

MINUTES OF COUNCIL MEETING

STRATA PLAN LMS-531

CEDARBROOKE VILLAGE

HELD: On Tuesday, March 18, 2008 at 6:30 p.m. in the Recreation Centre at 555 West 28th Street, North Vancouver, B.C.

<u>PRESENT:</u>	Bruce Morris	President	#216
	Lesley Erickson	Vice President	#215
	Vicki Parton	Treasurer	#701
	Randy Apps	Secretary	#502
	Sara Beaton		#803
	Angelo Loperfido		#1202
	Brenda Waters		#216

STRATA AGENT: Muryn Jordan, Vancouver Condominium Services Ltd.

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

GUEST Ginny Martin (from 8:00 p.m. to 8:15 p.m.)

GUEST BUSINESS

Ginny Martin attended the council meeting to provide council with records and documents from the previous year's council. These included copies of contracts, quotes, committee mandates, site plans and other information which will be valuable for the new council members.

Council thanked Ms. Martin and she departed the meeting.

CARETAKER REPORT

Council received the report from the site manager for the period of January 4th to March 17th. As the report was received the day of the meeting, it was agreed to review the report at the next meeting.

MINUTES

It was moved, seconded and carried to adopt the minutes of the January 8, 2008 council meeting, as circulated.

Council held a brief meeting on March 4, 2008 in order to elect officers and determine committee members. These minutes have been delivered to the owners; however, the following information was missing from the minutes.

Council discussed and agreed not to hold an additional council meeting prior to the regularly scheduled March 18, 2008 meeting.

Council agreed not to have an owner and former council member attend the next meeting.

Following the amendments, it was moved, seconded and carried to approve the minutes of the March 4, 2008 council meeting.

FINANCIAL REPORT

1. **Monthly Statement:** The agent distributed the February, 2008 financial statement to council and reviewed the information presented in the financial statements for the benefit of the new council members. Council agreed to defer approval of the January and February, 2008 until the Treasurer has had adequate time for review. Any owner wishing a copy of the strata corporation's financial statements should contact Vancouver Condominium Services Ltd. during regular business hours, 9:00 a.m. to 4:30 p.m., Monday to Friday.
2. **Arrears:** The agent advised that two owners have had liens filed on their units for failure to pay strata fees. Additional owners are receiving arrears letters and liens will be filed once the arrears level reaches \$1,000 or above.
3. **Audit Finalization:** Council reviewed the audit for the 2007 fiscal year and it was moved, seconded and carried to finalize the audit. The agent will ensure that Reid Hurst Nagy receives the information and that the audit adjustments are posted for the March financial statement.

COMMITTEE REPORTS

1. **Maintenance:** There was nothing to report.
2. **Facilities:** There was nothing to report.
3. **Gardening:** There was nothing to report.
4. **Communications:** There was nothing to report.

Council agreed to defer discussion regarding the various committees until such time as the new committees are able to meet and review their mandates.

BUSINESS ARISING

1. **#105 Structural Report:** The agent advised council that a report has been received from Horizon Engineering for the next phase of monitoring on the crack in the foundation wall of unit #105. The report indicates that there were no significant changes noted and that

the next recording will be carried out in two months. The agent will ensure that the owner of the unit receives a copy of the report.

2. Liquor License Update: As the owners voted not to approve the additional insurance at the Annual General Meeting, the liquor license will be cancelled. Two council members agreed to complete the necessary paperwork to ensure that the liquor license is cancelled.
3. Oil Tank: The agent advised council that research is ongoing to secure a company who will quote on the cost to complete the soil core sample around the oil tank. Once the quote is received, it will be provided to council for review and discussion.
4. Rental Issue: Council reviewed the ongoing issue of an owner who is renting contrary to the bylaws. The owner has currently received numerous warning letters and no correspondence has been received back from the owner regarding the situation. To that end, the council has already fined the owner as per the bylaws, \$400 for the month of November, \$450 for the month of December and \$500 for the month of January. There was no regular council meeting held in February. Council discussed and agreed to issue a \$500 fine for the month of February and a \$500 fine for the month of March. Additional review will occur at the next council meeting. The agent will forward a letter to the owner advising of the fines.
5. DMS Report: As per council's request at the previous meeting, the agent has followed up with DMS in order to obtain information regarding a reported conflict which occurred when the DMS technician was on-site. Council also requested a more legible report. The agent has followed up with DMS; however, the technician who was on-site is on permanent medical leave and there is no method in which to obtain the required information. Council agreed to remove the item from the agenda.
6. #105 Deck Issue: Council discussed the ongoing issue regarding the back deck at unit #105. The owner has maintained that the repair and replacement of the deck is the responsibility of the strata corporation. The deck is larger than the size noted on the strata plan registered at the Land Title Office. For this reason, the strata council, when made aware of the issue of the deck, obtained legal advice on the proper way to repair the deck which extends onto common property. Council acknowledges that the repair of the deck was significantly delayed due to council being unable to repair a deck on common property and due to council waiting for the legal opinion response regarding the deck.

This legal opinion was obtained in June 2006 and a response letter was forwarded to the owner from the previous management company in July 2006. In that letter, the owner was advised that the deck repairs will be completed by the strata corporation; however, the strata corporation is only responsible for the amount of deck noted on the strata plan and the owner was invited to maintain the extended deck at their own cost. This decision was then formalized by the owners at the Annual General Meeting in December 2006 when a bylaw was passed which made owners responsible for the portion of the deck which exceeds the size noted on the registered strata plan.

To date, the deck has not been repaired and the owner maintains that the deck must be repaired at the strata corporation's cost, while the strata council maintains that the cost must be shared. The council is in receipt of a letter from Haddock & Company, the legal representative of the owner of the unit, advising that failure to repair the deck at its existing size will result in legal action.

Council reviewed all the information at length, including information provided by previous council members and by the owner. A council member has also spoken with a previous site manager. Following extensive review and discussion, council agreed that the deck will be replaced, provided that the owner pays for the additional portion that extends onto common property. The agent will forward a letter to Haddock & Company and the draft letter will be approved by council prior to the final letter being forwarded to the legal counsel.

CORRESPONDENCE

Owners are invited to write council via the management company regarding any strata matters. Owners are advised that, pursuant to the Strata Property Act, correspondence which is addressed to the strata corporation must be made available to any other owner interested in such correspondence, and to certain other persons in specified circumstances. What this means is that any correspondence which is sent to the strata council in confidence might not be protected or privileged, and is subject to any other overriding and applicable law.

1. Council received a letter from an owner disputing the \$450 lien charge placed on his property by the previous management company, at the strata council's direction. Council reviewed the information in detail and agreed to remove the lien charge. There was some delay in receiving the owner's cheque due to the change of management company. The owner placed his cheque in the Cedarbrooke office towards the end of August. Due to the delay in having the cheque cashed, the lien was placed on the owner's account. Council agreed to remove the fine; however, the owner will be advised that such leniency will not be granted for any future fines.
2. An owner wrote to council concerned with the status of the breezeway and the stairs in the 200 block. The owner is concerned that the doors which were removed have not yet been replaced creating an unsafe and visually unpleasing environment. Council advised that the doors have already been replaced and the remainder of the owner's concerns, such as the green Astroturf and other repair items will be reviewed by the Maintenance Committee.

3. Council received three letters from an owner with regard to a noisy truck parked near the 900 block. Council has been in direct contact with the owner regarding the issue and has advised that the unit is for sale and will be vacated shortly. The owner is satisfied that the disruption will cease shortly.
4. Council was in receipt of a letter from an owner citing a variety of items around her unit which require attention:
 - The owner's balcony railing has possible rot and the owner has requested that the railing be repaired or replaced. Council advised that the Maintenance Committee will evaluate the status of the railing and will place the balcony on the repair list in order of priority, based on safety.
 - The owner advised that there are vines and ivy which are growing on the side of the building and are creeping into the living room window. The Gardening Committee will review the vines and if required will speak to the landscaping company about the issue.
 - The owner reported that the caulking around the windows and doors must be repaired. Council is aware of this issue and repair is required throughout the complex; however, the funds are not in this year's budget.
 - The soil on the south and west wall of the unit has built up and is now touching the wood siding. Council agreed that this is an item which requires review throughout the complex and the Maintenance Committee will examine the issue.
 - The owner requested that the Astroturf on the upper floor be removed. Council agreed that the Maintenance Committee will review the Astroturf on the breezeway.
 - The owner advised that a neighbour is exhausting a bathroom fan into the attic. Additionally, a vent in the basement is blocked. Council requested that the agent discuss the issues with the Site Manager.
 - Finally, the owner requested permission to install a full-sized washer/dryer which would vent to the outside of the building. Council requested a copy of the permit from the City of North Vancouver and that the venting be completed by a certified specialist. The venting cannot impede or damage the envelope of the building and must vent to the exterior of the building. The agent will ensure that a letter is forwarded to the owner.

As the letters received in #2 and #3 were from and about a council member, he was asked to leave during the discussion.

2. Council received three letters from owners with regard to an ongoing pet dispute. Council reviewed the letters at length and noted that the incident is one of neighbourly concern and is not a strata council issue.
3. Two letters were received from an owner concerned with cigarette butts being left on the breezeway by a neighbour. Council also received a letter from the owner of the unit advising that they are aware that one of their family members is leaving cigarette butts in the breezeway and they are attempting to resolve the problem.

The council member was invited back to the meeting.

4. Council received a letter from an owner requesting not to be charged \$29.40 for the dryer vent inspection and cleaning. The owner advised that the installation of the washer/dryer was not completed properly by the previous owner and there is no vent to the outside; therefore, the vent was not cleaned. Council requested that the agent advise the owner that the vent must be properly hooked up and it is the owner's responsibility and cost. Council also agreed that the \$29.40 will not be removed from the owner's account.

5. Council received two letters from different owners concerned with the trees throughout the complex. One owner is concerned with the trees bordering on the school and playground. Council advised that the school monitors their trees on an annual basis and that the Garden Committee will review the trees in the playground.

Another owner is concerned with the trees throughout the complex, specifically near the 400 block. Council agreed that the Garden Committee needs to review the trees throughout the complex and determine a viable solution for the pruning and cutback of trees.

6. Council received a letter from an owner concerned with the method of storing items in the basement of the buildings. Council will forward the complaint to the Facilities Committee for review and the issue will be noted in the Cedarbrooke Newsletter advising all residents to be vigilant in ensuring that there are no hazardous materials stored in the basement.

7. Council received a letter from an owner requesting permission to rent their unit. Council noted that the owners have not yet resided in the unit for a year and as per the strata corporation bylaw #9(10), the unit must be owner occupied for one year:

9 *Rental permission bylaw*

- (10) *All strata lots must be owner occupied for one (1) year from purchase date before the strata lot can be leased.*

To that end, council agreed to grant permission to the owner effective on their one year anniversary of living in the unit. The agent will ensure that a letter is forwarded to the owner and that they are reminded of the Form K requirements.

8. Council received a response letter from an owner regarding a letter they received from the strata council concerning their cats roaming the exterior of the complex. The owners are aware of the issue; however, have noted that their cats are not the only ones roaming the neighbourhood. Council made note that the owners have requested permission to rent their unit and will be vacating the complex by the fall. However, an additional letter will be forwarded, reminding them to ensure that their cats are kept inside.

9. A noise complaint letter was received from an owner regarding their upstairs neighbour running their water for extended periods of time very late at night and early into the morning. Council requested the agent to forward a letter to the unit in question.
10. An owner wrote to council complaining of a cat which roams outside the complex and uses the gardens as a litter box. Council has received a previous complaint about the unit and an additional letter will be forwarded to the owners. The owner is also concerned with the brick planters in the 1100 block. Council agreed that the planters must be reviewed by the Maintenance Committee and scheduled for repair if needed.
11. An owner wrote to council concerned with the paint on their balcony. Council agreed that the Maintenance Committee will review the balcony; however, the owner is reminded that painting is not an annual project.
12. Council received a letter from a former council member requesting that their name be removed from the liquor license. Council advised that the owner's name has already been removed.
13. A letter was received from an owner requesting permission to attend every council meeting for the next year. The agent advised council that owners are welcome to attend the council meeting; however, they are not entitled to hearing private information regarding other owners. To that end, any owners who do attend the meeting will be asked to leave during the Correspondence section, during the Financial section and at any other times when individual units or owners are discussed. The owner requested that the agenda be forwarded to him in advance and council agreed that was not an acceptable request. The agent will advise the owner that he is welcome to attend the council meetings; however, the agenda will not be forwarded in advance and he will be asked to leave during discussions of a private nature. Additionally, the owner will be reminded that he is not to provide any information or opinions while observing the meeting.

The owner further requested to write letters to council which he would like published in the newsletter. Council agreed not to allow publication of personal letters in the newsletter.

14. An owner requested permission to install a washer/dryer in their unit. Council approved the request, contingent upon receiving a copy of the permit from the City of North Vancouver for the installation. The owner must ensure that the venting is completed by a certified technician. Additionally, the envelope of the building cannot be impeded or damaged in any way.
15. Council received a letter from an owner advising that one of the dryers in the 400 block was not working and that she feels she is owed \$2. The owner was advised to call Coinamatic regarding the incident, as the machines are owned by Coinamatic and not the strata corporation.

16. Council received a letter from Dickens Chimney Service explaining their poor service regarding the chimney inspections and cleaning. The agent advised that to date, an invoice has not been received from Dickens.
17. Council received a request from an owner to rent their unit. Currently there are only two units rented in the complex with a third unit approved for rental status. Five units are permitted rental status. Council approved the request, provided that the unit is tenant occupied within 90 days and that the proper Form K is forwarded to Vancouver Condominium Services.
18. A letter was received from an owner concerned with neighbourhood children using the gardens as a playing field. Council requested that the agent forward a letter to the units in question reminding them of the bylaws and advising that they must use the park or the school for playtime.
19. Council received a letter from an owner requesting to have a \$25 late strata fee fine reversed from their account. Council denied the request.
20. A letter was received from an owner requesting a response to their letter which they sent on April 2, 2007 regarding their front walk-way. Council requested that the owner forward a copy of the original letter for review.
21. An owner forwarded council a copy of a notice which was found beside the driveway on the entrance to the strata. The notice was placed on a car windshield advising of a parking violation. The notice indicates that Baywest is the current management company. The owner was advised that the notice has been updated for those who are entitled to post the notices and that the notice in question would have been placed by someone using an old notice.
22. An owner wrote a letter of thanks to council for work in repairing the railing on their building. The owner is concerned that there are some bolts which are sticking out from the railing which may be dangerous. Council agreed that the issue does need to be repaired and a council member will discuss the task with the site manager. Additionally, the owner requested information on where the water and gas shut-offs are in case of emergency. The owner was advised that the Maintenance and Emergency committees have this information and it is not required to be delivered to the owners.
23. An owner requested that the planters in the 1100 block breezeway be repaired. Council noted this item is already on the maintenance list. The owner further advised that they have ants in their unit and a council member agreed to speak to the owner about the ant issue.

The owner had an additional concern regarding the sump pump in their crawl space. Council noted that the sump pump has not been installed and will follow up with the Site Manager.

NEW BUSINESS

1. **Window Washing:** At the Annual General Meeting an owner requested that the inaccessible windows be completed. Council advised that it is an owner's responsibility to have the windows cleaned and council will look into having a bulk cost obtained through a contractor.
2. **Pest Control:** At the Annual General Meeting owners expressed concern regarding skunks in the complex. Owners are advised that Pest Control are not able to trap and remove skunks and any owners with skunk concerns are asked to report them to the site office.
3. **Cablevision and Landscaping Contracts:** Owners expressed some concern at the AGM at the Cablevision contract and the Landscaping contract. Council agreed that the Cablevision contract is valuable for owners and council will not be cancelling it. Council will be investigating the Landscaping contract and has asked that the Garden Committee review, in detail, the contract and research additional options.
4. **Gas Meters:** An owner, at the AGM requested that council investigate having each unit individually installed with gas meters. Council agreed that this was not a feasible option for Cedarbrooke.
5. **Cat Bylaw:** An owner, at the AGM, requested that council review and implement a cat bylaw in the complex. Council noted that there are already pet bylaws in place; however, additional bylaws will be researched and reviewed prior to the next Annual General Meeting. Any owner wishing a copy of the bylaws are welcome to contact the agent.
6. **Vehicular Noise:** An owner, at the AGM, requested that council investigate implementing a bylaw banning vehicles which produce a large amount of noise. Council agreed this was not a feasible option for Cedarbrooke, as there is no method to monitor the noise levels of incoming and outgoing vehicles.
7. **Parking Issues:** A variety of parking concerns were brought up by owners at the Annual General Meeting. Council agreed that the Facilities Committee should research areas to install "No Parking" signs throughout the complex.


An owner had requested that a block of parking stalls near the 800 block have shelters built over them, as it is more convenient to park in those stalls than in the designated stalls. Council noted that the stalls being used by the residents of the 800 block are on City land and therefore cannot have structures built.

Council further agreed to instruct the Site Manager to paint additional demarcation lines throughout the complex once the weather improves.

Council agreed to defer discussion of speeding and additional parking near the 100 and 200 block until the next meeting.

8. Property Assessment: The agent made note of the 2008 property assessment for the driveway land is assessed at a value of \$229,000.
9. Fire Hydrant Inspection Report: A report was received from Vancouver Fire & Security noting that the fire hydrants have been tested; however, they are unable to locate the shut-off for hydrant #2. A council member agreed to investigate the issue.
10. Drainage Quotes: Council requested that the agent obtain quotes for improving the drainage at the 100 through 300 block, as approved by the owners at the Annual General Meeting.
11. Pool Filter Quotes: Council requested that the agent obtain quotes for replacement of the pool heater, filter and boiler, as approved by the owners at the Annual General Meeting.

There being no further business, the meeting was adjourned at 10:00 p.m. The next meeting will be held on Tuesday, April 15, 2008 at 6:30 p.m. in the Recreation Centre, at 555 West 28th Street, Vancouver, B.C.


Muryn Jordan
Vancouver Condominium Services Ltd.
#400 - 1281 West Georgia Street
Vancouver, B.C.
V6E 3J7

Telephone: 604-684-6291 (24 Hour Emergency Services)
Toll free: 1-877-684-6291
Fax: 604-684-1539

MJ/lc

A WORD OF APPRECIATION

Many thanks to all owners who provide their monthly strata fees promptly and without problems - either by PAC or post-dated cheques. Your co-operation is most appreciated. Please remember if you write cheques, to make them payable to your strata plan and to identify your suite number or strata lot. Payments are due on the first of each month.