

2ND ANNUAL GENERAL MEETING MINUTES
THE ENVY - STRATA PLAN BCS 2790

MONDAY, JUNE 22, 2009

STRATA COUNCIL
2008 / 2009

PRESIDENT
Cam McLeod

VICE-PRESIDENT
Michael Stewart

TREASURER
Kathy Barbour

SECRETARY
Julia Kennett

COUNCIL MEMBERS
Landscaping / Security
Owen Watson

Maintenance / Social
Sarah Arscott
Peter Shpak

STRATA MANAGER
Jack Foo
Direct Line: 604-714-1542
Direct Fax: 604-592-3684
Email: jfoo@baywest.ca

ACCOUNT DEPARTMENT
TOLL FREE 1-877-585-4411
AR@baywest.ca

BAYWEST MANAGEMENT
300 – 1770 BURNARD STREET
VANCOUVER, BC V6J 3G7
24 Hours : 604-257-0325

PRESENT:

21 Strata Lots Represented
19 In Person
2 By Proxy

Jack Foo, Baywest Management Corporation

(1) CALL TO ORDER

The meeting was called to order at 7:05 p.m. and chaired by Council President, Cam McLeod.

(2) CALLING THE ROLL & CERTIFICATION OF PROXIES

55 strata lots were eligible to vote at the Annual General Meeting. As a quorum required representation by 1/3 of eligible strata lots, a quorum in this instance required representation by 19 strata lots. As there were 21 strata lots being represented at the time of call to order, the meeting was then declared competent to deal with the business at hand.

(3) PROOF OF NOTICE OF MEETING

It was MOVED/SECONDED that proper notice of meeting had been provided according to the requirements of the Strata Property Act. **CARRIED**

(4) ADOPTION OF THE AGENDA

It was MOVED/SECONDED to adopt the Agenda for the Annual General Meeting as presented. **CARRIED**

(5) ADOPTION OF ANNUAL GENERAL MEETING MINUTES

It was MOVED/SECONDED to adopt the Annual General Meeting Minutes of June 4, 2008 as distributed. **CARRIED**

(6) RATIFICATION OF RULES

It was MOVED/SECONDED to ratify the adopted parking rules as presented.
21 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED

CARRIED

(7) INSURANCE REPORT

Each owner was provided a copy of the insurance certificate from BFL Canada Insurance Services Inc. for the building as part of the Notice of Annual General Meeting package. It set out the coverage for the Strata Corporation.

The Strata Manager emphasized the importance of purchasing homeowner's insurance, which should, at a minimum, the current value of water damage deductible of \$5,000.00, contents within the unit which is not covered by the Strata Insurance, a third party liability and betterments or upgrades being carried out by the homeowners.

(8) PRESIDENT'S REPORT

The President thanked everyone for attending the meeting, especially to all the council members who have contributed immensely to the operation of the building over the last fiscal year.

(9) RENEWAL OF STRATA MANAGEMENT AGREEMENT

The President explained that the current Management Agreement was put in place by the developer and that *Strata Property Act* requires that owners to vote to renew the Strata Management agreement at the second Annual General Meeting.

It was MOVED/SECONDED to renew the Strata Management agreement with Baywest Management, as proposed.

Following questions, a vote was called to approve renewal of the Strata Management Agreement as presented.

21 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED

CARRIED

(10) CONSIDERATION OF 2009/ 2010 RESIDENTIAL SECTION OPERATING BUDGET

It was MOVED/SECONDED to adopt the 2009/ 2010 residential section budget as presented.

Following questions and comments on the proposed budget, a vote was called to adopt the Operation Budget as presented.

16 Favour 0 Opposed 0 abstained

CARRIED

A copy of the adopted residential budget and strata fees is attached to the minutes. The budget and maintenance fees will be commence from July 1, 2009 to June 30, 2010.

(11) CONSIDERATION OF 2009/ 2010 COMMERCIAL SECTION OPERATING BUDGET

It was MOVED/SECONDED to adopt the 2009/ 2010 commercial section budget as presented.

Following questions and comments on the proposed budget, a vote was called to adopt the Operation Budget as presented.

5 Favour 0 Opposed 0 abstained

CARRIED

A copy of the adopted residential budget and strata fees is attached to the minutes. The budget and maintenance fees will be commence from July 1, 2009 to June 30, 2010.

Owners wishing to pay by automatic transfers from their bank accounts to the Strata Corporation's bank account are requested to complete the attached form titled Personally Approved Debit Service Agreement and fax or mail it, along with a VOID cheque, to Baywest Management. Owners already set up on the auto pay system need not take any action, as we will adjust your fees accordingly effective July 1, 2009.

Owners wishing to pay by postdated cheques are requested to forward a series of cheques to Baywest Management. Cheques should be made payable to BCS 2790 (the Strata Corporation's legal name) and cover the period July 1, 2009 – June 30, 2010 inclusive. Cheques should be dated for the first of each month.

Should you have any questions regarding the payment of maintenance fees please contact Jack Foo at 604-714-1542 or jfoo@baywest.ca.

(12) CONSIDERATION OF ¾ VOTES

¾ VOTE "A" - BYLAW ADDITION

Be it resolved, as a three-quarter (3/4) vote of the Owners of Strata Plan BCS 2790, The Envy, that the following bylaw be added to the Strata Corporation bylaws:

46. *Claims on Insurance Policies*

- (1) In the event that loss or damage occurs to common property or limited common property or common facilities that gives rise to a valid claim under the Strata Corporation's insurance policy, it is agreed and understood that if the origin of the loss is within the interior confines of an individual Strata Lot, the deductible of the Strata Corporation's policy relative to the loss shall be paid by the individual Strata Lot owner in whose lot the cause of the damage originated.
- (2) The foregoing will also hold true if the careless, negligent or inattentive acts of a Strata Lot owner or any member of their family or their guests or agents cause damage outside the Strata lot and the origination of the loss is anywhere on the premises.
- (3) In the event that an owner or any member of their family or their guests or agents cause damage to common property, limited common property or common facilities and the damage so caused is not covered by insurance, the Strata Lot owner shall be held responsible for such loss and promptly reimburse the Strata Corporation for the full cost of repair or replacement of the damage done.
- (4) The only exception to the foregoing is where loss originates from the rupture or malfunction of a permanent public facility supply line or sewer system that extends from common property into an individual unit, in which case the deductible shall be the responsibility of the Strata Corporation. It is further agreed and understood that where any loss or damage originates from "common property" as defined in the Strata Property Act and is not the responsibility of the Strata Lot owner as previously defined, payment of the deductible shall then be the responsibility of the Strata Corporation.
- (5) Damage to personal property of an owner or occupant of the unit, together with any upgrading, substituting or improvements or betterments to the unit that have been made or acquired by the present owner from those originally installed shall be the responsibility of the present owner.

It was MOVED/SECONDED to present ¾ Vote "A" as presented.

Following questions from owners on the item, a vote was called to adopt ¾ Vote "A" as presented.

18 In Favour, 3 Opposed and 0 Abstained

CARRIED

¾ VOTE "B" - BYLAW ADDITION

Be it resolved, as a three-quarter (3/4) vote of the Owners of Strata Plan BCS 2790, The Envy, that the following bylaw be added to the Strata Corporation bylaws:

47. Annual and Special General Meetings – Quorum

Notwithstanding section 48(3) of the Act, if within 1/2 hour from the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting

was convened upon the requisition of members; but in circumstances where the meeting was called by the strata council, if within 1/2 hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum

It was MOVED/SECONDED to present ¾ Vote "B" as presented.

Following questions from owners on the item, a vote was called to adopt ¾ Vote "B" as presented.

20 In Favour, 1 Opposed and 0 Abstained

CARRIED

¾ VOTE "C" - BYLAW ADDITION

Be it resolved, as a three-quarter (3/4) vote of the Owners of Strata Plan BCS 2790, The Envy, that the following bylaw of the Strata Corporation be amended:

To Amend Bylaw 34 to read:

34. *Moving In or Out*

- (1) Any moving of large household items must be arranged through the Custodian or a council designated person at least 7 working days in advance of the moving date.
- (2) All moves must take place between the hours of 8:00 AM and 4:00 PM. Any unauthorized moves may result in the imposition of a fine at the discretion of council.
- (3) A resident must ensure that the lobby doors are not left open, ajar or unattended at any time.
- (4) A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move.
- (5) A non refundable booking fee of \$100 shall be levied against a strata lot for booking the levator shall be charged at the time of booking. This applies also to moving from one suite to another within the building.
- (6) All move times must be booked and completed within 4 hours of the start time.

It was MOVED/SECONDED to present ¾ Vote "C" as presented.

Following questions from owners on the item, a vote was called to adopt ¾ Vote "C" as presented.

19 In Favour, 2 Opposed and 0 Abstained

CARRIED

¾ VOTE "D" - BYLAW AMENDMENT

Be it resolved, as a three-quarter (3/4) vote of the Owners of Strata Plan BCS 2790, The Envy, that the following bylaw of the Strata Corporation be amended:

To Amend Bylaw 32. (12) and (13) to read:

32.1. (12) elect a council, if the meeting is an Annual General Meeting

32.1. (13) deal with new business, including any matters about which notice has been given

It was MOVED/SECONDED to present ¾ Vote "D" as presented.

Following questions from owners on the item, a vote was called to adopt ¾ Vote "D" as presented.

20 In Favour, 1 Opposed and 0 Abstained

CARRIED

(13) ELECTION OF 2009 / 2010 STRATA COUNCIL

A round of applause was extended to the outgoing Strata Council members for their efforts on behalf of the Strata Corporation over the past year. As per the bylaws, a maximum of seven Strata Council members could be elected. Given the foregoing, the Strata Manager opened the floor for nominations or volunteers for the Council positions. The following owners volunteered or were nominated and agreed to stand for office for the 2009 / 2010 term.

Cam McLeod #305
Michael Stewart #701
Kathy Barbour #607
Julia Kennett #401
Owen Watson #702
Sarah Arscott #604
Pete Shpak #407
Fraternal Order of Eagles - North West Aerie # 2638 - Commercial units

The Strata manager called for further volunteers/nominations from the floor on a number of occasions and as no further volunteers/nominations came forward owners were requested to vote for the 7 candidates of their choice by secret ballot. After the ballots were counted, the following owners were elected to the 2008-2009 Strata Council:

Cam McLeod #305
Michael Stewart #701
Julia Kennett #401
Owen Watson #702
Pete Shpak #407
Sarah Arscott #604
Fraternal Order of Eagles - North West Aerie # 2638 – Commercial units

(13) GENERAL DISCUSSION AND QUESTIONS

The newly elected Council will address concerns raised by the owners. Some basic housekeeping items were also discussed.

- Smoking within the commercial parkade
- Visitor parking stalls abuse
- Satellite and Air conditioning system installation
- Insufficient Hot water supply

(13) TERMINATION

There being no further business, the 2008 / 2009 AGM was terminated at 9:15p.m.

Submitted by: Jack Foo, Strata Manager

Please keep these minutes with your strata lot records. You will need to provide them to your realtor when you sell your strata lot. There will be a charge for copies.

Strata Plan - BCS 2790 - The Envy - Residential Section					
Approved Monthly Strata Fee Contribution - July 2009 - June 2010					
Unit	Strata Lot	Unit Entitlement	CRF Contribution	Operating Expenses Contribution	Strata Fee
301	6	64	26.11	258.28	284.39
303	7	65	26.52	262.31	288.84
305	8	65	26.52	262.31	288.84
307	9	65	26.52	262.31	288.84
309	10	89	36.31	359.17	395.48
308	11	86	35.09	347.06	382.15
306	12	61	24.89	246.17	271.06
304	13	61	24.89	246.17	271.06
302	14	61	24.89	246.17	271.06
300	15	63	25.71	254.24	279.95
401	16	64	26.11	258.28	284.39
403	17	65	26.52	262.31	288.84
405	18	65	26.52	262.31	288.84
407	19	65	26.52	262.31	288.84
409	20	89	36.31	359.17	395.48
408	21	86	35.09	347.06	382.15
406	22	61	24.89	246.17	271.06
404	23	61	24.89	246.17	271.06
402	24	61	24.89	246.17	271.06
400	25	63	25.71	254.24	279.95
501	26	82	33.46	330.92	364.38
503	27	65	26.52	262.31	288.84
505	28	65	26.52	262.31	288.84
507	29	65	26.52	262.31	288.84
509	30	89	36.31	359.17	395.48
508	31	92	37.54	371.27	408.81
506	32	61	24.89	246.17	271.06
504	33	61	24.89	246.17	271.06
502	34	61	24.89	246.17	271.06
500	35	63	25.71	254.24	279.95
601	36	82	33.46	330.92	364.38
603	37	65	26.52	262.31	288.84
605	38	65	26.52	262.31	288.84
607	39	65	26.52	262.31	288.84
609	40	89	36.31	359.17	395.48
608	41	92	37.54	371.27	408.81
606	42	61	24.89	246.17	271.06
604	43	61	24.89	246.17	271.06
602	44	61	24.89	246.17	271.06
600	45	63	25.71	254.24	279.95
701	46	82	33.46	330.92	364.38
703	47	65	26.52	262.31	288.84
705	48	65	26.52	262.31	288.84
707	49	65	26.52	262.31	288.84
709	50	89	36.31	359.17	395.48
708	51	92	37.54	371.27	408.81
706	52	61	24.89	246.17	271.06
704	53	61	24.89	246.17	271.06
702	54	61	24.89	246.17	271.06
700	55	63	25.71	254.24	279.95
3472			1,416.67	14,011.58	15,428.25

Strata Plan - BCS 2790 - The Envy - Commercial Section
Approved Monthly Strata Fee Contribution – July 2009 - June 2010

Unit	Strata Lot	Unit Entitlement	Commercial Section CRF Contribution	Commercial Section Operating Expenses Contribution	Commercial Strata Fee
COMM	1	76	20.60	206.04	226.65
COMM	2	93	25.21	252.13	277.34
COMM	3	92	24.94	249.42	274.36
COMM	4	93	25.21	252.13	277.34
COMM	5	100	27.11	271.11	298.22
		454	123.08	1,230.83	1,353.92