2007.

### **Non-Contractual Duties Rate of Pay:**

\*Outside contractual duties, as required and approved, would be paid at \$25.00 per hour to RM via payroll as an employee of the Corporation.

### **Overtime Pay:**

\*Hours worked beyond regularly scheduled RM hours (Monday to Friday from 8:30am to 5:00pm) would be at time off in lieu of overtime pay, which may be banked time to be taken on a future date.

\*The RM will be required to maintain a monthly record of banked time and present once per month as part of the "Resident Manager's Report".

\*There may be situation(s) where overtime pay is warranted, and Council will review on case by case basis.

### **Vacation Time:**

\*RM must take all vacation time in the year it is earned.

### **Communication:**

\*Should the RM not be available during regular business hours then the RM is required to post a notice advising the ownership.

\*Notice to be placed on exterior office door and both elevators informing residents when the office will resume normal business hours and alternative contact or emergency numbers.

### **Asset Registry:**

\*A Corporation Asset Registry must be prepared and maintained (i.e. computer system, snow thrower) cataloguing equipment description, mode and serial numbers.

\*A Corporation supplies registry must be prepared and maintained (i.e. building, electrical, plumbing, office, FOB, cartridges, etc.) to reflect stock level, purchase and consumption. This inventory control will enable purchases "on order" and reduce payment from the "petty cash".

### **RM Suite #101**

\*At this time the current rent of \$600.00 will remain unchanged.

### **Garbage Bin:**

\*Review BFI or Smithrite providing additional bin for household items removal (i.e. mattress, carpets, and renovation debris). This is to assist the RM with challenges faced with the overflow of household debris being dumped in small trailer, and eliminate dump trips altogether.

### **Performance Review:**

\*RM is entitled to a performance review once per year and this would be conducted at end of our fiscal year.

\*Salary review to be considered by Council, based on performance review and economic factors in general at The Observatory.

Meeting Adjourned at 20:15



**COUNCIL MEETING MINUTES**

*Tuesday, January 13, 2009*

**THE OBSERVATORY – LMS 2093**

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2008/2009**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**CO-TREASURERS**

Lillian Kerr - #1003  
Francis Tsui - #2201

**MAINTENANCE**

Stephen Kanters - #1803

**SOCIAL**

Patrick Muir - #907

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
Direct Phone: (604) 592-3542  
E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT  
13520 78TH AVENUE  
SURREY, B.C. V3W 8J6  
(604) 591-6060**

**24-HOUR EMERGENCY:  
Phone: (604) 591-6060**

**ATTENDANCE:**

Al Waldorff  
Tomas Vasquez  
Lillian Kerr  
Stephen Kanters  
Francis Tsui  
Patrick Muir

**REGRETS:**

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**(1) CALL TO ORDER**

The meeting was called to order at 6:30 p.m. A quorum was established.

**(2) APPROVAL OF THE AGENDA**

After a review of the Agenda, it was MOVED/SECONDED to adopt the Agenda as amended. CARRIED

**(3) ADOPTION OF PREVIOUS MINUTES**

As there were no reported errors or omissions, it was MOVED/SECONDED to adopt the Minutes of the November 12, 2008 Strata Council Meeting as prepared by Baywest. CARRIED

**(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 BUILDING EXTERIOR MAINTENANCE**

Further to the Special General Meeting of December 9, 2008 wherein all of the three quarter vote resolutions were approved by the Ownership who attended. The special assessment was approved and payment of the special levy is due by February 28, 2009. The building exterior maintenance work is expected to commence May 2009.

Funds were also set aside for window replacement, security system and underground parking lighting upgrades. Council advised window replacement will be addressed after the building exterior work is completed. With respect to the underground parkade lighting upgrade; work has been completed therefore it was MOVED/ SECONDED to approve the quotation from VanRook Electric Ltd. in the amount of \$6,300 plus GST to replace all the underground and visitor parking lot lighting with energy efficient lighting. CARRIED

The Strata Manager was requested to investigate the BC Hydro Rebate program.

Council reviewed a quotation from Giant Smarthouse in the amount of \$6,664 to upgrade the security system. After some discussion, it was agreed additional equipment was required and the Resident Manager was requested to contact Giant Smarthouse to get an updated quotation.

#### **4.2 ANNUAL FIRE INSPECTION**

The Strata Manager advised ten units were missed on the original inspection and a re-inspection date of November 27<sup>th</sup> was set. Two units still remain un-inspected, which is within the allowable allowance of missed units as per the Fire Department provided it is not the same units year after year. Given the number of attempts and the fact there is only two units not inspected, the Council agreed to consider the September 2008 annual fire inspection complete. Council directed the Strata Manager to charge back the cost of the most recent call out to the unit Owners. The Resident Manager confirmed Fraser Valley Fire Protection has replaced the faulty module in the fire alarm panel as approved by Council at the November Council Meeting. It was noted Fraser Valley attended to the work for a reduced cost of \$1830 plus GST.

#### **4.3 CONTINGENCY RESERVE FUND STUDY**

Halsall Consultants provided the Strata Manager with a PDF format of the CRF Study late afternoon of January 13<sup>th</sup> therefore no one had an opportunity to review the document prior to the meeting. The Strata Manager advised Halsall would appreciate an opportunity to meet with Council to review the report and prepare for the future of the Observatory.

#### **4.4 ELEVATOR UPGRADES**

The elevator upgrades are complete and look wonderful. A job well done.

#### **4.5 WATER DAMAGE - #1204**

Further to the last meeting and two letters to the unit Owner with respect to requesting payment, it was MOVED/SECONDED to direct the Strata Manager to obtain a title search for the strata lot and send a letter to the unit Owners mortgage company requesting payment or a lien may be filed at Land Titles against the strata lot.

CARRIED

#### **4.6 LANDSCAPING SERVICES**

The Strata Manager advised TCL Maintenance reported they would not accept a month to month basis renewal. Council reviewed a third quotation obtained by Patrick Muir from Acme Lawn and Garden for landscaping services at Observatory for a cost of approximately \$6070 per year. After much discussion, it was MOVED/SECONDED to not renew the contract with TCL Maintenance effective January 1<sup>st</sup> and direct Patrick Muir to offer Acme Lawn & Garden a month to month contract for ten months effective March 1<sup>st</sup> for the first year until such time as they are able to prove their abilities to the Strata Council.

CARRIED

#### **4.7 INSURANCE CLAIM**

First on Site has confirmed all repairs have been completed with the exception of one unit where access is an issue. Council and Resident Manager advised they are satisfied with the repairs completed. The Strata Manager advised the Insurance Adjuster is still working on replacement of the elevator cables; however has been advised the elevators are operating in a completely safe manner as it could take up to two years before the cables could be considered unsafe. The Insurance Adjuster advised that ThyssenKrupp has proprietary rights over all the equipment/materials required for the elevators and as such it is difficult to find another company who is interested in taking on the Observatory. More investigation is required.

The Strata Manager confirmed payment of 50% of the Keith Plumbing and Heating invoice, however there has not been any response from them providing back up documentation for the work completed.



#### **4.8 THYSSENKRUPP ELEVATOR SAFETY LICENSING RENEWAL**

The Strata Manager advised there is still no response from ThyssenKrupp with respect to a second letter sent; however will contact the Safety Devices Branch regarding the situation.

#### **4.9 HOULE ELECTRIC CONTRACT**

The Strata Manager advised Houle Electric has additional work to complete as per the Contract; however it requires a building shut down of power. This work will be scheduled for sometime late February.

#### **4.10 ANNUAL GENERAL MEETING**

Prior to the meeting, the Strata Manager provided Council with a draft budget for the 2009/2010 fiscal year as well as wording for resolutions the Strata Council wanted to present to the Ownership. After a detailed review of the budget, there were a few revisions as well as the draft resolutions. The Strata Manager will revise the budget and the resolutions and forward them to Council for their final review prior to the Notice of Meeting package is sent out to the Owners. The Annual General Meeting is scheduled for Monday, February 23, 2009.

### **(5) FINANCIAL REPORT**

#### **5.1 FINANCIAL STATEMENTS**

After a review of the Financial Statements and at the recommendation of the Treasurer, it was MOVED/SECONDED to approve the November 30, 2008 Financial Statements as prepared by Baywest Management. CARRIED

Council reviewed an invoice from Walnut Grove Glass & Aluminium for \$1,246.29 for replacement of a patio door and a window. It was MOVED/SECONDED to approve the invoice. CARRIED

Discussed during the January 12, 2009 pre-budget meeting of Council, the interests and assets of the Strata Corporation need to be protected and as such, a Supplies Register and Asset Register will be created to record all assets, supplies and stocked inventory. As well, items purchased will be recorded with date and quantities to facilitate verification and restocking purposes. Lastly, it was observed that during a nine-month period from February 2008 to October 2008, the petty cash reimbursement to the Resident Manager exceeded \$5,500 with approximately \$2,000 paid to the Resident Manager for waste removal and cell allowance. Regular supplies for a year purchased via petty cash is to be estimated to be over \$5,000. Other supplies pay by "orders" and charged to other expense accounts are undetermined. The Resident Manager shall draw on the benefit of the Supplies/Asset Register to reduce the use of petty cash reimbursement and payment should only be approved an invoice and corresponding entry on the Supplies/Asset Register.

#### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$9,181.40, which does not include the December 9, 2008 special levy charges but does include a charge of \$5,000 related to one unit for an insurance claim. The Strata Manager confirmed Demand Letters have been sent out to any one in arrears of the February 2008 special levy or are in arrears of three months or more of strata fees.

**Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.**

## **Financial Status As at November 30, 2008:**

Bank	\$42,324.22
Petty Cash	500.00
Accounts Receivable	8,179.78
Accrual Revenue	0.00
A/R Special Assessment Deficit Recovery	886.11
Pre-paid Insurance	23,775.00
Contingency Reserve Fund	130,043.94
Contingency Reserve Fund Study	12,243.44
CRF Short Term Securities	48,498.82
Caretaker's Suite	<u>111,999.79</u>
<b>Total Assets</b>	<b>\$378,451.10</b>

### **(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report is attached to these Meeting Minutes. Additional items discussed included the following:

- Unit #1606 reported a leak; the Building Committee will review and provide direction.
- Front entrance door requires a new door closer; the Building Committee will review and provide direction.
- Homeless situation regarding the vacant lot next door is escalating again; graffiti is evident again.

Council thanked Dave Fox for his report.

### **6.1 RESIDENT MANAGER CONTRACT**

Council met on January 12, 2009 for a pre-budget meeting to discuss the draft budget, resolutions as well as the Resident Manager contract. Council will be meeting again on January 19, 2009 to finalize contractual duties and responsibilities as well as overtime pay and holiday time. Owners will be advised of the final outcome once agreed upon.

### **(7) COMMITTEE REPORTS**

#### **7.1 MAINTENANCE (S. Kanters)**

There was nothing further to report other than reported elsewhere in these Minutes,

#### **7.2 SOCIAL (P. Muir)**

Nothing to report at this time.

### **(8) CORRESPONDENCE**

Correspondence was received from units 1005, 403, 601 and 1201 regarding items such as window leaks, request to install a walk-in tub, request to install new flooring and concern related to a move in incident and the relief caretaker.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

The Strata Manager advised that subsequent to the last Council Meeting and at their direction, correspondence had been sent to units 107, 225, 222, 205, 105, 108, 114, 214, 104, 105, 231 and 118.

## **(9) NEW BUSINESS**

### **9.1 REQUEST FOR A HEARING**

Council reviewed separate requests from two Owners requesting a hearing; one related to charges assessed to an occupant ledger when a lien was filed and the second related to a pet/visitor parking concerns. As per the Strata Corporation Bylaws an Owner is entitled to a hearing should they wish to dispute a situation; therefore Council directed the Strata Manager to contact all parties to set up the hearings.

### **9.2 SMALL CLAIMS ACTION (#1303)**

Prior to Christmas, Council received written notification from the Surrey Court advising the unit owner of #1303 is filing a Small Claims Court action against the Strata Corporation and Baywest Management with respect to an invoice he has requested reimbursement of, which the Strata Council deemed the responsibility of the unit Owner.

*Subsequent to the meeting, Council and Baywest Management received written notification of Notice of Mediation Session for February 27<sup>th</sup>.*

### **9.3 WATER DAMAGE (#1201)**

Recently, the unit Owner of #1201 retained Jason Woods Pools and Spa to replace the bathtub/shower diverter and failed to replace the integrals before leaving the building to look for parts and as such flooded several units below. The Resident Manager responded by contacting Pro Carpet Cleaning to attend to the water restoration; the water shut off for the '01 riser was shut off to repair the bathtub/shower diverter and water was restored shortly thereafter. The Insurance Company was advised and an Adjuster assigned to the file. Quotes for final repairs will be obtained. Given the damage occurred as a result of an Owner attending to repairs, the Bylaws allow for the insurance deductible to be charged back to the strata lot Owner.

## **(10) TERMINATION**

There being no further business, the meeting was adjourned at 9:30 p.m. The next scheduled meeting is the Annual General Meeting scheduled for Monday, January 23, 2009 within the Activity Room.

Susan MacGregor  
Strata Manager

**Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.**

**Monthly Managers Report  
The Observatory - LMS 2093  
November 2008**

- Houle Electric on site to perform annual infrared testing on electrical vault and related components. (Nov4)
- Special thank-you to Mr. & Mrs. Cruz for donating a foosball table to the amenities room for everyone's enjoyment. (Nov5)
- Emergency water shutdown to 02' suites from 11<sup>th</sup> floor to Lobby level for one hour (9:30-10:30 am) to replace failed integral shut off valves. Only affected main and on suite showers. (Nov 7)
- Drywall crew (Three-wide) called back on site to finalize repairs to hallways from Aug22/08 flood damage. (Nov 7)
- Mason Locksmiths replaced worn out door closer on east side exit door and set to operate quietly and efficiently (Nov 7)
- Walnut Grove Glass here to replace broken sliding glass door in suite 1603 (Nov13)
- Resident on the 17<sup>th</sup> floor has reported water ingress after heavy rainfall, RM to investigate and work towards resolution. (Nov 14)
- Global gas detection services here for annual gas detector inspection in the parkade. problems noticed during testing, RM to follow up with repairs once we have the work report. (Nov 18)
- PCO on site to perform monthly investigation, bait traps outside have caught a few mice; please inform RM immediately if you notice traces of rodents or insects. As the weather cools, rodents especially move in doors seeking food and warmth. (Nov 21)
- RM planted three spruce shrubs in back yard which were donated by Tomas V. your V.P. of the current council (Nov21)
- Floor tiles in elevator car B were severely damaged leaving a fair size void in the floor. RM had placed moving carpet to cover the hole, please watch your step until we can arrange to have floor repaired (Nov 23)
- Fraser Valley Fire Protection back on site to follow up with the annual fire inspection, all but 2 suites has been inspected. (Nov 27)
- All hallway carpets including lobby cleaned (Edenvale) as part of the flood damage restoration process. (Nov 28)

**Monthly Managers Report  
The Observatory - LMS 2093  
December 2008**

- Houle Electric on site to evaluate the electrical vault maintenance contract and procedures. (Dec 1<sup>st</sup>)
- Elevator renovations started, with tile replacement being the first priority. (Dec 1<sup>st</sup>)
- Both staircases have been cleaned and painted from top of building to bottom by 3-wide contracting as part of the flood repairs. (Dec1-3)
- Electrician on site to replace ballasts on water damaged ceiling lights on both 11<sup>th</sup> & 20<sup>th</sup> floors. (Dec3)
- Main recirculation pump on the Hot tub seal is leaking and will need to be replaced before causing any further damage. RM has already re-built the other (jet-pump) and it is in perfect running condition. (Dec3)
- Alarmtron on site to conduct the yearly testing on our fire safety monitoring system for insurance purposes and Fire Dept. regulations. (Dec5)
- Christmas Tree set up in lobby and used stereo purchased (\$40.00) for holiday music in the lobby (Dec5)
- Hot tub shut down for cleaning, water change and re-circ pump seal replacement. Amenities re-opened on Friday (Dec 10-12)
- Repairs to Fire Panel have been finalized and the system is in fully functional mode rectifying and stopping false alarm trouble calls. (Dec11/08)
- Broken sliding glass door on the 11<sup>th</sup> floor replaced, Walnut Grove Glass and RM are investigating to determine the cause as this has happened on a few different floors over the past few years. (Dec15)
- Smoke detectors (2) in a suite on the 12<sup>th</sup> floor were ringing and RM had to execute an emergency entry into suite, there were no visible signs of trouble, the detectors were temporarily disconnected, and suite monitored for a few hours until the owners returned home, they were satisfied by the action taken. (Dec15)
- RM repaired the main gate proximity switch cable that had broke loose from the plastic zip straps, and was tangled in the slide mechanism preventing a failure to the electrical system. (Dec 16)
- Hot water heater (boiler) tripped out early this morning. Manager responded, re-set controls and called Honeywell to inspect and repair. Hot water service was restored but it unfortunately it takes an hour or so to completely restore temperature. (Dec19)
- RM cleared snow from walks and driveways with new snow-thrower on 3 separate days to date. Machine is working fine and residents are not getting stuck in the entrances anymore. (Dec 22)
- Dead bolt for the Emergency generator gate has failed and RM called Mason Locksmiths to replace unit with a mastered key set to match building lock sets. (Dec 22)

- Power failure and subsequent down time required hot water heaters to be re-started as building was temporarily left without hot water. (Dec24-25)
- Fraser Valley Fire Protection Services on site to re-boot fire panel and clear all faulty alarm codes. (Dec31)

**SPECIAL GENERAL MEETING MINUTES**

**Tuesday, December 9, 2008**

**THE OBSERVATORY - LMS 2093**

**LOCATION:**

7:00 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2008/2009**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**TREASURER**

Lillian Kerr - #1003  
Francis Tsui - #2102

**MAINTENANCE**

Stephen Kanters - #1803

**SOCIAL**

Pat Muir - #907

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax: (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
Direct Phone: (604) 592-3542  
E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT  
13520 78TH AVENUE  
SURREY, B.C. V3W 8J6  
(604) 591-6060**

**24-HOUR EMERGENCY:  
Phone: (604) 591-6060**

**ATTENDANCE:**

22 Owners represented in person  
36 Owners represented by proxy

Susan MacGregor, Baywest Management Corporation

**(1) CALL TO ORDER**

Al Waldorff, President called the meeting to order at 7:02 p.m.

**(2) INTRODUCTION AND WELCOME**

The Owners were welcomed to the Special General Meeting. Council members and the Strata Manager from Baywest Management Corporation were introduced.

**(3) CALLING THE ROLL/CERTIFICATION OF PROXIES**

The roll was called by the Strata Manager and in accordance with the requirements of the Strata Property Act, Section 56 who certified all proxies. Also required by the Act, [section 48 (2)], is a quorum, which consists of one-third of the Owners in good standing, be present either in person or by proxy, in order for the meeting to proceed. It was noted that although there are 127 units in the building, the Strata Corporation's suite would be exempted from the count and would not be included in the voting. Therefore, there were 126 Owners eligible to vote of which 58 Owners were represented; 22 in person and 36 via proxy. As the quorum requirement of 42 had been met the meeting was deemed competent to proceed with the business at hand

**(4) ELECTING THE CHAIR OF THE MEETING**

At the request of the President, Owners were asked if there would be any objections to the Strata Manager facilitating the meeting. There were none.

**(5) PROOF OF NOTICE**

Section 45(1) of the Strata Property Act states the Strata Corporation must give at least 14 days' notice of a Special General Meeting, specifying the place, date, time and nature of the business. Section 61 (3) states a notice given by post is deemed to have been given 4 days after it has been mailed. The notices of this evening's meeting were mailed to each Owner's last known address on November 20, 2008, which is in accordance with the timeframe set out in the Act. Notices contained the Agenda, four  $\frac{3}{4}$  Vote Resolutions, the contractors tenders, a Special Levy fee

schedule, and a proxy voting form. It was then MOVED – 1805 the proof of notice be accepted.  
SECONDED – 401 The motion was CARRIED

All requirements had been met and the meeting was therefore deemed competent to proceed.

**(6) ADOPTION OF THE AGENDA**

It was MOVED – 401 to adopt the Agenda as presented. SECONDED – 805 The motion was CARRIED

**(7) CONSIDERATION OF ¾ VOTE RESOLUTIONS**

**7.1 ¾ VOTE RESOLUTION “A” – EXTERIOR BUILDING MAINTENANCE PROJECT**

The Strata Manager read aloud the Resolution:

*“Be it resolved, by a three-quarter (3/4) vote of the Owners of Strata Plan LMS 2093, The Observatory, in accordance with Section 72 of the Strata Property Act, that the Strata Corporation be and is hereby authorized to expend not more than \$130,000.00 (One hundred and thirty thousand dollars) for the purpose of carrying out required exterior building maintenance work as set out by Master Painter’s Association. The cost of the proposed repairs shall be funded as follows: \$20,000 to be expended from the Contingency Reserve Fund and \$110,000 to be set out as a special levy on the strata lots comprising the Strata Corporation, in proportion to the unit entitlement of each strata lot and in the amounts shown opposite each strata lot in Schedule “A” (attached and forming part of this resolution). This Special Levy is due and payable immediately upon passage of this Special Resolution by the Owners of record and payments shall be considered part of the common expenses of the Strata Corporation. Costs include inspection fees, consulting fees, taxes and Baywest administration charges. Any unused funds shall be returned to the Contingency Reserve Fund at the completion of the project.”*

**Rationale:**

*In accordance with Section 72 of the Strata Property Act, the Strata Corporation must repair and maintain common property and common assets. Attached to the Notice of Meeting package are the Contractors Bid Tender forms. The Owner of the Strata Lot at the time of the vote is the Owner who must pay the Special Levy assigned to their Strata Lot (suite). Any Owner selling their suite after December 9, 2008 will be required to pay the approved Levy before a Form F will be issued to release title of that Strata Lot. For convenience only, an Owner may submit one post-dated cheque for a strata lot’s share of the levy dated February 28<sup>th</sup>, 2009 as per the Schedule attached. As the Strata Corporation is dependent on receipt of the Special Levy to finance this project, any money owing after February 28, 2009 will be assessed a late payment penalty in accordance with the Strata Corporation’s Bylaws.*

*The Building Exterior Maintenance Project is calculated as follows:*

\$ 92,923.81	Exterior maintenance project (Remdal base bid)
\$ 4,646.19	Master Painters Association – inspection fees (5% of Remdal base bid)
\$ 4,646.19	Westland Developments – oversee site project (5% of Remdal base bid)
\$ 1,858.48	Baywest - additional management services, meeting preparation, attendance, processing of special levy charges, addressing owner concerns, etc. (2% of Remdal base bid)
<u>\$ 1,000.00</u>	Printing/postage for SGM Notices and Minutes, notices
\$105,074.67	Sub-total of project
<u>\$ 5,253.73</u>	GST on project
\$110,328.40	

\$ 19,514.00 20% Contingency for unknowns including additional fees for MPDA, Westland & Baywest

**\$129,842.40 Total Cost of the Project**



It was MOVED – 1005 that  $\frac{3}{4}$  Vote Resolution “A” be put on the floor for consideration. SECONDED – 907

The Strata Manager advised those present, the representative from Master Painters Association (MPA) originally planned on attending, however due to a family commitment at the last moment was unable to attend and because Council was with the understanding MPA would be present, Remdal Painting and Restoration was advised they would not be required to attend. It was noted Council and the Building Envelope Committee previously held several Information Meetings for the Owners to attend and ask questions of MPA and/or Remdal in order to provide as much information as possible. The Owners were invited to ask questions and/or provide comments related to the proposed resolution.

One Owner questioned how soon the work could commence once approved. Mr. Kanter advised as early as March. There were no further comments or questions from the floor.

The Strata Manager advised each unit was entitled to one vote and there is a total representation of 57 Owners, therefore 43 votes in favour is required to pass the  $\frac{3}{4}$  vote resolution.

As there were no further questions from the floor, a vote was called by a show of voting cards on  $\frac{3}{4}$  Vote Resolution “A”. There were 57 in favour and 0 opposed.

The motion was

CARRIED UNANIMOUSLY

***At this time one more Owner joined the meeting, bringing the total representation to 58.***

## **7.2 $\frac{3}{4}$ VOTE RESOLUTION “B” – WINDOW REPLACEMENT PROJECT**

The Strata Manager read aloud the Resolution:

*“Be it resolved as a  $\frac{3}{4}$  Vote of the Owners of Strata Plan LMS 2093, The Observatory to authorize the Strata Council to expend not more than Fifty Thousand Dollars (\$50,000) from the Contingency Reserve Fund for the purpose of replacing all windows with failed seals on record with the Strata Corporation as of March 31, 2008. The work will be prioritized based on receipt of the surveys and on severity of the failed unit. Any unused funds will be returned to the Contingency Reserve Fund at the completion of the project.”*

It was MOVED – 1906 that  $\frac{3}{4}$  Vote Resolution “B” be put on the floor for consideration. SECONDED – 401

Mr. Kanter advised Owners this project was long overdue and had been discussed on numerous occasions. Subsequent to the February 2008 Annual General Meeting a deadline for return of Window Surveys had been extended to March 31, 2008. A list was compiled based on the information received and the funds are necessary in order to replace any of the failed sealed window units. He also stated that it may not be possible for all windows to be replaced based on the funds requested tonight, however replacement will be an on-going priority for the Strata Council and additional funds will be allocated each year to ensure all windows are eventually addressed. The Owners were invited to ask question and/or provide comments related to the proposed resolution.

Questions as to who will be prioritizing the window replacements, can the CRF address the costs proposed this evening, what if a Survey was returned after March 31, 2008 and is Council going to replace the windows with the same quality.

Owners were advised a Committee of Owners and Council will work with the chosen glass contractor to assess the windows for replacement, however the list is based on a first come, first serve basis keeping in mind the severity of each of the windows on the list. The Contingency Reserve Fund (CRF) is built up annually, and the Strata Property Act requires a Strata Corporation to contribute a certain percentage each year to the CRF. While the expenditures proposed this evening from the CRF are costly, the purpose of the Fund is to allow this type of work to be done knowing the Owners will be rebuilding it over the next several

years. It was also pointed out, that many Owners have paid in to the CRF and as such, their contributions should go towards improving the building. Al Waldorff advised the windows will be of an improved quality and warranty period; however it is only the glass that will change not the actual window frame. The windows will be consistent in their appearance.

As there were no further questions from the floor, a vote was called by a show of voting cards on  $\frac{3}{4}$  Vote Resolution "B". There were 58 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

### **7.3 $\frac{3}{4}$ VOTE RESOLUTION "C" – SECURITY SYSTEM UPGRADE PROJECT**

The Strata Manager read aloud the Resolution:

*"Be it resolved as a  $\frac{3}{4}$  Vote of the Owners of Strata Plan LMS 2093, The Observatory to authorize the Strata Council to expend not more than Ten Thousand Dollars (\$10,000) from the Contingency Reserve Fund for the purpose of upgrading the security camera and recording system. Any unused funds will be returned to the Contingency Reserve Fund at the completion of the project."*

It was MOVED – 1705 that  $\frac{3}{4}$  Vote Resolution "C" be put on the floor for consideration. SECONDED – 1803

The Owners were invited to ask questions and/or offer comments related to the proposed resolution. Council addressed various question and advised the Owners the existing camera and recording devices for the building are out dated and do not provide sufficient resolution to allow for accuracy. Security is of the utmost importance to the Strata Corporation and it is the Strata Council's recommendation to proceed with further investigation in order to implement a system that will meet the needs of the Strata Corporation. Council currently has one estimate for \$5,500, however it will be necessary to solicit the involvement of a security professional to determine what additional equipment and upgrades are needed; therefore the Strata Council is seeking approval of \$10,000 so Council will not have to come back to the Owners for additional money. One Owner recommended Council contact the Surrey RCMP to ensure the proposed system will meet their documentation requirements sure it is necessary to pursue criminal action in the future.

As there were no further questions from the floor, a vote was called by a show of voting cards on  $\frac{3}{4}$  Vote Resolution "C". There were 58 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

### **7.4 $\frac{3}{4}$ VOTE RESOLUTION "D" – VISITOR PARKING LIGHTING PROJECT**

The Strata Manager read aloud the Resolution:

*"Be it resolved as a  $\frac{3}{4}$  Vote of the Owners of Strata Plan LMS 2093, The Observatory to authorize the Strata Council to expend not more than Seven Thousand Dollars (\$7,000) from the Contingency Reserve Fund for the purpose of replacing all the parkade lighting with energy efficient lighting to increase safety of the residents and effect a cost savings measure. Any unused funds will be returned to the Contingency Reserve Fund at the completion of the project."*

It was MOVED – 401 that  $\frac{3}{4}$  Vote Resolution "D" be put on the floor for consideration. SECONDED – 1805

The Owners were invited to ask questions and/or offer comments related to the proposed resolution.

Council clarified for the Owners the lighting upgrades are for the Visitor and underground parkade lighting only and it is expected the cost of the upgrade would pay for itself within two to three years. One Owner advised BC Hydro offers a rebate/grant for replacing lighting with energy savings lighting; Council acknowledged this and advised they would take advantage of the offer.

As there were no further questions from the floor, a vote was called by a show of voting cards on  $\frac{3}{4}$  Vote Resolution "D". There were 58 in favour and 0 opposed. The motion was CARRIED UNANIMOUSLY

(9) **TERMINATION**

There being no further business, the meeting was terminated at 7:35 p.m.

Everyone was thanked for attending and for encouraged a productive meeting.

Susan MacGregor  
Strata Manager

<b>Please be advised you should retain copies of Council and General Meeting Minutes for a period of 2 years.</b>
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**LMS2093 - THE OBSERVATORY**  
**APPROVED SPECIAL LEVY - DECEMBER 9, 2008**  
**EXTERIOR BUILDING MAINTENANCE PROJECT**

Unit	SL#	Unit Entitlement	Special Levy Amount
101	1		0.00
201	3	633	599.13
202	4	1,155	1,093.20
207	2	828	783.70
301	10	700	662.55
302	11	1,150	1,088.47
303	5	1,147	1,085.63
304	6	533	504.48
305	7	831	786.54
306	8	673	636.99
307	9	840	795.06
401	17	699	661.60
402	18	1,150	1,088.47
403	12	1,147	1,085.63
404	13	535	506.38
405	14	865	818.72
406	15	673	636.99
407	16	876	829.13
501	24	698	660.65
502	25	1,150	1,088.47
503	19	1,147	1,085.63
504	20	535	506.38
505	21	865	818.72
506	22	675	638.89
507	23	877	830.08
601	45	698	660.65
602	32	1,150	1,088.47
603	26	1,147	1,085.63
604	27	535	506.38
605	28	871	824.40
606	29	671	635.10
607	30	877	830.08
701	38	698	660.65
702	39	1,150	1,088.47
703	33	1,147	1,085.63
704	34	535	506.38
705	35	866	819.67
706	36	675	638.89
707	37	878	831.02
801	45	698	660.65
802	46	1,150	1,088.47
803	40	1,147	1,085.63
804	41	535	506.38
805	42	866	819.67
806	43	675	638.89

**LMS2093 - THE OBSERVATORY**  
**APPROVED SPECIAL LEVY - DECEMBER 9, 2008**  
**EXTERIOR BUILDING MAINTENANCE PROJECT**

Unit	SL#	Unit Entitlement	Special Levy Amount
807	44	877	830.08
901	52	698	660.65
902	53	1,150	1,088.47
903	47	1,147	1,085.63
904	48	535	506.38
905	49	866	819.67
906	50	675	638.89
907	51	877	830.08
1001	59	698	660.65
1002	60	1,150	1,088.47
1003	54	1,147	1,085.63
1004	55	535	506.38
1005	56	866	819.67
1006	57	674	637.94
1007	58	878	831.02
1101	66	699	661.60
1102	67	1,150	1,088.47
1103	61	1,149	1,087.53
1104	62	534	505.43
1105	63	866	819.67
1106	64	673	636.99
1107	65	875	828.18
1201	72	896	848.06
1202	73	1,149	1,087.53
1203	68	1,147	1,085.63
1204	69	534	505.43
1205	70	1,090	1,031.68
1206	71	942	891.60
1301	78	896	848.06
1302	79	1,149	1,087.53
1303	74	1,147	1,085.63
1304	75	534	505.43
1305	76	1,090	1,031.68
1306	77	942	891.60
1401	84	896	848.06
1402	85	1,149	1,087.53
1403	80	1,147	1,085.63
1404	81	534	505.43
1405	82	1,090	1,031.68
1406	83	942	891.60
1501	90	897	849.01
1502	91	1,149	1,087.53
1503	86	1,147	1,085.63
1504	87	534	505.43
1505	88	1,090	1,031.68

**LMS2093 - THE OBSERVATORY  
APPROVED SPECIAL LEVY - DECEMBER 9, 2008  
EXTERIOR BUILDING MAINTENANCE PROJECT**

Unit	SL#	Unit Entitlement	Special Levy Amount
1506	89	941	890.65
1601	96	896	848.06
1602	97	1,149	1,087.53
1603	92	1,147	1,085.63
1604	93	535	506.38
1605	94	1,090	1,031.68
1606	95	942	891.60
1701	102	897	849.01
1702	103	1,149	1,087.53
1703	98	1,147	1,085.63
1704	99	535	506.38
1705	100	1,090	1,031.68
1706	101	942	891.60
1801	108	896	848.06
1802	109	1,149	1,087.53
1803	104	1,147	1,085.63
1804	105	535	506.38
1805	106	1,090	1,031.68
1806	107	942	891.60
1901	114	896	848.06
1902	115	1,149	1,087.53
1903	110	1,147	1,085.63
1904	111	535	506.38
1905	112	1,090	1,031.68
1906	113	942	891.60
2001	120	897	849.01
2002	121	1,149	1,087.53
2003	116	1,147	1,085.63
2004	117	535	506.38
2005	118	1,090	1,031.68
2006	119	941	890.65
2101	122	1,355	1,282.50
2102	123	1,399	1,324.15
2103	124	1,404	1,328.88
2201	125	1,354	1,281.56
2202	126	1,399	1,324.15
2203	127	1,409	1,333.61
		116,218	\$110,000.00

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**COUNCIL MEETING MINUTES**

**Wednesday, November 12, 2008**

**THE OBSERVATORY – LMS 2093**

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2008/2009**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**CO-TREASURERS**

Lillian Kerr - #1003  
Francis Tsui - #2201

**MAINTENANCE**

Stephen Kanters - #1803

**SOCIAL**

Patrick Muir - #907

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
Direct Phone: (604) 592-3542  
E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**

**13520 78TH AVENUE**  
SURREY, B.C. V3W 8J6  
(604) 591-6060

**24-HOUR EMERGENCY:**

**Phone: (604) 591-6060**

**ATTENDANCE:**

Al Waldorff  
Tomas Vasquez  
Lillian Kerr  
Stephen Kanters  
Francis Tsui  
Patrick Muir

**REGRETS:**

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**(1) CALL TO ORDER**

The meeting was called to order at 6:30 p.m. A quorum was established.

**(2) APPROVAL OF THE AGENDA**

After a review of the Agenda, it was MOVED/SECONDED to adopt the Agenda as presented. **CARRIED**

**(3) ADOPTION OF PREVIOUS MINUTES**

As there were no noted errors or omissions, it was MOVED/SECONDED to adopt the Minutes of the October 14, 2008 Strata Council Meeting as prepared by Baywest. **CARRIED**

**(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 BUILDING EXTERIOR MAINTENANCE**

It was reported very few Owners attended the Information Meeting held by BEC and the Strata Council on October 30<sup>th</sup>. A representative of Master Painters Association was present to assist in answering questions. Three bids have been received for the work proposed ranging from approximately \$92,000 to \$133,000. BEC and Council are confident sufficient information has been researched and obtained including the right Contractors in order to professionally complete the proposed exterior maintenance work.

Council agreed to proceed with calling for a Special General Meeting on December 9, 2008. Including the resolution to address the exterior building maintenance work, it was the decision of Council and BEC to propose to the Owners approving funds for additional work such as replacement of the windows with failed sealed units, upgrading the security system and to replace the parkade lighting with energy efficient lighting. Council reviewed a draft of the proposed resolutions. The Strata Manager will provide Council with a final copy of the draft

resolutions including the suggested revisions. The building exterior maintenance project will include a provision to retain Master Painters Association to complete inspections on the work as it progresses and to retain Westland Developments to oversee the work completed by the Contractors and ensure the work is completed in a timely, professional manner. Discussion ensued with respect to the management contract with Baywest Management, wherein the contract calls for 3% of special projects up to \$199,000 to cover the additional administration that will be required in order to facilitate the project, however Baywest offered to reduce the cost to 2% for the purposes of this special project. After some discussion, it was MOVED/ SECONDED to approve to include an allowance of 2% of the base bid costs plus any extras approved by Council throughout the project.

CARRIED

The Notice of Meeting package will be sent out to all Owners on title as of November 20, 2008. A representative from Master Painters Association as well as the preferred Contractor will be in attendance to respond to Owners questions and concerns. All are encouraged to attend or send a proxy to ensure their vote is counted.

#### **4.2 ANNUAL FIRE INSPECTION**

Fraser Valley Fire is scheduled to attend site on November 27, 2008 to inspect the missed suites from the first inspection of October 1, 2008. Notices have been delivered to all suites and mailed to the non-resident Owners for which suite access is required. Failure to provide access a second time will result in the Locksmith opening suite doors with all costs associated to do so charged back to the unit Owner. As well, the cost to have Fraser Valley return will also be charged back to the unit Owners who are required to provide access once again.

Discussion ensued with respect to a quotation received from Fraser Valley Fire Protection with respect to a faulty module in the fire alarm panel (approximately \$2,500), which was determined after investigating continual intermittent alarms confirmed by the fire monitoring company. After a brief discussion, it was agreed the work must proceed immediately due to the need to ensure the safety of the residents of Observatory. It was MOVED/SECONDED to direct the Strata Manager to obtain a second quotation for replacement of the faulty fire panel module and then proceed with replacement with the Contractor who provides the lesser price.

CARRIED

#### **4.3 CONTINGENCY RESERVE FUND STUDY**

Halsall Consultants advised the report is almost complete; it is expected to be ready by December 9<sup>th</sup>.

#### **4.4 ELEVATOR UPGRADES**

The elevator upgrades will commence the week of November 17<sup>th</sup>.

#### **4.5 WATER DAMAGE - #1204**

As there has been no response from the unit Owner with respect to the letter sent after last meeting, Council directed the Strata Manager to forward another letter requesting payment before Council makes a decision to take further action to collect the outstanding.

#### **4.6 LANDSCAPING SERVICES**

Council reviewed two quotations for landscaping services at Observatory in the amounts of \$897 per month and \$945 per month. Currently, the Strata Corporation pays \$755 per month for landscape services. Council discussed the presentation of Cornerstone versus Observatory and it was agreed the contract with TCL Maintenance will be renewed on a month to month basis until such time as the Council is happy with the services of the Contractor. Council discussed the need to consider a Gardening Committee who would meet with the Landscaper periodically to discuss the needs of the Strata. The Strata Manager was directed to forward a copy of the current landscape specifications to Council for their review.



#### 4.7 INSURANCE CLAIM

It was reported while the common area repairs are proceeding, there is some concern with the quality of the drywall repairs and as such Council has requested a meeting with the Contractor; the Strata Manager will arrange this. There have been some noted delays with the in-suite repairs due to Owners not providing access; the Resident Manager has offered to assist with this problem. Repairs to the elevator have been completed and the invoice for almost \$20,000 has been forwarded to the Insurance Adjuster for payment. As a result of the water damage, the cables on the elevators got wet and as such, the cables will require eventual replacement, however it is unknown how long they will be in good working order. It has been reported that once cables get wet they work fine for up to a two year period, however as they did get wet, the Insurance Company is considering replacement sooner than later. The cost to replace the cables in both elevators is approximately \$40,000, therefore much research and investigation is necessary in order to substantiate the replacement. The Insurance Adjuster has arranged for two independent reviews and recommendations with respect to replacement, however they are having difficulty obtaining any independent quotations given ThyssenKrupp has proprietary rights over all the parts needed for replacement. Once the Insurers have made a decision, Council and Owners will be notified.

An insurance claim only covers the resultant water damage and not that of the cause of the water damage, which in this case was failed pressure reducing valves on the booster pumps, which in turn caused the storage tanks on the top floor to let go and water to flood the building. Keith Plumbing and Heating responded to the emergency in a timely manner and attended to the required repairs as well as some preventative maintenance work. The invoice for the time and materials was received showing approximately 70 man hours and \$7,000 worth of materials used for a total cost of \$15,681.44 including GST. Council discussed the invoice in detail and directed the Strata Manager to contact the Contractor to request back up documentation to support the work completed, etc. Council discussed the tremendous unexpected expense noting the operating budget could not support this expense without putting the Strata Corporation in to a deficit position. The Strata Manager referred the Strata Property Act, which states the Strata Corporation can expend funds from the Contingency Reserve Fund without the approval of the Owners should the expense meet the requirements of The Act.

*Section 96 – The strata corporation must not spend money from the contingency reserve fund unless the expenditure is (a) consistent with the purpose of the fund as set out in section 92(b).*

*Section 92 - To meet its expenses the strata corporation must establish and the owners must contribute by means of a strata fees to (b) a contingency reserve fund for the common expenses that usually occur less often than one a year or that do not usually occur.*

*Section 98 (3) – The expenditure may be made out of the operating fund or contingency reserve fund if there are reasonable grounds to believe that an immediate expenditure is necessary to ensure the safety or prevent significant loss or damage, whether physical or otherwise. (6) The strata corporation must inform owners as soon as feasible about any expenditure made under subsection (3).*

It was then MOVED/SECONDED by Council to authorize the full expenditure of \$15,681.44 from the Contingency Reserve Fund for the invoice from Keith Plumbing and Heating for repairs to the plumbing equipment due to the water damage insurance claim based on the expense being unexpected and an expense which does not usually occur. Council further directed the Strata Manager to pay only 50% of the outstanding invoice as a show of good faith and once Council has received the requested back up documentation and is satisfied with the costs involved, approval will be given for the balance of the outstanding invoice.

CARRIED

#### 4.8 THYSSENKRUPP ELEVATOR SAFETY LICENSING RENEWAL

The Strata Manager advised there is still no response from ThyssenKrupp with respect to the letter sent approximately two months ago. The Strata Manager was directed to send another letter.

#### **4.9 HOULE ELECTRIC CONTRACT**

Dave Fox confirmed Houle Electric has attended site and completed the work as per their contract with Observatory.

#### **4.10 SNOW REMOVAL – PURCHASE OF SNOW BLOWER**

The Strata Council approved the expenditure of approximately \$1,100 at the October 14, 2008 Strata Council meeting for the purchase a snow blower to be used instead of using an outside service. This purchase of common assets exceeded the allowable spending limit of \$1,000 by \$231, which led to the discussion of a bylaw amendment for the February Annual General Meeting to provide Council with the authority as set out in the Strata Property Act of allowable expenditures for common assets of \$2,000 or 5% of the total contribution to the operating budget for the current year. The Strata Manager was directed to draft a bylaw for Council's review.

#### **4.11 SPECIAL PROJECTS**

Nothing further to report other than what has been reported under Item 4 (a) in these Minutes.

### **(5) FINANCIAL REPORT**

#### **5.1 FINANCIAL STATEMENTS**

After a review of the Financial Statements and at the recommendation of the Treasurer, it was MOVED/SECONDED to approve the September 30, 2008 Financial Statements as prepared by Baywest Management. CARRIED

Treasurer, Lillian Kerr reported a GIC in the amount of \$16,716.56 was renewed with HSBC for a further two years at 2.6%. The Strata Manager reviewed with Council a letter included in the September Financial Statements from the General Manager of Baywest with respect to moving towards going "paperless" noting Baywest Management will not be maintaining hardcopies of financials in the future but only electronic.

#### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$10,999.38, which includes the unpaid Special Levy charge and fines levied for non-payment. Council discussed one unit in particular with respect to the outstanding arrears, which currently has a lien filed at Land Titles. Two cheques were provided at the last meeting to address the arrears; however both cheques were returned NSF. Council directed the Strata Manager to forward a letter to this Owner with respect to the outstanding and to reverse the fine that was reversed after last meeting given the account is still in arrears.

It was noted eight Owners continue to be in arrears with respect to the special levy for the deficit recovery. The Strata Manager will forward a Demand Letter to those Owners.

**Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.**

#### **Financial Status As at September 30, 2008:**

Bank	\$30,857.34
Petty Cash	500.00
Accounts Receivable	8,786.12
Accrual Revenue	0.00
A/R Special Assessment Deficit Recovery	1,457.75
Pre-paid Insurance	0.00

Contingency Reserve Fund	148,267.73
Contingency Reserve Fund Study	12,194.03
CRF Short Term Securities	47,202.26
Caretaker's Suite	<u>111,999.79</u>
<b>Total Assets</b>	<b>\$361,265.02</b>

## **(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report is attached to these Meeting Minutes. Additional items discussed included the following:

- The Resident Manager provided Council with a revised Draft of his Employment Contract. Council will review and advise of any revisions necessary.

Council thanked Dave Fox for his report.

## **(7) COMMITTEE REPORTS**

### **7.1 MAINTENANCE (S. Kanters)**

There was nothing further to report other than reported elsewhere in these Minutes,

### **7.2 SOCIAL (P. Muir)**

Mr. Muir reviewed with Council delay of the In-House Garage Sale by one week; notices have been posted at the Notice Board. Discussion ensued with respect to the Christmas season. A tree will be put up in the front lobby and in the Activity Room. A Christmas Social with Secret Santa is in the planning stages. Notices will be posted once details are finalized.

## **(8) CORRESPONDENCE**

Correspondence was received from units 1303, 807 and 1606.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

## **(9) NEW BUSINESS**

### **9.1 ANNUAL GENERAL MEETING**

Council discussed resolutions, which they would like proposed at the upcoming Annual General Meeting. At this time, it was agreed only bylaw revisions would be addressed at the AGM as the Special General Meeting would address any special project work for the coming year. The Strata Manager will provide Council with a draft budget for their review within the next couple of weeks as well as draft bylaw resolutions. All revisions will be finalized at the January meeting and the Annual General Meeting is tentatively scheduled for Tuesday, February 10, 2009.

### **9.2 SMITHRITE CONTRACT**

Council reviewed a quotation for a two year maintenance contract with Smithrite Disposal Ltd. for semi-annual maintenance on the compactor. After some discussion, it was MOVED/SECONDED to approve the contract for one year only and only after Smithrite provide the Strata Corporation with a copy of maintenance records for the past two years.

CARRIED

**(10) TERMINATION**

There being no further business, the meeting was adjourned at 10:13 p.m. There is no meeting scheduled for December other than the Special General Meeting on December 9<sup>th</sup>. The next scheduled meeting of Council is Tuesday, January 13, 2009.

Susan MacGregor  
Strata Manager

**Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.**

**Monthly Managers Report  
The Observatory  
LMS 2093**

**October 2008**

- Fraser Valley Fire Protection Services on site to conduct the annual fire inspection (Oct 1-2) A few suites were not accessible, follow up date to be set.
- Contractors bidding on the flood damage repairs were here on site checking damage to the suites and building, repairs to suites will be conducted on a first come first served basis. Your co-operation will help to expedite your repairs. (Oct 1)
- P3 North storage room door striker has been broken and there are signs of forced entry/door kicked from the outside. We will be investigating this further. Please contact Manager if you suspect any items stolen from your lockers. Electric striker replaced Oct 31/08 on all storage room doors secure.
- Hymark Mechanical on site to replace corroded gas line in visitor parking (gas feed to 04' suites) Replacement section to be rust painted (yellow) to code and raised in ceiling to improve clearance.(Oct 6)
- University Sprinklers on site to shut down and winterize irrigation system as per annual procedure. (Oct 9)
- Hallsall's engineering team on site to perform a comprehensive audit of the building, systems, and grounds. (Oct 14)
- Hot tub and Sauna repairs have all been concluded, Fraser Valley Health Authority on site for re-certification inspection. (certified Oct 16) HT/ Sauna now re- open to all residents
- Three Wide contractors on site to start with the drywall repairs to the hallways (Fire chase) first as per insurance adjusters' recommendation. (Oct 20)
- Good-Bye Graffiti on site to quote on the graffiti on the driveway entrance wall, and light standards on west lawn, quote to follow and forwarded to council for consideration (Oct 20)
- Air-Vac services here today to look after a partially blocked dryer vent on the 11<sup>th</sup> floor. Dryer lint was also found partially plugging the door and discharge line, please check and keep these areas clean of lint as it will lead to discharge line blockage.(Oct 21)
- Smart-Tech on site to repair intercom system not functioning properly to the upper floors, found to be a power problem and resolved quickly, system functioning normally.(Oct 21)
- Walnut Grove Glass here to replace a broken sliding glass door on the 8<sup>th</sup> floor and a side window on the 3<sup>rd</sup> floor (Oct 24).
- Good-Bye Graffiti on site to remove the spray paint on the front entrance wall and the west lawn light standards.(Oct 29)
- Hymark Plumbing here to find and repair a leak emanating from behind the chase wall on the 10-11<sup>th</sup> floor. Pro-Carpet here to assist with the water removal and drying of carpets. (Oct 30)
- East side door was compromised, damaged and unable to lock. RM repaired and replaced all screws with permanent rivets. Windows on second floor amenities room were also pried at in an

attempt to gain access to the building. RM has secured all windows and doors to deter further attempts.(Oct 31)

- **Residents are reminded that it is of the utmost importance to ensure all doors and windows are securely closed and locked behind you when exiting the building or leaving the amenities rooms, as unlocked doors and windows are seen as an invitation to thieves. Together we can all make a difference to keep our property safer and more secure.**

**COUNCIL MEETING MINUTES**

*Tuesday, October 14, 2008*

**THE OBSERVATORY – LMS 2093**

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2008/2009**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**CO-TREASURERS**

Lillian Kerr - #1003  
Francis Tsui - #2201

**MAINTENANCE**

Stephen Kanters - #1803

**SOCIAL**

Patrick Muir - #907

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor  
Direct Phone: (604) 501-8772  
Fax (604) 592-3668  
E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz  
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E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**

13520 78TH AVENUE  
SURREY, B.C. V3W 8J6  
(604) 591-6060

**24-HOUR EMERGENCY:**

Phone: (604) 591-6060

**ATTENDANCE:**

Al Waldorff  
Tomas Vasquez  
Lillian Kerr  
Stephen Kanters  
Francis Tsui  
Patrick Muir

**REGRETS:**

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**(1) CALL TO ORDER**

The meeting was called to order at 6:35 p.m. A quorum was established.

**(2) APPROVAL OF THE AGENDA**

After a review of the Agenda and the addition of a couple of items, it was MOVED/SECONDED to adopt the Agenda as amended.

CARRIED

**(3) ADOPTION OF PREVIOUS MINUTES**

An error was noted wherein it was reported Lillian Kerr was present for the September 9<sup>th</sup> Council Meeting when in fact she was absent. It was then MOVED/SECONDED to adopt the Minutes of the September 9, 2008 Strata Council Meeting as prepared by Baywest.

CARRIED

**(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 BUILDING EXTERIOR MAINTENANCE**

After the September 9<sup>th</sup> meeting and prior to this meeting, at the request of the BEC to the Strata Council, it was MOVED/SECONDED via email communication to approve the expenditure of not more than \$800 for the purpose of retaining Master Painters Association to prepare a scope of work and put the specifications out to tender to three companies.

CARRIED

Since approval of the funds, the specifications have been tendered to Remdal Painting, City Wide Painters and SD&D Painting. The tenders will be forwarded to Master Painters Association, BEC and Baywest Management on October 24<sup>th</sup>, after which, the Strata Council along with BEC will meet to discuss the bids received. Once a date can be confirmed with Master Painters, and Information Meeting will be arranged for Owners to attend and ask questions of the proposed work.

***Subsequent to the meeting, Strata Council and BEC will be inviting all Owners to attend an Information Meeting on October 30<sup>th</sup> and a representative of Master Painters Association will be present to respond to questions.***

A Special General Meeting has been tentatively scheduled for December 9<sup>th</sup> whereby a Resolution will be put forth to the Owners to approve the cost required by means of a special levy and a partial expenditure from the CRF to maintain the exterior of the building. The resolution will include sufficient funds to cover the cost of the Contract, retain Master Painters Association to provide inspections throughout the project, to retain the services of a site consultant to oversee the trades and a 15% contingency to address unknowns.

#### **4.2 ANNUAL FIRE INSPECTION**

Fraser Valley Fire Protection completed the annual fire inspection and outstanding work not completed by G.E. Security on October 1<sup>st</sup> and 2<sup>nd</sup>. The final deficiency report was not available at the time of the meeting. Upon receipt of the report, the Strata Manager will schedule for a second visit to the building and those Owners that did not provide access will be invoiced for the cost to return to the Observatory.

#### **4.3 CONTINGENCY RESERVE FUND STUDY**

Halsall Consultants are working on the CRF Study and conducted a site visit of all common areas on October 14<sup>th</sup>. They hope to have it completed within four to five weeks.

#### **4.4 SECURITY SYSTEM LEASE**

The Resident Manager confirmed the new system is in place and the software problem has been addressed.

#### **4.5 ELEVATOR UPGRADES**

The elevator upgrades will commence once the elevator repairs due to the water damage claim are completed.

#### **4.6 WATER DAMAGE - #1204**

The Strata Manager reviewed with Council a letter from the Owner's father received the day of the meeting outlining the incident and reasons why the cost of the deductible should not be charged back to the unit Owner. Council directed the Strata Manager to forward a letter to the unit Owner in response to the letter received noting their reasons for the insurance deductible chargeback.

#### **4.7 LANDSCAPING SERVICES**

The Strata Manager advised the second landscaping quotation was not received in time for the meeting. Council discussed the services of the current landscaping company noting the overall appearance of the exterior is lacking despite requests for certain work to take place. Council agreed to review the quotations and make a decision prior to the end of November.

#### **4.8 INSURANCE CLAIM**

The elevators are up and running finally; however there are still a few minor adjustments necessary. Emergency repairs to common areas and Owners suites have been completed by Pro-Carpet Care. The SCM Insurance Adjusters arranged for two contractors (Belfor Restorations and First On Site, a Division of Edenvale Restorations) to review all final repairs and provide quotations for repair.

***Subsequent to the meeting, SCM advised the contract for final repairs was awarded to First On Site and repairs would commence Monday, October 20<sup>th</sup>. It is expected final repairs will take approximately four to six weeks to complete.***



#### 4.9 THYSSENKRUPP ELEVATOR SAFETY LICENSING RENEWAL

The Strata Manager advised a letter was sent to ThyssenKrupp after the last meeting; however there has been no response in return.

#### (5) FINANCIAL REPORT

##### 5.1 FINANCIAL STATEMENTS

After a review of the Financial Statements and at the recommendation of the Treasurer, it was MOVED/SECONDED to approve the August 31, 2008 Financial Statements as prepared by Baywest Management.

CARRIED

##### 5.2 ACCOUNTS RECEIVABLE

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$11,079.62, which includes the unpaid Special Levy charge and fines levied for non-payment. The Strata Manager advised the outstanding less the unpaid special levy charges amounted to \$9,103.91, of which \$5,000 is related to an insurance deductible chargeback. The Strata Manager was directed to continue with the collection process.

Two units wherein specific directives were set out, the Strata Manager advised one unit Owner provided post dated cheques to clear up the outstanding within four months to avoid the lien process. A second Owner has provided two cheques to make payment of \$1,000 to address most of the outstanding. Upon review of a letter from the Owner, it was MOVED/SECONDED to waive one \$50 fine out of the \$250 in fines; Council directed the Strata Manager to follow up in writing with respect to balance owing and the \$50 fine, which was reversed.

Owners are reminded the Deficit Recovery Special Levy was due May 31, 2008. For those who have not made payment, fines have and will continue to be levied. Please make arrangements for immediate payment to avoid additional fines. Payment can be made by cheque payable to LMS 2093 and delivered to either Baywest Management or the Resident Manager. Alternatively, if you are set up on the pre-authorization program, you may email the accountant directly and provide authorization to deduct your account the Special Levy amount. Accountant's email address is [mcruz@baywest.ca](mailto:mcruz@baywest.ca)

Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.

#### Financial Status As at August 31, 2008:

Bank	\$23,902.59
Petty Cash	500.00
Accounts Receivable	9,640.43
Accrual Revenue	109.58
A/R Special Assessment Deficit Recovery	2,028.85
Pre-paid Insurance	2,130.62
Contingency Reserve Fund	143,284.54
Contingency Reserve Fund Study	12,165.03
CRF Short Term Securities	47,202.26
Caretaker's Suite	111,999.79
<b>Total Assets</b>	<b>\$352,963.69</b>

#### (6) RESIDENT MANAGER'S REPORT

Other than already reported elsewhere within these Minutes, the Resident Manager's report is attached to these Meeting Minutes. Additional items discussed included the following:

- The Resident Manager put forth an invoice to Council for consideration of remuneration as a result of the numerous hours spent addressing the water damage claim over and above the regular hours of work. The Strata Manager confirmed the Insurance Company would cover the cost of this invoice as part of the insurance claim.
- Council reviewed a quotation from Pumphouse Fitness Systems for approximately \$5,000 to replace the treadmill with a light commercial unit, which will stand up to the regular use. After much discussion, it was Strata Council's decision to not proceed with this expenditure at this time given there was no budget approved at the last General Meeting and as the Strata Council personally do not use the recreation facility and therefore are not in touch with the needs of the Owners related to the facility. Therefore, at the request of Strata Council, Owners are encouraged to bring forward any recommendations they may have so Council can make an informed decision.
- As reported via email communication, a section of a gas line in the Visitor Parking area was found to be corroded and recommended for replacement. Hymark Plumbing, Heating and Gasfitting provided a quotation for \$2,605.05 to replace the section of pipe providing gas service to the building. As the pipe was extremely corroded and possessed a safety hazard should it have leaked, it was **MOVED/SECONDED** to approve the expenditure of \$2,605.05 as proposed by Hymark via email communication. **CARRIED**

The Resident Manager reported the work has been completed.

- The hot tub/sauna has been restored to working condition and the Resident Manager is awaiting an inspection by the Fraser Valley Health Authority. ***Subsequent to the meeting, it was reported the Fraser Valley Health Authority inspected and approved usage of the hot tub/sauna.***

Council thanked Dave Fox for his report.

## **(7) COMMITTEE REPORTS**

### **7.1 MAINTENANCE (S. Kanters)**

Other than reported elsewhere in these Minutes, there was nothing further to report.

### **7.2 SOCIAL (P. Muir)**

The Social Committee and the Strata Council wish to announce an In-House Garage Sale, which is scheduled for November 15<sup>th</sup>. Anyone wishing to have a table is asked to either contact Patrick Muir or the Resident Manager; deadline to order a table is November 1<sup>st</sup>. Notices will be posted.

## **(8) CORRESPONDENCE**

Correspondence was received from units 407, 1106, 2002, 1705, 905, 1803.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

## **(9) NEW BUSINESS**

### **9.1 HOULE ELECTRIC CONTRACT**

As per the contract with Houle Electric annual servicing of the electrical vault is due. The cost is approximately \$4,600 and is budgeted for annually. The Strata Manager was directed to contact Houle Electric to confirm the work to be done and to have the work scheduled with the Resident Manager.

## **9.2 REMOTE FOB RETURN POLICY**

After an Owner asked for the consideration of returning remote fobs, the Strata Council reported there is no policy in place for an Owner to return a remote fob for reimbursement. Remote fobs are purchased by Owners for a cost; once used, the Strata Corporation can not buy back and sell used remote fobs to other Owners. When an Owner sells their unit, the remote fob is deactivated. New Owners who obtain the remote fobs from the selling Owners should see the Resident Manager who will reactivate the remote fob. No reimbursement will be given by the Strata Corporation for returning remote fobs.

## **9.3 SPECIAL PROJECTS**

Special project work such as lobby enhancement, upgrading of the Visitor Parking and underground parking lighting, cleaning of the front entrance will be considered during the budgeting process for the next fiscal year.

## **9.4 INSURANCE RENEWAL**

Strata Council reviewed the Insurance Certificate for renewal of the insurance policy with Coastal Insurance. The Observatory increased in value by \$2,924,000 to \$27,294,000. The annual premium effective October 1, 2008 based on the increased value is \$28,530. Discussion ensued with respect to payment of the insurance premium. After a brief discussion, it was MOVED/SECONDED to direct the Strata Manager to arrange a loan from the CRF in the amount of \$28,530 to pay the annual insurance premium and to pay back the loan in twelve equal monthly payments. CARRIED

The Strata Manager reviewed with Council optional coverage offered by Coastal Insurance available to the Strata Corporation for a small premium. Three options were discussed as follows: i) Directors and Officers (Errors and Omissions) Liability – increase from \$2,000,000 to \$3,000,000 for an additional premium of \$50 or increase from \$2,000,000 to \$5,000,000 for an additional premium of \$175. ii) Employee Dishonesty – for Strata Council members increased from \$10,000 to \$25,000 for an additional premium of \$25. iii) Volunteer Accident Insurance - for owners who perform work on a volunteer basis for the Strata Corporation who are under the age of 80. Increase the Weekly Indemnity of \$500 to \$600 for an additional premium of \$300. Conditions apply. After much discussion, it was MOVED/SECONDED to direct the Strata Manager to increase the Directors and Officers Liability from \$2,000,000 to \$3,000,000 for an additional premium of \$50. CARRIED

## **9.5 SNOW REMOVAL**

Last winter during one of the heaviest snow falls in years, the Strata Corporation ran into a situation wherein the snow removal contractor did not show up. Council discussed the idea of purchasing a snow blower for the Strata Corporation and maintaining snow removal services in-house. Currently, the Resident Manager is responsible for keeping the sidewalks cleared, and with the investment of a snow blower, the Resident Manager would be able to keep the driveway clear during heavy snowfalls. Three quotes were reviewed in detail and after much discussion; it was MOVED/SECONDED to approve the expenditure of approximately \$1,100 for the purpose of purchasing a snow blower for The Observatory. CARRIED

## **(10) TERMINATION**

There being no further business, the meeting was adjourned at 9:40 p.m. Due to the Remembrance Day Holiday, the next meeting of Council is scheduled for Wednesday, November 12, 2008.

Susan MacGregor  
Strata Manager

<b>Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.</b>
--

**Monthly Managers Report  
The Observatory  
LMS 2093**

**September 2008**

- Pro Carpet completing on site cleanup from water damage to all floors. (Sept 1-3)
- First On Site Restoration on site to conduct a thorough investigation and compile a scope of work to address concerns from the water damage to suites and common areas. (Sept 3)
- Intercom at front door stopped functioning, alarm code - improperly disconnected from host, manually re-set and re-booted system to override fault. Please be sure to hang up your phone completely after receiving a page to enter building. (Sept 8)
- Smart-Tek here to repair video surveillance equipment and to take back and replace fobs that do not work properly. (Sept 10)
- SCM, First on Site and Belfor here today to review the water damage to suites and common areas. Their intentions are to get into every suite that has experienced water damage to assess the repairs on an individual basis. (Sept 10)
- A resident has dumped a stove beside the RM's trailer in the room beside visitor parking, which is in violation of our renovation rules. All appliances must be removed off site at the owners' expense. (Sept 10)
- A new ashtray has been placed beside the garbage container outside of the Main Lobby for smokers' convenience and to deter the homeless from coming onto our property. Please use the new receptacle and not the top of the garbage container. (Sept 10)
- University Sprinkler on site to repair two broken sprinkler heads on east side of the building. (Sept 10)
- Elevators failed on Thursday Sept 11<sup>th</sup> and again on Saturday Sept 13<sup>th</sup> and the ownership was again without elevator for several hours on both days. RM will be contacting TK to attempt to expedite necessary repairs if possible. (Sept 15) failed again Sept 17<sup>th</sup>, TK to repair problem Sept 18<sup>th</sup>.
- Power failure due to a vehicle collision on King George Hwy caused a power outage for close to an hour today, intercom was not working at time of incident, system restored and intercom was checked and is now operational, a message was announced informing all residents that the power and intercom services were restored. (Sept 15)
- RM installed new automatic air freshener dispensers in Lobbies and Washrooms on second floor to help with the flood damage odours. (Sept 17)
- Fraser Valley Fire Protection here to annually test our back flow devices and re-certify them as per municipal code. (Sept 18)
- ThyssenKrupp technician here most of the day to resolve problems with car two, tried several options, but still not working properly. Tech is advising Head Office in Toronto of situation for their engineers to resolve. (Sept 18)
- New office PC purchased and received for security system upgrade (Sept 22) Smart-Tek on site Thursday, Sept 23<sup>rd</sup> to upgrade fob access hardware and drivers.
- Car # One (elevator) returned to service and repairs to both cars are continuing throughout the week, we should have normal operation restored by Friday Sept. 26<sup>th</sup>.

**COUNCIL MEETING MINUTES**

**Tuesday, July 29, 2008**

**THE OBSERVATORY – LMS 2093**

**LOCATION:**

6:30 p.m. – Activity Room  
10899 W. Whalley Ring Road  
Surrey, BC

**STRATA COUNCIL  
2008/2009**

**PRESIDENT**

Al Waldorff - #1705

**VICE-PRESIDENT**

Tomas Vasquez - #1304

**CO-TREASURERS**

Lillian Kerr - #1003

Francis Tsui - #2201

**MAINTENANCE**

Stephen Kanthers - #1803

**SOCIAL**

Patrick Muir - #907

**RESIDENT MANAGER**

Dave Fox

**STRATA MANAGER**

Susan MacGregor

Direct Phone: (604) 501-8772

Fax (604) 592-3668

E-Mail: smacgregor@baywest.ca

**ACCOUNTANT**

Malou Cruz

Direct Phone: (604) 592-3542

E-Mail: mcruz@baywest.ca

**BAYWEST MANAGEMENT**

**13520 78TH AVENUE**

**SURREY, B.C. V3W 8J6**

**(604) 591-6060**

**24-HOUR EMERGENCY:**

**Phone: (604) 591-6060**

**ATTENDANCE:**

Al Waldorff

Tomas Vasquez

Stephen Kanthers

Francis Tsui

Patrick Muir

**REGRETS:**

Lillian Kerr

Susan MacGregor, Baywest Management Corporation  
Dave Fox, Resident Manager

**GUESTS/OBSERVERS:**

Joel Hendershott, #805

Patricia Cabanos, #905

**(1) CALL TO ORDER**

The meeting was called to order at 6:35 p.m. A quorum was established.

**(2) APPROVAL OF THE AGENDA**

After a review of the Agenda and the addition of Guest Business, it was MOVED/SECONDED to adopt the Agenda as amended.

**CARRIED**

Ms. Cabanos stated her concern to Council with respect to the notice delivered to all Owners on July 25<sup>th</sup> by Strata Council in response to the information presented to the Owners at the July 22<sup>nd</sup> Information Meeting. She advised Council the rebuttal notice of July 25<sup>th</sup> was unjust as the Building Envelope Committee (BEC) never once suggested terminating the Resident Manager only selling the Strata Corporation's suite to assist with funding of the proposed building envelope work. Ms. Cabanos felt the notice put the BEC in a poor light and did not accurately reflect the information presented on July 22<sup>nd</sup>. Following the July 25<sup>th</sup> notice by Council, the BEC prepared a response notice, which was posted at the Community Board with the support of the President. The BEC requested the notice be attached to the July 29<sup>th</sup> Minutes and distributed to the Ownership. Lastly, the Strata Council's notice stated the BEC was only authorized to address the scope of work and not the options to fund the work; however the Minutes of the June 24<sup>th</sup> Council Meeting stated differently.

The Council and Management acknowledged Miss. Cabanos concerns. The Strata Council was not provided with prior knowledge of the information to be presented to the Owners by the BEC at the July 22<sup>nd</sup> Information Meeting, and as such was taken by surprise with the options presented, and therefore felt it necessary to respond with the notice of July 25<sup>th</sup>. The Strata Council agree all options need to be presented to the Ownership,

however believe it is important the BEC present to Council prior to the Ownership in the future to avoid misunderstandings. It was pointed out to the BEC that while they did not recommend terminating the Resident Manager position, the information of selling the Strata Corporation's suite caused concern for the Resident Manager and his wife as to their future at The Observatory as well as some members of Strata Council. It was recommended a mandate for the project be set so the BEC is aware of their responsibilities, which does include investigating options for funding the project provided they agree all future literature and/or presentations are presented to Council prior to presenting at an Information Meeting. Council members and Management apologize to the BEC for distributing the July 25<sup>th</sup> notice to the Ownership without first confirming information with the BEC. The Strata Council and Management apologize for not setting out, in writing, for the BEC that all information should first be presented to Council. It was acknowledged that if this had been done, the recent confusion would not have taken place. The Strata Council agreed the notice from BEC could be distributed to the Owners in the same manner as the Council notice. The Strata Council has great confidence in the abilities of the BEC to research all avenues with respect to the building envelope repairs for The Observatory.

As there was no further discussion, it was agreed to proceed with the Meeting as the time was 7:40 p.m.

### **(3) ADOPTION OF PREVIOUS MINUTES**

As there were no errors or omissions noted, it was MOVED/SECONDED to adopt the Minutes of the June 24, 2008 Strata Council Meeting as prepared by Baywest. CARRIED

### **(4) BUSINESS ARISING FROM PREVIOUS MINUTES**

#### **4.1 BUILDING EXTERIOR MAINTENANCE**

The question arose with respect to the need to have an Engineer oversee the project. The Strata Manager advised given the scope of work and the amount of money involved that no one on Council or at Baywest is qualified to ensure the work to be completed is done in a professional manner ensuring the products to be used, application rates and completion. Retaining the services of an Engineer is costly but offers protection for the Strata Corporation. Council member and BEC member, Stephen Kanters who works in the construction industry reviewed with Council recommendations by the BEC to reduce the scope of work for the building envelope to repairs to the exterior building cracks, power washing and painting only, and that additional information will be obtained with respect to products used by contacting the Master Painter's Association. Given, the proposed change in scope of work, the Strata Manager agreed it would be in the best interest of the Strata Corporation to retain the services of an Engineer to at least approve the change of scope of work and the products to be used would benefit the building envelope.

After further discussion, it was MOVED/SECONDED to approve the following mandate for the Building Envelope Committee. The Committee is charged with investigating required repairs for the building envelope including the failed sealed window units and proposing funding options. The Committee will present to the Strata Council all findings prior to any future Informational Meetings. The Strata Council will determine the best options for the Strata Corporation based on the recommendations of the Building Envelope Committee which will be presented to the Strata Corporation at an upcoming Special General Meeting. The Building Envelope Committee will obtain Strata Council approval before any expenditure related to the project is made. CARRIED

The Committee and Council discussed a timeline and it is hoped all information can be ready for a November 2008 Special General Meeting.

#### **4.2 ANNUAL FIRE INSPECTION**

The Resident Manager confirmed Fraser Valley Fire has completed replacement of the fire extinguishers. The Strata Manager advised G.E. Security was provided approval to address the dry valve replacement and flow testing at a meeting earlier this year, however recommended the work be completed in August and will be contacting the Resident Manager to schedule this work.

Council reviewed four quotations for the annual fire inspection at Observatory for in-suite inspections as well as all common area and building equipment. Quotations ranged from \$2,990 to \$3,440 not including GST. After much discussion, it was MOVED/SECONDED to direct the Strata Manager to contact Fraser Valley Fire Protection who quoted \$3,150 to price match another contractor's price of \$2,990 and if they agree, award the contract to Fraser Valley Fire Protection for annual fire inspection services for The Observatory.

CARRIED

*Subsequent to the meeting, the Strata Manager advised Council via email Fraser Valley Fire Protection accepted the request to price match. The work will be scheduled for late September.*

#### **4.3 COMMON AREA LIGHTING**

It was agreed by Strata Council that any decisions related to upgrades to the common area lighting would be tabled until such time as the Owners have addressed the building envelope repairs.

#### **4.4 JANITORIAL QUOTATION**

The Resident Manager advised control of the fob for this service has been obtained and as such the Resident Manager is able to monitor and schedule completion of this work. It was noted the actual service provided is acceptable; it was the lack of control related to when the work was being completed. As this is now achieved, it was agreed to monitor the work over the next couple of months and make a decision prior to budgeting for the next fiscal year.

#### **4.5 WINDOW SURVEY**

The Building Envelope Committee will be including this repair as part of the Building Envelope Project. Minutes from the July 22<sup>nd</sup> Information Meeting will be circulated shortly.

#### **4.6 HOMELESS SITUATION – VACANT LOT DEVELOPMENT**

Council discussed the continued activity noting no new break ins to the building, however the homeless are finding their way to the front door of The Observatory searching for cigarette butts, etc. Discussion ensue with respect to removing the ashtray/garbage container and either relocating it or replacing it with something different. After much discussion, the Resident Manager was requested to research different options and present to Council at the next meeting pictures and costs of what could be installed.

Nothing further to report on the development of the vacant lot, however should you wish to write to the City, please direct your correspondence to Pat Lau, City of Surrey, Planning and Development Department, 14245 56<sup>th</sup> Avenue, Surrey, BC V3X 3A2

*At this time, 7:55 p.m. the Observers excused themselves from the meeting.*

#### **4.7 CONTINGENCY RESERVE FUND STUDY**

Council was provided the contract from Halsall Consultants with respect to the Contingency Reserve Fund Study. Council has charged the President and Vice President with the responsibility of reviewing the document and notifying the rest of Council if there were any concerns. If there are not concerns, the contract will be signed and returned to the Strata Manager to forward to Halsall Consultants. Halsall also forwarded a request form for various information, which Baywest will attend to completing on behalf of the Strata Corporation and forward to Halsall in order for them to proceed with the project.

#### **4.8 SECURITY SYSTEM LEASE/COMPUTER**

It was agreed by Strata Council that any decisions related to upgrades to the building security system would be tabled until such time as the Owners have addressed the building envelope repairs except replacement of the computer. Council reviewed two quotations for replacement of the computer and it was

MOVED/SECONDED to approve the expenditure of \$900 plus GST to purchase a new computer and flat screen monitor. CARRIED

The Resident Manager will contact Fraser Valley Computer Center to make arrangements to obtain the new computer.

#### **4.9 ELEVATOR UPGRADES (INTERIOR)**

Kantex Developments will be providing a quotation for the September meeting, which will be used for budgeting purposes at the 2009 Annual General Meeting.

#### **4.10 ELECTRICAL TRANSFORMER**

The Strata Manager advised payment in the amount of slightly more than \$10,000 has been made with respect to the insurance claim related to the electrical transformer. The insurance deductible for the loss is \$1,000 and a reimbursement cheque for approximately \$6,900 was received earlier in the day from Aviva Insurance. The balance should be received shortly.

#### **4.11 WINDOW CLEANING**

IBM completed cleaning of the exterior windows. Council reviewed one letter of complaint with respect to the cleaning completed and it was agreed the Resident Manager along with a Council member would contact the Owner to view their concerns.

#### **4.12 PARKADE CLEANING**

Atlas Power completed cleaning of the parkade; it was agreed by Council it looks great.

#### **4.13 CARPET CLEANING**

Pro-Carpet Care completed cleaning of the common area carpets. Much thanks to Al Waldorff for arranging this service at a reduced price for the Strata Corporation.

#### **4.14 BACKFLOW TESTING**

G.E. Security advised they will schedule testing of the backflow devices with the Resident Manager and provide the City of Surrey with the required documentation certifying completion.

### **(5) FINANCIAL REPORT**

#### **5.1 FINANCIAL STATEMENTS**

In the absence of the Treasurer and at the recommendation of the Co-Treasurer, it was MOVED/SECONDED to approve the June 30, 2008 Financial Statements as prepared by Baywest Management. CARRIED

Discussion ensued with some possible changes to the format of the Financial Statements and it was agreed to set up a meeting with the Accounting Manager of Baywest to further discuss the proposed changes.

#### **5.2 ACCOUNTS RECEIVABLE**

The Strata Manager reviewed with Council the Accounts Receivable report as of the meeting date noting the outstanding totalled \$16,511.73, which includes the unpaid Special Levy charges. The Strata Manager confirmed receipt of several units' fees, which had been outstanding, however could not provide an up to date arrears listing until confirmation the cheques cleared. The Strata Council directed the Strata Manager to continue with the collection process.



Owners are reminded the Deficit Recovery Special Levy was due May 31, 2008. For those who have not made payment, fines have and will continue to be levied. Please make arrangements for immediate payment to avoid additional fines.

Payment can be made by cheque payable to LMS 2093 and delivered to either Baywest Management or the Resident Manager. Alternatively, if you are set up on the pre-authorization program, you may e-mail the accountant directly and provide authorization to deduct your account the Special Levy amount. Accountant's email address is [mcruz@baywest.ca](mailto:mcruz@baywest.ca)

*Owners are reminded Strata Fees are due and payable on the first day of each and every month and the Strata Corporation is solely dependent on prompt receipt of all Strata Fees to finance its day-to-day activities and Special Levies to finance special projects.*

**Financial Status As at May 30, 2008:**

Bank	\$19,702.57
Petty Cash	500.00
Accounts Receivable	10,131.92
Accounts Receivable – Other	80.55
A/R Special Assessment Deficit Recovery	3,649.50
Pre-paid Insurance	6,391.78
Contingency Reserve Fund	133,306.26
Contingency Reserve Fund Study	12,103.18
CRF Short Term Securities	47,202.26
Caretaker's Suite	<u>111,999.79</u>

**Total Assets** **\$345,067.81**

**(6) RESIDENT MANAGER'S REPORT**

Other than already reported elsewhere within these Minutes, the Resident Manager's report is attached to these Meeting Minutes. Additional items discussed included the following:

- Quotation from Hymark Mechanical Services to repair the leaking drainage pipe in the wall beneath the sinks in the hot tub washroom was reviewed. As this is a water leak issue, which requires immediate attention, it was MOVED/SECONDED to accept the quotation from Hymark Mechanical in the amount of \$1,711.50 and Council directed the Resident Manager to schedule access with the Contractor to complete the repairs. **CARRIED**
- Council reviewed two written letters of complaint from the Resident Manager with respect to two separate incidents created by Owners, which have affected the Resident Manager and his wife. The Strata Council reviewed both letters and assured the Resident Manager they would address his concerns with the respective Owners in an effort to resolve the incidents.

Council thanked Dave Fox for his report.

**(7) COMMITTEE REPORTS**

**7.1 MAINTENANCE (S. Kanters)**

Due to the lateness of the meeting, it was agreed to table this item until the next Council meeting.

## 7.2 SOCIAL (P. Muir)

The Social Committee's recommendation to hold a summer barbeque has been approved by Strata Council and is scheduled for Sunday, August 24<sup>th</sup> from 12 noon to 5:00 pm weather permitting. All Residents are invited to attend. Food, non-alcoholic drinks and games along with prizes will be coordinated for the young and old. A sign up sheet will be posted at the Community Board and all are encouraged to attend.

## (8) CORRESPONDENCE

Correspondence was received from unit 207, 902, 804, 1206, 301, and 2003.

Council subsequently dealt with the correspondence received and where deemed necessary, the Strata Manager was directed to correspond with the various authors. Others will have their concerns addressed in the Minutes or be contacted by a member of Council for a first-hand report.

## (9) NEW BUSINESS

### 9.1 WATER DAMAGE – #1204

On the morning of July 4<sup>th</sup> the Owner of #1204 requested assistance from the Resident Manager to address a water leak from the bathtub of the unit. Immediate action by the Resident Manager was taken to stop the flow of water, however five units directly below ('04 units) suffered varying degree of water damage. Pro Carpet responded to the emergency restoration in all units, the insurance company was contacted and an Adjuster attended site to review the damage. A quotation from Angel Restoration was obtained, which was lower than the threshold allowed by the Strata Corporation's insurer and therefore did not require a second quotation. Emergency services and the final repair quote each amounted to approximately \$6,000. The Strata Council reviewed the scope of work and the quotation in the amount of \$5,512.08 prepared by Angel Restoration after which it was MOVED/SECONDED to direct the Strata Manager to contact Angel to arrange for the final repairs to be scheduled.

CARRIED

Owners are advised the Strata Corporation's Insurance policy only covers what was original to the building. Should a unit have an upgrade or betterment such as laminate or hardwood flooring, the cost to repair the flooring would be the responsibility of the unit Owner and their own insurance company as betterments/improvements are to be insured for by the individual unit Owners. With this in mind, those Owners in the '04 units whose hardwood/laminate floors were affected by the water damage are requested to contact their insurance company as the Strata Corporation's insurance policy will not cover replacement or repair to the floors.

The Strata Council then discussed the cause of the water leak and as it was determined to be the responsibility of the Owner albeit an accident, it was MOVED/SECONDED to charge back the deductible portion of the Strata Corporation's insurance policy in accordance with the Strata Corporation bylaws.

CARRIED

The Strata Manager was directed to forward a letter to the unit Owner advising them of Council's decision regarding the insurance deductible chargeback and suggesting they contact their insurance company for assistance with the deductible chargeback.

***Owners are once again reminded how important it is to have an home owners insurance policy and to insure for betterments or improvements as well as the Strata Corporation's deductibles.***

### 9.2 HOULE ELECTRIC CONTRACT

Due to the lateness of the meeting, it was agreed to table this item until the next Council meeting.

### 9.3 DRYER VENT CLEANING

Strata Council reviewed a quotation from Air-Vac Services to clean the dryer vents from the exterior of the building for a cost of \$3,000 plus GST. After much discussion, it was agreed by Council this work should be

scheduled every second year instead of annually; however if an Owner is experiencing problems related to their dryer/vent, please notify the Resident Manager in writing and the Strata Council will arrange for the problem to be addressed.

#### **9.4 LANDSCAPING SERVICES**

Due to the lateness of the meeting, it was agreed to table this item until the next Council meeting.

#### **9.5 REMOTE FOB RETURN POLICY**

Due to the lateness of the meeting, it was agreed to table this item until the next Council meeting.

#### **9.6 VISITOR PARKING STALL CLEANLINESS**

Council provided the Strata Manager with a list of Owners who have allowed their parking stalls to become untidy, which is a violation of the Strata Corporation Rules despite receiving written notices requesting the parking stalls be cleaned up. Owners are reminded of the Rule #17, which reads as follows:

***The resident providing the Visitor Parking Permit shall be responsible for any mess (leaking fluids or litter) left by the visitor's vehicle.***

Council directed the Strata Manager to forward letters as per the list provided.

#### **(10) TERMINATION**

Prior to terminating the meeting, the Strata Manager advised Council the Strata Corporation meetings have regularly been exceeding the allotted timeframe within the management contract and additional charges will apply should they continue to exceed the two hour time limit.

There being no further business, the meeting was adjourned at 9:40 p.m. The next meeting of Council is scheduled for Tuesday, September 9, 2008.

Susan MacGregor  
Strata Manager

**Please be advised that you should retain copies of Council and General Meeting Minutes for a period of 2 years.**

**Monthly Managers Report  
The Observatory  
LMS 2093**

**June 2008**

- P2 & P3 lobby door painting underway & completed (June 5-6)
- Landscaper on site to start the planting of annuals in flower pots and flower beds.(June 7)
- A resident was observed throwing renovation material in the garbage room and was asked to remove materials off site as per Strata Bylaws. Reminders to all residents, please remove all renovation materials, appliances, etc. off site.
- Residents storing household items on balconies are in violation of Strata Bylaws; RM has asked offenders to comply and given a reasonable amount of time (1 week) before further action is taken by Strata Council.
- Hot tub closed for routine cleaning and maintenance, several issues to be addressed, we hope to re-open in a few days if possible. Top cover replaced with new material (June16)
- Side doors adjusted, halls, stairs, and porch cleaned as per summer schedule.
- Residents that are renovating their suites without following the general guidelines (Observatory rules) are placing renovation materials (carpets, underlay, etc...) in the compactor or the trailer in visitor parking. Renovation approvals are required by Strata Council and all materials are to be removed off site at owner's expense.
- Once again Residents are reminded the trailer in Visitor Parking belongs to RM and not the Strata Corporation. It has been agreed to allow small household items, which are too large for the compactor to be placed in the trailer for disposal. The idea was conceived to save money for the owners by lowering costs of waste removal; however some offenders are costing the ownership more money to remove their old renovation refuse by not following the Strata Bylaws and Rules. If it's bigger than a bread box, then please take it off site.
- Please be aware that we can no longer take electronics, computers, or televisions to the waste plant as of Jan 1<sup>st</sup> 2008; additional disposal charges will be incurred.
- Drive pin for the outside gate failed due. RM discussed a more permanent solution for repair with tech from Creative Door (June19) Gate open for a few hours (supervised)
- Repairs to the irrigation system required to insure proper operation of system as per general maintenance/operation.
- Hot tub / Sauna room have been closed at Strata Council's request due to mechanical issues. It is hoped the hot tub and sauna will be fully operational as soon as possible. Notices will be posted to inform the ownership when the amenities are re-opened.
- Finning completed cleaning of the radiator and fins of the emergency generator as approved at the June Meeting.